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EDUCATION:

- Ph.D. American history. University of California, Los Angeles, 1987. Dissertation: "Interstate Water Conflicts, Compromises, and Compacts: The Rio Grande, 1880-1938." Fields: history of California and the American West, water rights history, legal history, environmental history.
- M.A. American history. University of Maryland, College Park, 1979. Master's thesis: "A History of the Potomac Company and Its Colonial Predecessors." Fields: business history, colonial history, early republic history, trans-Appalachian West history, British history.
- B.A. English literature. Brown University, 1972.

CONSULTING AND EXPERT WITNESS EXPERIENCE:

- 2014-Present: Research historian and consultant for clients in San Joaquin River Delta, California (attorney: S. Dean Ruiz of Harris, Perisho & Ruiz, Stockton, California). Provided historical research, documentation, and expert report on riparian and appropriative water rights in San Joaquin River Delta, California, for use in *Modesto Irrigation District v. Heather Robinson Tanaka, State Water Resources Control Board, et al.*, Sacramento County Superior Court, Case No.: 34-2011-00112886. Deposed and testified in court.
- 2014-Present: Research historian and consultant for Coachella Valley Water District, Palm Desert, California (attorney: Gene Tanaka of Best, Best & Krieger, Walnut Creek, California). Providing historical research, documentation, and expert report on water rights in the Palm Springs, California, area for use in *Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District*, U.S. District Court, Central District of California, Eastern Division, Case No. ED CV 13-00883, JGB SPX.
- 2013-2014: Research historian and consultant for Gallo Cattle Company, Merced, California (attorneys: Marshall C Whitney and Ben Nicholson of McCormick, Barstow & Sheppard, Fresno, California). Provided historical research, affidavits, deposition, and testimony regarding the history of the water rights and uses in the vicinity the Merced Irrigation

District and the “Livingston Drain” for use in *Gallo Cattle Company v. Lincoln White Crane Hunter, Merced Irrigation District, et al.*, Merced County Superior Court Case No. CV001051.

2008-2010: Research historian and consultant for McAfee & Taft in Tulsa, Oklahoma (attorney Robert Joyce). Provided historical research, written report, depositions, and testimony regarding lead and zinc mining and land use in northeastern Oklahoma for use in *Quapaw Tribe of Oklahoma, et al., v. Blue Tee Corp, et al.*, U.S. District Court for the Northern District of Oklahoma, Civil Action No. 03-CV-486-CVE-PJC.

2006-Present: Research historian and consultant for State of Montana. Providing historical research, reports, affidavits, and testimony in *Montana v. Wyoming and North Dakota*, No. 137 Original, U.S. Supreme Court.

2006-2007: Research historian and consultant for Loeb & Loeb in Los Angeles (attorney Anthony Murray). Provided historical research and deposition testimony regarding the history of natural disasters (mudslides, floods, fires, earthquakes, etc.) in Southern California for use in *Dane W. Alvis, et al., v. La Conchita Ranch Company, et al.*, Ventura County (California), Superior Court Case No. CIV 238700.

2005-2009: Research historian and consultant for the Stinson Beach County Water District in Marin County, California (counsel: Hanson, Bridgett, Marcus, Vlahos & Rudy of San Francisco). Provided historical research on the history of the water rights of the District.

2005-2006: Research historian and consultant for Salt River Project, Phoenix, Arizona (attorney: Mark A. McGinnis of Salmon, Lewis & Weldon of Phoenix, Arizona). Provided historical research and report on the history of public domain lands, land grants to Arizona, and water rights for use in *In re: General Adjudication of All Rights to the Use of Water in the Gila River System and Source*, and *In re: General Adjudication of All Rights to the Use of Water in the Little Colorado River System and Source*, Apache and Maricopa Superior Court Case No. CV 6417-100.

2005: Research historian and consultant for the Lake Arrowhead Community Services District (counsel: Best, Best & Krieger of Riverside, California). Provided historical research and documentation on the history of water rights associated with Lake Arrowhead in southern California. Testified before the California State Water Resources Control Board concerning the District’s pre-1914 water rights claims (and post-1914 claims).

2004 – 2006: Research historian and consultant for City of Santa Maria, California (counsel: Best, Best & Krieger of Riverside, California). Provided historical research, deposition, and court testimony on the history of water rights of the U.S. Bureau of Reclamation’s Santa Maria Project (California) for use in *Santa Maria Valley Water Conservation District v. City of Santa Maria, Southern California Water Company, City of Guadalupe, et al.*, Santa Clara County (California) Superior Court, Case No. CIV 770214.

