

Michael D. White, Retired Partner



BIOGRAPHY

Sandy White has assumed inactive status at the bar and as a retired partner of White & Jankowski. He resides on a small hay farm near La Veta, Colorado, and sometimes visits the firm's offices in Denver. The firm and its clients continue to benefit from his over forty years of experience as a water, environmental and land use lawyer.

Sandy has tried over one hundred complex cases (each with between 15 and several thousand parties and each lasting several weeks to a year), settled many more, briefed and argued roughly 30 cases before state and federal appellate courts, including the United States Supreme Court, served as a Master Referee for the Colorado water courts, acted as an expert witness in his areas of specialty, trained as a mediator, taught in law and graduate schools, and authored over three dozen articles, papers and books. He is a frequent speaker at professional programs (over 100 in 17 states), and is the past chairman of the Water Law Section and of the Environmental Law Section of the Colorado Bar Association. In recognition of his skill and integrity Sandy has earned AV Preeminent® ratings from Martindale-Hubbell® and has been included in *The Best Lawyers in America*® in the field of water law, and recognized in *Colorado Super Lawyers*®. He is also a recipient of the "Water Buffalo" award given by the Water Law Section of the Colorado Bar Association.

He and his wife of 55 years have three grown children and seven grandchildren. In the past his community service included participation and board membership in the Boy Scouts, his church, a school board, a water district, alumni organizations and an environmental institute, in addition to a variety of other charitable organizations and activities. Currently, his expanded interests include local civic and political activities, his church, and hunting, fishing, sporting clays and golfing, as well as historical research and writing on the U.S. Army during the 50 years before the Civil War. In retirement Sandy's public service continued as a member of the Huerfano County Planning Commission, the boards of the La Veta Fire Protection District, Huerfano County Mineral Lease District (president), Huerfano County Water Conservancy District (president), treasurer of the La Veta United Methodist Church, facilitator of the community's interdenominational Couples Bible Study, and chair of the Huerfano County Republicans as well as of the Arkansas Basin Roundtable.

CONTACT INFORMATION

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PROFESSIONAL SUMMARY

BAR ADMISSIONS (INACTIVE)

- Colorado, 1970
- United States District Court, District of Colorado, 1970
- United States Supreme Court, 1974
- Wyoming, 1977

EDUCATION

- Cornell Law School, Ithaca, New York, 1970
- J.D., Doctor of Jurisprudence
- University of Southern California, Los Angeles, California, 1967
- M.S., Master of Science, Operations Management
- United States Military Academy, West Point, New York, 1963
- B.S., Bachelor of Science

