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A GRATEFUL TRIBUTE TO DAN TARLOCK

REED D. BENSON*

Over the course of my career, I've been lucky enough to meet several giants in my chosen field: government officials, professors, and advocates whose ability and impact made them famous. I have always felt fortunate any time I encountered one of these legends, whose work made a difference in the world. Rarely, however, did my encounters with such people make a big difference in my life; I usually came away with no more than a memory, an insight, or at most a good story. Meeting Dan Tarlock, however, meant more than I could have imagined.

It was the mid-1990s, and Dan had been hired by the Western Water Policy Review Advisory Commission to help develop its report. (The Commission was a blue-ribbon panel chartered by Congress in 1992, but despite its important mission and the expertise of its diverse group of members, it was doomed from the outset by partisan politics.) I was a staff attorney with the Oregon conservation group WaterWatch, who had taken an interest in the federal dimensions of western water issues. I coordinated with other environmental groups to develop a white paper with a variety of policy recommendations for the Commission. My work caught Dan's eye, and at the Commission's meeting in San Francisco, he told me that I should consider becoming a professor. I had recently become interested in that path but not pursued it very far, having never seen myself as the professorial type. But if Dan Tarlock believed I could do it, I decided I should take it seriously.

For the next few years, I remained at WaterWatch, and Dan became an invaluable long-distance mentor on my writing and my career aspirations. He was unfailingly generous and helpful: reviewing my work, providing words of wisdom, and putting in good words for me regarding potential academic jobs. Other professors assisted me in these same ways, and I owe a debt of gratitude to all of them, but none more than Dan. When I called him in 2002 to let him know I would be joining the Wyoming law faculty, he was delighted. And when he suggested on that call that I might

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come aboard with him, David Getches, and Jim Corbridge on the next edition of their water law casebook, it meant a great deal to me.

Anyone reading this article probably knows something about Dan's tremendous body of work in water law, environmental law, and beyond. His scholarship is unbelievably impressive for its quality, its quantity, and its timespan. I have tried to think about a particular article that I found especially important or helpful, but how to pick just one? Throughout my career as a teacher and scholar, whenever I wanted to gain understanding and insight on a subject—from water and endangered species, to the status and future of prior appropriation, to the legal framework for Corps of Engineers projects—I always found it in the writings of Dan Tarlock.

I have special appreciation for Dan's book, co-authored with Holly Doremus, on the Klamath Basin water conflicts.¹ While at WaterWatch, I was actively involved in Klamath issues for several years and spent a fair bit of time in the Oregon portion of the basin. I would end up speaking several times on the Klamath and writing an article on the background and legal issues of the 2001 "water crisis." Despite all that experience and analysis on the subject, I still learned a lot and gained new insight from reading the book. By both placing the Klamath events within a broader context and looking deeply at contemporary issues, Dan and Holly (a great writer in her own right) gave me a new perspective on things I thought I already knew.

History will undoubtedly regard Professor Tarlock as one of the all-time great scholars in his field(s). But as I think about what Dan has meant to me, his written words are not the first things that come to mind. I think about all that he has done to encourage and support and assist me, as well as other aspiring younger scholars of my generation and the next. I think about the many times over the past twenty years when I have called Dan and received sage advice on something that mattered to me, and how I still count on him for it today. I think of sharing stories and laughs over a beverage when our paths have crossed in a dozen different places. Most of all, I think of his humor, his grace, his wisdom, his thoughtfulness, and his tremendous generosity of spirit.

Being a professor has always felt like a gift to me, especially because for a long time I never imagined myself in this role. I have many people to thank for getting this opportunity, but I seriously doubt I would be where I am today without Dan. I can never repay him in kind, but I hope that someday, in some small way, I can give some young academic hopeful that same

1. HOLLY DOREMUS & A. DAN TARLOCK, *WATER WAR IN THE KLAMATH BASIN: MACHO LAW, COMBAT BIOLOGY, AND DIRTY POLITICS* (2008).

kind of help. And if that happens, I must remember to tell him or her to thank Dan Tarlock.