- 2004 – 2008: Research historian and consultant for City of Pocatello, Idaho (counsel: Beeman & Associates of Boise, Idaho, and White & Jankowski of Denver, Colorado). Provided historical research, documentation and affidavit testimony on the history of Pocatello’s water rights for use in Snake River Basin Adjudication (*In Re: the General Adjudication of Rights to the Use of Water From the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, County of Twin Falls (Idaho) District Court, Case No. 39576. Provided affidavit testimony.
- 2003 – 2004: Research historian and consultant for U.S. Bureau of Reclamation (Mid-Pacific Region). Provided historical research and report on the history of the water rights of the Friant Unit of the Bureau’s Central Valley Project (California).
- 2002: Research historian and consultant for the Alameda County Water District (counsel: Hanson, Bridgett, Marcus, Vlahos & Rudy of San Francisco). Provided historical research and report on the history of the water rights of the District.
- 2001 – 2007: Research historian and consultant for Paloma Investment Limited Partnership (counsel: Mesch, Clark & Rothschild of Tucson, Arizona). Provided historical research and deposition regarding whether the Gila River was commercially navigable in 1912 when Arizona became a state for use in *Flood Control District of Maricopa County v. Paloma Investment Limited Partnership* and *Paloma Investment Limited Partnership v. Flood Control District of Maricopa County*, Maricopa County (Arizona) Superior Court, Case No. CV97-07081.
- 2000 – 2001: Research historian and consultant for Salt River Project, Arizona (counsel: Salmon, Lewis & Weldon of Phoenix, Arizona). Provided historical research and documentation on Zuni Indian water rights and land claims in Arizona and New Mexico for use in *In re the General Adjudication of All Rights to Use of Water in the Little Colorado River System and Source*, Apache County (Arizona) Superior Court, Case No. 6417.
- 2000 – 2001: Research historian and consultant for the Maryland Attorney General. Provided historical research and affidavit testimony on the 1785 “Mount Vernon” interstate compact between Maryland and Virginia for use in U.S. Supreme Court case of *Virginia v. Maryland*, No. 129 Original.
- 1998 – 2000: Research historian and consultant for the Idaho Attorney General. Provided historical research on whether the Salmon River and selected tributaries were commercially navigable in 1890 when Idaho became a state.
- 1998 – 1999: Research historian and consultant for the Idaho Coalition, a landowners’ group (counsel: John K. Simpson of Rosholt, Robertson & Tucker of Boise, Idaho, and Shawn Del Ysura of J.R. Simplot Company of Boise, Idaho). Provided historical research, and affidavit testimony on the impacts of various dams in the Columbia River and Snake River watersheds on anadromous fish for use in Snake River Basin Adjudication (*In Re:*

the General Adjudication of Rights to the Use of Water From the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System, County of Twin Falls (Idaho) District Court, Case No. 39576.

1998 – 2000: Research historian and consultant for Sacramento Municipal Utility District of California (counsel: Ronald Aronovsky of Alden, Aronovsky & Sax of San Francisco). Provided research on toxic waste and land site history for use in *Sacramento Municipal Utility District v. California Department of Transportation, Sacramento Housing and Redevelopment Agency, et al.*, Sacramento County (California) Superior Court, Case No. 96AS04149.

1997 – Present: Research historian and consultant for City of Las Cruces, New Mexico (counsel: Stein & Brockmann of Santa Fe, New Mexico). Provided historical research, documentation, and affidavit testimony on the city's water rights for use in *State of New Mexico v. Elephant Butte Irrigation District*, Dona Ana County (New Mexico) District Court, Case No. CV 96-888. Also testified in court regarding United States' priority rights claims.

1997 – 2003: Research historian and consultant for Fort Hall Water Users' Association, Idaho (counsel: Richard Simms of Hailey, Idaho). Provided historical research and report the Association's water rights in relation to the Shoshone and Bannock Indian land cessions on the Fort Hall Indian Reservation in Idaho for use in *Fort Hall Water Users' Association, et al., v. United States of America*, U.S. Court of Federal Claims, Case No. 01-445L.

1997 – Present: Research historian and consultant for Kern Delta Water District (counsel: McMurtrey, Hartsock & Worth of Bakersfield, California). Providing historical research and report on Kern Delta's water rights for use in *North Kern Water Storage District v. Kern Delta Water District, et al.*, Tulare County (California) Superior Court, Case No. 96-172919. Testified in that case as an expert witness historian for ten days in the initial trial, which was remanded for additional testimony and evidence. Provided additional research and written reports on water rights for the remanded trial. Also providing research for use in water rights hearings before the California Water Resources Control Board.

1996 – 1998: Research historian and consultant for Idaho Attorney General. Provided historical research on water rights in relation to the Deer Flat National Wildlife Refuge for use in Snake River Basin Adjudication (*In Re: the General Adjudication of Rights to the Use of Water From the Snake River Drainage Basin Water System, State of Idaho v. United States; State of Idaho; and all unknown claimants to the use of water from the Snake River Drainage Basin Water System*, County of Twin Falls (Idaho) District Court, Case No. 39576.

