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EDITOR'S NOTE

As the new year begins, we find the world in a state of flux. While the political, economic, and social climate changes nationally and internationally on an almost daily basis, the current laws must also adapt to the new landscape. Legal scholarship provides an opportunity to analyze where the law has been, where the law is now, and where the law should be in future. Not surprisingly, water remains at the forefront of legal disputes throughout the world.

In our lead article, Eli Feldman discusses the devastating impacts of the salt cedar on surface and groundwater supplies across the western United States. In order to combat the uncontrollable spread of this invasive weed, Mr. Feldman emphasizes the need for current water laws to focus on the eradication of the salt cedar. Closely related to diminishing water supplies, is the degradation of water quality. Kurt Moser provides an account of the water quality problems facing Indian Tribes and suggests solutions aimed at Tribes applying the Clean Water Act to waters on their reservations.

To address the inherent problems in riparian and prior appropriation systems, Christopher Len argues for a synthesized water law regime, including the positive aspects from both systems. Based on the 1990 Oklahoma Supreme Court decision, *Franco-American Charolaise Limited v. Oklahoma Water Resources Board*, Mr. Len's article offers insight into creating an effective water law system based on lessons learned from past experience.

Water shortages, water quality problems, and water disputes exist world-wide, as our first international perspective section illustrates. Dr. Fadia Daibes focuses on the intense disagreement between Israel and Palestine over their shared groundwater source, the Mountain Aquifer. Despite the decisive political and religious differences between Israel and Palestine, Dr. Daibes proposes a mutually beneficial solution allowing both parties to receive an adequate supply of water. Next, Melvin Woodhouse explores water as a human right in the context of General Comment 15 adopted by the United Nations Committee on Economic, Social and Cultural Rights in 2002. Mr. Woodhouse focuses on the necessity of procedural improvements in international accounting mechanisms to ensure the fundamental human right to access water.

Back to the western United States, Allan Ingelson and Jason Gray give us an in-depth analysis of a recent case, *Northern Plains Resource Council v. Fidelity Exploration and Development Company*, addressing the water produced by coalbed methane wells. Although the regulation of coalbed methane produced water remains a relatively new area of the law, Mr. Ingelson and Mr. Gray explain the Ninth Circuit's decision and its impact on future cases involving produced water.

In conclusion, Justice Gregory J. Hobbs, Jr., of the Colorado Supreme Court, contributes his fourth update to "Colorado Water Law: An Historical Overview." Justice Hobbs provides us with a survey of recent judicial review of Colorado Water Law.

Entering the fifth year of the twenty-first century, the similarities between national and international water disputes becomes apparent. Finding creative and effective solutions to water quantity and quality concerns requires utilizing past failures and successes to develop a water law system ensuring adequate water supplies world-wide. Each article in this issue provides a sense of the history behind the current water laws and where the future of water law will take us.

Susan M. Curtis
Editor-in-Chief