PUBLISHED WORKS

- Complex Water Litigation: Disclosure, Discovery, Settlement, ABA 20th Annual Water Law Conference, San Diego, Cal. (Feb. 21–22, 2002)
- Recent Court Decisions Influencing the Future of Water Use, 26th Annual Colorado Water Workshop, Gunnison, Colo. (July 25–27, 2001)
- Dividing the Waters V: A Conference for Judges, Masters & Referees Involved in Western General Stream Adjudications; Determining Federal Reserved Water Rights: Indian Reservations, Ashland and Klamath Falls, Or. (Apr. 14–17, 1999)
- *City of Thornton v. Bijou Irrigation Co.: The Thornton Northern Project*, 26 Colo. Law. 67 (1997)
- Effective Use of Hydrologic Models in Water Rights Litigation, panelist, 11th Annual Water Law Conference, ABA, San Diego, CA, condensed for publication as Effective Use of Computer Models in Water Rights Litigation, ABA Sec. Nat. Resources, Energy & Envtl. L.F, Water Law Trends, Policies and Practice (1995)
- *Water Quality Exchanges*, 39 Rocky Mtn. Min. L. Inst. 19-1 (1993), presented at the Rocky Mountain Mineral Law 39th Annual Institute (July 25, 1993)
- *McCarran Amendment Adjudications -- Problems, Solutions, Alternatives*, reprinted in 25 Pub. Land & Resources L. Digest 120 (1988), 22 Land & Water L. Rev. 619 (1987)
- Co-author, *Engineering Aspects of Water Law* (John Wiley & Sons, New York, 1987)
- *McCarran Amendment Adjudications -- Problems, Solutions and Alternatives*, No. 2 Land & Water L. Rev. 619, XXII (1987) (paper initially presented at the Western Water Rights Symposium, University of Wyoming College of Law and Wyoming Water Research Center, Jackson, Wyo. (Feb. 28, 1987))
- *The Water Wheel Doctrine Goes Underground*, Commentary, Western Natural Resource Lit. Digest (Summer 1984)
- The Future Development of Western Water Law, paper presented at annual meeting of the American Fishery Society, Western Division, Tucson (July 13, 1977), published in Instream Flow Information Paper: No. 2, Cooperative Instream Flow Service Group (Sept. 1977)
- Book Review: *Land Use Planning, Cases and Materials*, 2d ed., by E.F. Roberts, 48 U. Colo. L. Rev. 641 (1977)
- Co-author, Land Use Legislation: HB 1034 and HB 1041, 6 Colo. Law. 1686 (1977)
- Chapter, Water Law, 1977 Annual Survey of Colorado Law, CLE in Colorado, Inc. (1977)
- Chapter, Colorado Water Law -- An Overview, Colorado Water Law CLE in Colorado, Inc. (1977)
- Colorado Water Law Developments (1976), 10 Nat. Resources L. (1977)
- Chapter, Water Law, 1975 Annual Survey of Colorado Law (1976), and chapter in 1976 Annual Survey of Colorado Law CLE in Colorado, Inc. (1977)
- Co-author, Energy Development in the West: Conflict and Coordination of Governmental Decision-Making, 52 N. Dak. L. Rev. 451 (1976)
- Legal Constraints and Responses to the Allocation and Distribution of Water, presented at Water Needs for the Future: Colorado, the United States and the World, College of Law, University of Denver, (Oct. 8, 1976), 6 Den. J. Int'l Law & Pol. 341 (1976)
- Chapter, The Impact on Water Rights on Land Use Regulation and Control, Colorado Water Law Practice, Program of Advanced Professional Development of the University of Denver, College of Law (1976)
- *Colorado Water Law Developments* (1975), 9 Nat. Resources L. 319, 327 (1976)
- Water & Energy Development: Changes in Existing Water Rights, Problems Under State Water, Environmental & Land Use Laws, paper presented at conference sponsored by ABA, entitled Water Law Issues, Denver, Colo. (Feb. 7, 1975), reprinted at 13 Pub. Land & Res. L. Digest, 160, (1976) & appearing in 8 Nat. Resources L. 359 (1975)
- Chapter, Colorado Land Use Law, Colorado Environmental Law, updated for Environmental Law II, 1976 CLE in Colorado, Inc. (1975)

PUBLISHED WORKS CONT.

- South Dakota Land Use Law: Implementation of Local Comprehensive Plans in Rural Areas, pamphlet, South Dakota State University (1975)
- Colorado Water Law Developments (1973–74), 8 Nat. Resources L. 151, 158 (1975)
- Chapter, Introduction to Water Practice, Colorado Water Law CLE in Colorado, Inc. (1974)
- Water as a Tool in Land Use Control, Legal Considerations: An Exploratory Essay, 20 Rocky Mtn. Min. L. Inst. 671 (presented at the 20th Annual Rocky Mtn. Min. L. Inst., San Francisco (July 13, 1974))
- Report on Water Law Developments: Colorado (1972–73), 6 Nat. Resources L. 439, 443 (1973)
- Report on Water Law Developments: Colorado (1971–72), 5 Nat. Resources L. 501, 513 (1972)
- Colorado Water Developments, contained in the report by the Water Law Committee of the American Bar Association's Section on Natural Resources Law (1970–71)
- A Guide to the Examination of Water Tabulations, 47 Denv. L. J. 213 (1970)
- Co-author, Legal Planning for the Transfer of Water Between River Basins, 55 Cornell L. Rev. 809 (1970)
- Co-author, Legal Education in Natural Resources, 15 Student Law. 30 (Jan., 1970)
- Reasonable State Regulation of the Interstate Transfer of Percolating Water, 2 Nat. Resources 383 (1969)