- 1995 – 1998: Research historian and consultant for U.S. Department of Justice. Provided historical documentation on the history of water rights on the Santa Margarita River at U.S. Marine Corps Base, Camp Pendleton, in southern California.
- 1995 – Present: Research historian and consultant for the Salt River Project (counsel: Salmon, Lewis & Weldon of Phoenix, Arizona). Providing historical documentation and reports on whether the Salt, Gila, and Verde rivers were commercially navigable in 1912 when Arizona became a state. Testified multiple times between 1995 and 2014 before the Arizona Navigable Stream Adjudication Commission regarding the navigability of the Salt, Verde, and Gila rivers. Testified on the same subject in 1998 and 1999 before the Arizona State Legislature.
- 1995 – 2001: Research historian and consultant for Nebraska Department of Water Resources (counsel: Simms & Stein of Santa Fe, New Mexico). Provided historical documentation and report on water rights and the history of *Nebraska v. Wyoming*, 325 U.S. 589 (1945), for use in U.S. Supreme Court case of *Nebraska v. Wyoming*, Original No. 108, regarding the apportionment of the waters of the North Platte River. Deposed in that case, but the case was settled before trial.
- 1993 – 1994: Research historian and consultant for Simms and Stein, attorneys specializing in water law in Santa Fe, New Mexico. Provided historical documentation and affidavit testimony on Arapaho and Shoshone land claims and cessions along the Wind River in Wyoming for use in *In Re: the General Adjudication of All Rights to Use Water in the Big Horn River System and All Other Sources, State of Wyoming*.
- 1991 – 2003: Research historian and consultant for Legal Counsel, Division of Water Resources, Kansas State Board of Agriculture (counsel: Montgomery & Andrews of Santa Fe, New Mexico). Provided historical research on water rights and history of apportionment of the Republican River and its tributaries among Kansas, Nebraska, and Colorado for use in U.S. Supreme Court case of *Kansas v. Nebraska and Colorado*, No. 126 Original, regarding the interstate apportionment of the Republican River. Provided affidavit testimony.
- 1991 – 1993: Research historian and consultant for Nickel Enterprises (Bakersfield, California; counsel: Anthony Murray of Carlsmith, Ball, Wichman, Murray, Case, Mukai & Ichiki of Long Beach, California). Provided historical documentation and report on the navigability of the Kern River for use in *Nickel Enterprises v. State of California*, Kern County (California) Superior Court, Case No. 199557. Testified as an expert witness historian in this case for eleven days.
- 1989 – 1990: Research historian for Pacific Enterprises, Los Angeles, California. Directed historical research for and coauthored a corporate history of this southern California holding company entitled *The Spirit of Enterprise: A History of Pacific Enterprises, 1867-1989* (1990).

- 1988 – 1989: Research historian and consultant for Water Defense Association, Roswell, New Mexico (counsel: Simms & Stein of Santa Fe, New Mexico). Provided historical documentation of water rights claims along the Bonito, Hondo, and Ruidoso rivers in southeastern New Mexico for use in *State v. Lewis*, Chaves County (New Mexico), Case Nos. 20294 & 22600, Consolidated.
- 1986 – 1990: Research historian and consultant for Legal Counsel, Division of Water Resources, Kansas State Board of Agriculture (counsel: Simms & Stein of Santa Fe, New Mexico). Provided historical documentation, report, deposition, and testimony on water rights and interstate apportionment of the Arkansas River between Kansas and Colorado for use in U.S. Supreme Court case of *Kansas v. Colorado*, October Term 1985, Original No. 105, regarding the interstate apportionment of the Arkansas River. Testified as an expert witness historian in court for twelve days.
- 1986 – 1989: Research historian and consultant for Legal Counsel, State Engineer Office, State of New Mexico. Provided historical documentation and report on water rights in the Carlsbad Irrigation District in southeastern New Mexico for use in *State v. Lewis*, Chaves County (New Mexico) Case Nos. 20294 & 22600, Consolidated.
- 1986 – 1987: Historical consultant for *National Geographic Magazine*. Advised editors on June 1987 article, “George Washington’s Patowmack Canal.”
- 1984 – 1986: Research historian and consultant for Legal Counsel, State Engineer Office, State of New Mexico. Provided historical documentation and report on the history of water rights on the Rio Grande and interstate apportionment disputes between New Mexico and Texas for use in *El Paso v. Reynolds*, U.S. District Court, Civ. Case No. 80-730-HB.

