The Network Note
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Drought Webinars: Now Available On-Line
*Dividing the Waters* recently completed its two-part webinar series on responding to drought. The first webinar examined the actions of the states of California, Nevada and Idaho in responding to recent drought conditions. The second webinar addressed how to prepare for the next drought. You can find and watch the webinars on the NJC-DTW website, [here](#).

**Ramsey Kropf: Interior Deputy Solicitor for Water**
Department of the Interior Solicitor Hilary Tompkins recently appointed *Dividing the Waters* Convener Ramsey Kropf as the new Deputy Solicitor for Water Resources. Kropf will leave both her Colorado law firm and her position as DTW Convener. Kropf joined the Program in its 1993 founding, when she worked for John Thorson, who was then serving as Arizona water master. The Program’s loss will benefit Interior and the nation. Good luck, Ramsey!

**WY: Water Division Denies State Obligation over Internal Distribution on Private Canal**
Drawing lines between Wyoming’s executive and judicial branches, the senior member of the State Board of Control denied the propriety of state administration of water distribution internally down a canal system near Fort Bridger. By state constitution, Wyoming’s Board of Control (the State Engineer and 4 water division superintendents) supervises the state’s waters. In a 4-page ruling, Water Superintendent Jade Henderson circumscribed state responsibility to manage internal water distribution in a canal system. He relied on guidance from a local state District Court judge, an Attorney General Opinion, statewide policy, statutes and case law. He distinguished public water law from private civil law. While recognizing state government authority to regulate diversions from the stream, he concluded that the state’s water officers have limited responsibility and expertise to judge the private prerogatives between legal individual users for their own distribution down their canal. Disputes over internal decisions by joint owners have recourse directly to the judicial branch.

**AZ: White Mountain Apache Tribe Settlement Approved**
The Apache County Superior Court dismissed objections and approved settlement of White Mountain Apache Tribe water right claims to the Little Colorado River. The agreement permanently resolves the Tribe’s water rights claims and provides for the construction of a water delivery system. This marks the eighth Indian water rights agreement that Arizona adjudicators have approved. Arizona has approved more Indian water rights settlements than any other Western state.

**Supreme Court Lets CA Delta ESA Decision Stand**
The Supreme Court denied certiorari to CA water project users that sought the Court’s review of the 9th Circuit’s decision upholding the Fish & Wildlife Service’s biological opinion to protect Delta smelt. *(See Network Note, March 2014)*

**In Focus:** **Andy Sawyer (California)**
Since joining the State Water Resources Control Board in 1977, Andy Sawyer has enjoyed working on many of California’s most important water issues – from the Sacramento-San Joaquin River Delta to the Colorado River.

Sawyer started his water career with a focus on water quality, where he developed the first state superfund proposal and developed strategies for remediation of abandoned mines. He directed preparation of the Lake Tahoe Water Quality Control Plan, which included the first designation of an Outstanding National Resources Water, first Total Maximum Daily Lode (TMDL), and first municipal separate storm sewer system (MS4) permits, as well as innovative measures for non-point source control, and integration of water quality and rights.

Since 1988, Sawyer has served Assistant Chief Counsel, overseeing the work of attorneys who work on water rights, underground storage tanks and drinking water – after the 2014 transfer of the safe drinking water program to Boalt Hall. He played a role in all of the Board’s major water right proceedings in the past 25 years, including its Delta decisions, the Mono Lake decision, waste and unreasonable use regulations, stream system adjudications and court references.

Sawyer has participated in many *Dividing the Waters* conferences, taking every opportunity to confer with colleagues from other states. “*Dividing the Waters* provides an invaluable opportunity to share experiences and compare responses to the issues involved in complex water cases, working with a great group of people. California water law is unique in some respects, but in others California is merely ahead or behind, sometimes far behind, other jurisdictions. *Dividing the Waters* provides ideas, perspective, and inspiration to better address these challenges.”

Sawyer formerly chaired the Environmental Law Sections of the State Bar and the Sacramento County Bar Association. He helps plan the Environmental Law Conference at Yosemite, including its hikes. Sawyer received his undergraduate degree from Harvard and his JD from U.C. Berkeley (Boalt Hall).

Profile on you? Recent court decision? Something to share? **ALFIII@sbcglobal.net**

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