REPRESENTATIVE CASES

- *City of Thornton v. City & County of Denver*, 44 P.3d 1019 (Colo. 2002)
- *City of Thornton v. Bijou Irrigation Co.*, 926 P.2d 1 (Colo. 1996)
- *In re Gen. Adjudication of Big Horn River Sys.*, 899 P.2d 848 (Wyo. 1995)
- *City of Thornton v. Clear Creek Water Users Alliance*, 859 P.2d 1348 (Colo. 1993)
- *Pub. Serv. Co. of Colo. v. Willows Water Dist.*, 856 P.2d 829 (Colo. 1993)
- *City of Thornton by & through Utilities Bd. v. City of Ft. Collins*, 830 P.2d 915 (Colo. 1992)
- *City & County of Denver by & through Bd. of Water Comm'rs v. City of Englewood*, 826 P.2d 1266 (Colo. 1992)
- *In re Gen. Adjudication of Big Horn River Sys.*, 835 P.2d 273 (Wyo. 1992)
- *Wyoming v. United States*, 492 U.S. 406 (1989)
- *People ex rel. Danielson v. City of Thornton*, 775 P.2d 11 (Colo. 1989)
- *City of Westminster v. City of Broomfield*, 769 P.2d 490 (Colo. 1989)
- *In re Gen. Adjudication of Big Horn River Sys.*, 753 P.2d 76 (Wyo. 1988)
- *City & County of Denver by & through Bd. of Water Comm'rs v. Colo. River Water Conservation Dist.*, 696 P.2d 730 (Colo. 1985)
- *In re Rules & Regulations Governing Water Rights in Rio Grande & Conejos River Basins*, 674 P.2d 914 (Colo. 1983)
- *State Eng'r v. Sw. Colo. Water Conservation Dist.*, 671 P.2d 1294 (Colo. 1983)
- *United States v. City & County of Denver by & through Bd. of Water Comm'rs*, 656 P.2d 1 (Colo. 1983)
- *Rocky Mountain Power Co. v. Colo. River Water Conservation Dist.*, 646 P.2d 383 (Colo. 1982)
- *Colo. River Water Conservation Dist. v. Mun. Subdistrict*, 610 P.2d 81 (Colo. 1979)
- *Bd. of County Comm'rs of Delta County v. Goldenrod Corp.*, 601 P.2d 360 (Colo. App. 1979)
- *Information Please, Inc. v. Bd. of County Comm'rs of Morgan County*, 600 P.2d 86 (Colo. App. 1979)
- *Se. Colo. Water Conservancy Dist. v. Huston*, 593 P.2d 1347 (Colo. 1979)
- *Page v. Clark*, 592 P.2d 792 (Colo. 1979)
- *In re Rules & Regulations Governing Water Rights in Rio Grande & Conejos River Basins*, 583 P.2d 910 (Colo. 1978)

REPRESENTATIVE CASES CONT.

- *Telluride Co. v. Div. Eng'r, Water Div. No. 4*, 575 P.2d 1297 (Colo. 1978)
- *Information Please, Inc. v. Dist. Court, Morgan County*, 568 P.2d 1162 (Colo. 1977)
- *Pub. Serv. Co. of Colo. v. Signs*, 520 P.2d 589 (Colo. 1974)
- *Bond v. Twin Lakes Reservoir & Canal Co.*, 496 P.2d 311 (Colo. 1972)

