



## Christopher H. Meyer

Partner

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### Practice Areas

- Administrative and Regulatory Law
- Environmental Law
- Litigation
- Natural Resources
- Real Estate and Land Use
- Road and Access Law
- Water Rights

### Industries

- Agriculture
- Energy and Utilities
- Mining
- Real Estate Development, Construction and Investment
- State and Local Government

Chris is nationally recognized as a creative thinker, a problem-solver, and a fierce advocate. *Best Lawyers in America* has named him “Lawyer of the Year” seven times. His clients appreciate his thoughtful insights into the most vexing problems. His books on law are read and studied by the other side.

For over three decades, Chris has been a leader in the fields of water law, planning and zoning law, constitutional law, and road and public access law. He has extensive litigation experience at the administrative, district court and appellate levels (including 21 Idaho Supreme Court cases). *Best Lawyers in America* has named him “Lawyer of the Year” seven times in the fields of land use, water, and natural resources. Super Lawyers placed Chris in the “Top 100 Lawyers” list for the Mountain West. Chris has played a significant role in shaping legislation and is described in the *Idaho Yearbook Directory* as “centrally located in the world of Idaho public affairs” and “a key figure in Idaho water law.”

Chris serves on the Board of Advisors to the National Judicial College’s “Dividing the Waters” water law program for judges. For two decades, he served as President of the Idaho Environmental Forum. His clients include cities, counties, highway districts, municipal water providers, Fortune Ten companies, energy companies, food producers, mining companies, and land developers. Before joining Givens Pursley in 1991, Chris practiced natural resources law with the National Wildlife Federation in Washington, D.C. and later taught water law and negotiation at the University of Colorado Law School’s environmental law clinic. Chris earned his law degree, cum laude, from the University of Michigan in 1981. He earned his A.B. degree from the same school with high honors in economics, Phi Beta Kappa, James B. Angell Scholar, and Osterweil Prize in Economics.

### Recognition

- Best Lawyers in America (www.bestlawyers.com) Listed since 2007 in four categories: Water Law, Land Use and Zoning Law, Natural Resources Law, and Environmental Law.
  - Named “Lawyer of the Year” in Boise, Idaho for Land Use and Zoning Law in 2021.
  - Named “Lawyer of the Year” in Boise, Idaho for Natural Resources law in 2019.
  - Named “Lawyer of the Year” in Boise, Idaho for land use and zoning law in 2018.
  - Named “Lawyer of the Year” in Boise, Idaho for water law in 2017.

- Named “Lawyer of the Year” in Boise, Idaho for land use and zoning law in 2015.
- Named “Lawyer of the Year” in Boise, Idaho for natural resources in 2014.
- Named “Lawyer of the Year” in Boise, Idaho for environmental law in 2013.
- Named “Lawyer of the Year” in Boise, Idaho for natural resources in 2011.
- Mountain States Super Lawyers ([www.superlawyers.com](http://www.superlawyers.com)) Listed since 2007 for energy and natural resources law. Named to "Top 100 Lawyers" in the Mountain West 2019.
- Chambers USA, America's Leading Lawyers for Business (Natural Resources & Environment)
- Who’s Who Legal - Environment ([www.whoswholegal.com](http://www.whoswholegal.com)) One of only 11 environmental / natural resources lawyers recognized in Idaho. Listed since 2010.
- Litigation Counsel of America ([www.litcounsel.org](http://www.litcounsel.org)) Inducted in 2010 as fellow in honorary society composed of less than one-half of one percent of American lawyers.
- Marquis’ Who’s Who in the World, Who’s Who in America, and Who’s Who in American Law ([www.marquiswhoswho.com](http://www.marquiswhoswho.com))
- Martindale-Hubbell ([www.martindale.com](http://www.martindale.com)) Listed since 1996 with highest ranking (AV).
- Idaho Yearbook Directory (2001) ([www.ridenbaugh.com/catalog.htm](http://www.ridenbaugh.com/catalog.htm)) Described as a “key figure in Idaho water law” and “centrally located in the world of Idaho public affairs.” Listed among top 100 most influential Idahoans.
- Dividing the Waters, the National Judicial College, a water law training program for judges. Serves on the Board of Advisors.