AWARDS AND OTHER PROFESSIONAL EXPERIENCE:

- 2014: Faculty lecturer for Continuing Legal Education (CLE) International, New Mexico Water Law Conference. Taught course on “The Compromise of 1904 and the First Congressional Apportionment of an Interstate River: The Rio Grande, 1905.”
- 2008: Winner of the National Council on Public History’s Consultant Award.
- July 1, 2007 – 2012: Member, Board of Directors, California Supreme Court Historical Society.
- 2006: Faculty lecturer for Continuing Legal Education (CLE) International, Arizona Water Law Conference. Taught course on “Historians and Water Rights – The Role of Historians in U.S. Supreme Court Interstate Stream Litigation.”
- 1999: Gave keynote address at New Mexico Water Resources Institute’s 44th Annual New Mexico Water Conference on “The History of the Rio Grande Compact of 1938.”
- January 1992 – 1994: Member of Board of Editors of *Western Historical Quarterly*.

1991 – 1995: Lecturer, Department of History, California State University, Hayward. Taught courses on California and U.S. history as well as a graduate seminar on environmental history.

1980 – 1984: Editorial Assistant, *Pacific Historical Review*. Edited scholarly articles and book reviews.

1979 – 1979: Lecturer, University of Maryland's University College off-campus program. Taught courses on the history of the American West and U.S. History surveys at the Pentagon and at a military base.

PUBLICATIONS:

Books:

Conflict on the Rio Grande: Water and the Law, 1879-1938. University of Oklahoma Press (2009).

The Spirit of Enterprise: A History of Pacific Enterprises, 1867-1989 (coauthor, 1990).

Articles:

"Jesse W. Carter and California Water Law: Guns, Dynamite, and Farmers: 1918-1939," *California Legal History* (2009).

"History and the Law: The Forensic Historian in Court," *California Supreme Court Historical Society Newsletter* (2008).

"The History of the Rio Grande Compact of 1938," in Catherine T. Ortega Klett, ed., *44th Annual New Mexico Water Conference – Proceedings – The Rio Grande Compact: It's the Law* (Las Cruces: New Mexico Water Resources Research Institute, 2000).

"The Forensic Historian: Clio in Court," *Western Historical Quarterly* (1994).

"The Rio Grande Compact of 1929: A Truce in an Interstate River Apportionment War," *Pacific Historical Review* (1991).

"Eighteenth Century Plans to Clear the Potomac River: Technology, Expertise, and Labor in a Developing Nation," *Virginia Magazine of History and Biography* (1985).

"The Potomac Company: A Misadventure in Financing an Early American Internal Improvement Project," *Business History Review* (1984).

“Water Rights During the California Gold Rush: Conflicts over Economic Points of View,”
Western Historical Quarterly (1983).

“Maryland Sectionalism and the Development of the Potomac Route to the West, 1768-1826,”
Maryland Historian (1983).

Book Reviews:

Sarah S. Elkind, *Bay Cities and Water Politics: The Battle for Resources in Boston and Oakland* (Lawrence: University Press of Kansas, 1998), in *Environmental History* (2000).

David C. Frederick, *Rugged Justice: The Ninth Circuit Court of Appeals and the American West, 1891-1941* (Berkeley: University of California Press, 1994), in *Pacific Historical Review* (1995).

Daniel Tyler, *The Last Water Hole in the West: The Colorado - Big Thompson Project and the Northern Colorado Water Conservancy District* (Niwot, Colorado: University Press of Colorado, 1992), in *Montana: The Magazine of Western History* (1994).

Lloyd Burton, *American Indian Water Rights and the Limits of Law* (Lawrence: University Press of Kansas, 1991), in *Journal of the West* (1994).

Zachary A. Smith, ed., *Water and the Future of the Southwest* (Albuquerque: University of New Mexico Press, 1989), in *Western Historical Quarterly* (1991).

F. Lee Brown and Helen Ingram, *Water and Poverty in the Southwest* (Tucson: University of Arizona Press, 1987), in *The Public Historian* (1990).

David J. Eaton and Michael Andersen, *The State of the Rio Grande/Rio Bravo: A Study of Water Resource Issues Along the Texas/Mexico Border* (Tucson: University of Arizona Press, 1987), in *New Mexico Historical Review* (1988).

Pat Kelley, *River of Lost Dreams: Navigation on the Rio Grande* (Lincoln: University of Nebraska Press, 1986), in *Pacific Historical Review* (1988).

Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water* (New York: Viking Penguin, Inc., 1986), in *Environmental History Review* (1987).

Thomas F. Hahn, *The Chesapeake and Ohio Canal: Pathway to the Nation's Capitol* (Metuchen, N.J.: Scarecrow Press, Inc., 1984), in *Business History Review* (1987).

PROFESSIONAL AFFILIATIONS:

American Historical Association, American Society for Environmental History, California Committee for the Promotion of History, California Historical Society, California

Supreme Court Historical Society, National Council on Public History, Ninth Judicial
Circuit Court Historical Society, Organization of American Historians, Western History
Association, Western Council on Legal History.