CLASSES & SEMINARS TAUGHT

- Program Co-Chair, CLE Int'l Western Water Law Conference on Water Rights, Water Use & Water Quality, Denver, Colo. (Mar. 18–19, 1999)
- Water Transfers, CLE Int'l Western Water Law Conference, Denver, Colo. (Mar. 6, 1997 & Mar. 5, 1998)
- Water Quality Exchanges: The Colorado Experience, 16th Annual Water Law Conference, San Diego, Cal. (Feb. 19–20, 1998)
- Panel Member, Marketing Indian Water Rights Off Reservations, Colorado River - Gateway to the 21st Century, Colorado River Water Users Ass'n Annual Conference, Las Vegas, Nev. (Dec. 18–20, 1996)
- Municipal Conversion of Agricultural Water Rights: Sacred Cows or Stalking Horses, Joint Water and Agricultural Law Sections Program, Colorado Bar Convention, Keystone, Colo. (Sept. 8, 1995)
- Careers in Environmental Law, Engineering Career Exploration Day, Colorado State University (Oct. 1, 1994)
- The Thornton Transfer and Exchange Decree, Advanced Water Resources Seminar, University of Colorado School of Law (Feb. 24, 1994)
- Adjunct Faculty, Environmental Resources Law, University of Denver, University College, Colo. (1993–94)
- Reallocation of Water from Agricultural to Municipal Use, 1993 Annual Water Law and Water Policy Conference, The Institute for Advanced Legal Studies (Nov. 13, 1993)
- Colorado Water Quality Exchanges, Annual Conference, Breckenridge, Colo., Special District Association of Colorado (Sept. 24, 1993)
- Water Exchanges--A New Fracas East of the Divide, Symposium on Basin Planning & Management: Water Quantity and Quality, American Water Resources Association, Colorado Section, Thornton, Colo. (Mar. 5, 1993)
- Trans-Basin Water Transfers--The San Luis Valley and Beyond, Symposium on Western Water Law and Policy Implications for Wetland and Riparian Ecosystems, Society of Wetland Scientists, Rocky Mountain Chapter, Lakewood, Colo. (Feb. 25, 1993)
- Panelist, How Thirsty Will We Be if We Persist in Business as Usual?, 12th Annual Thornton Symposium (May 8, 1992)
- Panelist, Thornton's Northern Project: Triumph or Tragedy, Water & Economics Symposium, Fort Collins Area Chamber of Commerce (Oct. 21, 1991)
- Rural Impacts of Water Marketing in Colorado's Future, Water Marketing in Colorado's Future: Debate and Analysis, Institute for Advanced Legal Studies, University of Denver College of Law, Colo. (Oct. 11, 1991)
- Issues in Water Transfer Law, Water Transfers in Colorado: Part of the Solution or Part of the Problem?, Natural Resources Law Center, University of Colorado School of Law and the Natural Resources and Environment Section, Boulder County Bar Association, Boulder, Colo. (Apr. 20, 1991)
- Water Right Litigation, Rocky Mountain Mineral Law Foundation's Special Institute on Natural Resources Litigation, Denver, Colo. (Dec. 7–8, 1989)
- Panelist, Water Issues, Annual Conference, National Association of Environmental Law Society, Boulder, Colo. (Jan. 26–28, 1989)
- Ethical Considerations in Litigating General Stream Adjudications, General Stream Adjudications: Legal and Policy Aspects, ABA Section of Natural Resources Law, Boise, Idaho (Apr. 13–14, 1988)
- How Colorado Water Law Really Works, What are Reserved Rights and Who Has Them? and The Law of Groundwater Allocation, water law short course, IF300, National Ecology Service, U.S. Forest Service, Glenwood Springs, Colo. (Feb. 4–5, 1987)

CLASSES & SEMINARS TAUGHT CONT.

- Water Rights Issues in Colorado or What the Rocky Mountain News Never Knew, Colorado-Wyoming Society of American Foresters, Mile High Chapter (Jan. 7, 1987)
- Panel Member, Resolution of Indian Water Right Claims, Western States Water Council, Denver, Colo. (Apr. 10, 1986)
- Discussion Leader, Implied Legislative Waiver of Indian Reserved Water Rights by Congressional Establishment of Irrigation Projects, Conference of Western Attorneys General, Reserved Rights Study Session, Denver, Colo. (Apr. 9, 1986)
- Introduction to Federal Reserved Rights and Survey of Groundwater Law, Water Law Short Course (IFG-300), Bureau of Reclamation, U.S. Dept. of Interior, Washington, D.C.
- Groundwater Rights, Water Rights Workshop, National Park Service, Fort Collins, Colo. (Oct. 30, 1985)
- Indian Reserved Right Litigation - Pragmatic Perspectives from the State Viewpoint, Annual Meeting, Interstate Conference on Water Problems, Big Sky, Mont. (Aug. 22, 1985)
- Unresolved Issues in Federal Reserved Rights, Western Water Law in Transition Conference, University of Colorado School of Law (June 3–5, 1985)
- Practical Perspectives on Reserved Right Litigation, Workshop for Water Resources Board, State of Alaska, Juneau (Mar. 1985)
- Adjunct Faculty, Water Law, Land Use and Real Property Law, University of Denver College of Law, Colo. (1972–83)
- Federal Reserved Rights, Indian Water Rights, and Ground Water Law Doctrines, presented at various Water Law Short Courses for U.S. Fish & Wildlife Service, Cooperative Instream Flow Service Group, and Natural Resources Law Institute (1978–79, 1983)
- Techniques for Evaluation and Need for Proof in Complex Water Adjudications, Seminar on Complex General Adjudications of Water Rights, Western States Water Council, Los Angeles, Cal. (Sept. 17, 1982)
- The Availability of Water for the Shale Oil Industry, Energy Bureau, Inc., Conference on the Shale Oil Industry, Denver, Colo. (May 18–19, 1982)
- Water Availability in the Colorado River Basin, Energy Bureau, Inc., Conference on Water for Western Energy Development, Denver, Colo. (May 6–7, 1982)
- Speaker/Moderator, Water Resources Expert Witness Seminar, Dahl-Lamb Associates, Phoenix, Ariz. (Mar. 1, 1982)
- Instream Flow Negotiation: Review of Practices, seminars performed for Instream Flows and Aquatic Systems Group, Office of Biological Services, Fish & Wildlife Service, U.S. Department of the Interior (1979–80)
- Adjunct Faculty, Water Law, University of Colorado School of Law, Boulder, Colo. (1975–78)
- Associate Professor of Environmental and Natural Resources Law, College of Engineering, Colorado State University, Fort Collins, Colo. (1973–78)
- Water Policy Issues, American Society of Public Administration, Colorado Chapter, Denver, Colo. (Nov. 2, 1978)
- Legal Issues in Coal Slurry Pipelines, ALI-ABA Course of Study, Energy & the Law-Problems & Challenges of the Late 70's, University of Colorado School of Law, Boulder, Colo. (July 9–14, 1978)
- Federal Reserved Rights and Indian Rights, presented at short course entitled Water Law: An Overview of Western Water Law with Emphasis on the Protection of Instream Flows, Albuquerque, N.M. (Mar. 28–30, 1978)
- The Role of the Expert Witness in Water Litigation and The Reservation Doctrine: Development, Cases, and Relevance to Instream Flows, papers presented at Water Law Short Course, Natural Resources Law Institute/U.S. Fish & Wildlife Service, Portland, Or. (Nov. 30–Dec. 1, 1977)
- U.S. Reserved Rights from the States' Perspective, Conference on Current Developments Affecting Natural Resources on Public Lands, Utah State Bar/Federal Bar Association, Salt Lake City, Utah (Oct. 27–28, 1977)

CLASSES & SEMINARS TAUGHT CONT.

- South Dakota Land Use Law, Real Estate, a Continuing Legal Education Program of the State Bar of South Dakota, Rapid City (Sept. 9, 1977)
- Water Right Doctrines, course on environmental law for biologists of the Division of Ecological Services, U.S. Fish & Wildlife Service, Bloomington, Minn. (June 29, 1977)
- Reserved Water Rights--Indian and Non-Indian, water law short course, Columbia River Inter-Tribal Fish Commission, Kah-Nee-Ta Lodge, Or. (May 16–17, 1977)
- Land Use Planning Under the BLM Organic Act (P.L. 94-579)--The Private Practitioner's Viewpoint, Workshop on the Federal Land Policy and Management Act of 1976, ABA's Natural Resources Law Section, Public Lands & Land Use Committee, Denver, Colo. (May 5–6, 1977)
- Control of Water Within Indian Country--The State Viewpoint, Indian Law Conference, Federal Bar Association, Phoenix, Ariz. (Apr. 21–22, 1977)
- Federal Water Resources Development: Opportunities and Responsibilities of the United States Fish & Wildlife Service, course of study on Environmental Law, for Biologists of the Division of Ecological Services, U.S. Fish & Wildlife Service, University of Georgia, Atlanta (Apr. 12–15, 1977)
- Environmental Law; Air and Water Quality Regulation and Control: The Environmental Impact Statement as Basics for Administrative Review, Decisions and Evidence; Intergovernmental Jurisdiction and Coordination in Land Use and Environmental Issues; papers, Colorado State University (1976–77)
- Coordination of Local, State and Federal Land Use Planning and Control, given at various Ecosystem Management Short courses, sponsored by the Range Science Department, College of Forestry and Natural Resources, Colorado State University (1974–77)
- Land Use Management Tools, Mechanisms and Statutes--Legal Tools for Land Use Management, Fourth Annual Statewide Planning Conference, Bismarck, N.D. (Dec. 2, 1976)
- Government Regulation of Real Estate Development: The Effects of Water Pollution Control, ALI-ABA Course of Study on Modern Real Estate Transactions, Boulder, Colo. (July 11–16, 1976)
- Water Law: The Prior Appropriation System, 69th Annual Meeting, American Society of Agricultural Engineers, Lincoln, Neb. (June 30, 1976)
- South Dakota Land Use Law, series of local seminars at various locations, South Dakota State University, Cooperative Extension Service (1975–76)
- The Seven Courts Case: A Case Study, Instream Flow Needs, Symposium and Specialty Conference, Western Division of the American Fisheries Society and the Power Division of the American Society of Civil Engineers, Boise, Idaho (1976)
- Adjudication of Water Rights - Water Court Jurisdiction and Practice, a chapter in Colorado Water Law Practice, the Program of Advanced Professional Development, University of Denver College of Law (1976)
- Resolution of Conflicts in Land Use Controls -- Federal, State and Local, Interdependence: The Law of the Environment, ABA National Institute, Natural Resources Law Section, Philadelphia, Pa. (1976)
- Energy Development in the West: A Clash of Federal, State and Local Land Use Planning and Control, 57th Annual Conference, American Institute of Planners, San Antonio, Tex. (1975)
- Constitutional Derivation and Statutory Exercise of Land Use Control Powers and Practical Aspects of Dealing with Mineral Development at the Local Level; paper, 21st Annual Rocky Mountain Mineral Law Institute, Rapid City, S.D.
- Legal Considerations in Obtaining Suitable Water Supplies for Oil Shale Operations in Western Colorado, Proceedings of National Symposium on Water Problems Related to Mining, American Water Resources Association, Golden, Colo. (1974)
- HB 1041: An Analysis from the Country's Perspective, an article appearing in the Land Use Planning Handbook, Cooperative Extension Service, Colorado State University (1974)
- Legal Aspects of On-land Disposal of Municipal Sludge, a paper presented at a seminar sponsored by the City of Boulder, CO, NSFRAN, and Colorado State University, Boulder, Colo. (1974) and Dallas, Tex. (1974)

CLASSES & SEMINARS TAUGHT CONT.

- Regional Meeting, Water As a Tool in Land Use Planning, American Society of Agricultural Engineers Regional Meeting, Rocky Mountain Chapter, Fort Collins, Colo. (1974)

ASSOCIATIONS & MEMBERSHIPS

- American Bar Association
 - Water Committee, 1985–86
 - Land Use Committee
 - Vice Chairman, Natural Resources Law Section
- American Planning Association
- American Water Resources Association
- Association of Trial Lawyers of America
- Best Lawyers®, Water Law, 2006–19
- Boy Scouts of America, Denver Area Council
 - Executive Board, 1986–88
 - Chairman, Timberline District, 1986–88
 - Scoutmaster
 - Cubmaster
- Colorado Bar Association
 - Chairman, Environmental Law Section, 1976–77
 - Chairman, Water Law Section, 1977–78
- Colorado Water Congress
- Foothills Academy, Board Member, 1994–95
- Rivers, Editorial Advisory Board, 1989–2000
- Rocky Mountain Civil War Roundtable
- Rocky Mountain Mineral Law Foundation
- Saint James Presbyterian Church, Board of Deacons, 1993–96
 - Personnel Committee, 1996–98
 - Member of Session, Elder, 1998–2002
- S.P.A.R.E. (Suicide Prevention Allied Regional Effort), Board Member, 1987–88
- Super Lawyers®, 2006–12
- Thorne Ecological Institute
 - Board Member, 1978–80
 - President, 1979–80
- U.S. Committee on Irrigation & Drainage
- West Point Society of Denver
 - Board Member, 1988–98
 - Vice President, 1996–97
- West Ranch Water District, Member, 1994–2003