## Education

- J.D., University of Michigan, 1981 - cum laude
- B.S. in Economics, University of Michigan, 1977 - High Honors, Phi Beta Kappa, Osterweil Prize in Economics, James B. Angell Scholar

## Admissions

- Idaho State Bar
- Colorado State Bar
- District of Columbia State Bar
- U.S. District Court (U.S. District Court, 8th, 9th, 10th Circuits)



## Experience

## Professional Experience

- Partner, Givens Pursley LLP (1991-present)
- Counsel, National Wildlife Federation, Rocky Mountain Natural Resources Clinic, Boulder, Colorado (1984-1991)
- Associate Professor Adjunct, University of Colorado Law School, Boulder, Colorado (1984-1991)
- Counsel, National Wildlife Federation, Water Resources Program, Washington, D.C. (1981-1984)

## Litigation

- *Greater Boise Auditorium Dist. v. Frazier*, 159 Idaho 266, 360 P.3d 275 (2015) (W. Jones, J.; Eismann, J., concurring) (defended district in constitutional challenge to government financing).
- *In the Matter of Accounting for Distribution of Water to the Federal On-Stream Reservoirs in Water District 63*, Idaho Department of Water Resources (Oct. 15, 2015) (Spackman, Director) (water rights).
- *N. Idaho Bldg. Contractors Ass'n v. City of Hayden*, 158 Idaho 79, 343 P.3d 1086 (2015) (Eismann, J.; J. Jones, J., concurring) (constitutionality of sewer capitalization fees).
- *Washington County v. Bilbao*, Case No. CV-2014-1854 (Idaho, Third Judicial Dist., Dec. 8, 2014) (successfully represented Washington County in public access litigation).
- *County of Shoshone v. United States*, 589 Fed. Appx. 834 (9th Cir. 2014) (per curium) (road law).
- *A&B Irrigation Dist. v. State*, 157 Idaho 385, 336 P.3d 792 (2014) (Burdick, C.J.) (water rights—single fill rule—Basin-Wide Issue No. 17).
- *In the Matter of Certified Question of Law - White Cloud v. Valley County*, 156 Idaho 77, 320 P.3d 1236 (2014) (J. Jones, J.) (defended county in challenge to road development fees).
- *Hehr v. City of McCall*, 155 Idaho 92, 305 P.3d 536 (2013) (Burdick, C.J.) (defended city in action involving impact fees - the Greystone Village case).
- *Alpine Village Co. v. City of McCall*, 154 Idaho 930, 303 P.3d 617 (2013) (Burdick, C.J.) (defended city in action involving impact fees).
- *Buckskin Properties, Inc. v. Valley County*, 154 Idaho 486, 300 P.3d 18 (2013) (J. Jones, J.) (defended county in constitutional challenge to development impact fees).
- *Idaho Conservation League v. U.S. Forest Service*, 2012 WL 3758161 (Aug. 29, 2012) (Lodge, J.) (NEPA and forest management litigation involving mining exploration).
- *Sopatyk v. Lemhi County*, 151 Idaho 809, 264 P.3d 916 (2011) (W. Jones, J.) (defended county's validation of Anderson Creek Road as a public road).
- *White Cloud v. Valley County*, 2011 WL 4583846 (D. Idaho 2011) (Lodge, J.) (defended county in challenge to road development fees). Subsequent to this decision, the surviving state law question was certified to the Idaho Supreme Court, which ruled in Valley County's favor, *In the Matter of Certified Question of Law - White Cloud v. Valley County*, 156 Idaho 77, 320 P.3d 1236 (2014) (J. Jones, J.), and the federal case was dismissed with prejudice (Case 1:09-cv-00494-EJL-CWD Document 162).
- *Alpine Village Co. v. City of McCall*, 2011 WL 3758118 (D. Idaho

- 2011) (Winmill, C.J.) (defended city in action involving housing fees). The city sought removal to federal court. On remand, the city prevailed in *Alpine Village Co. v. City of McCall*, 154 Idaho 930, 303 P.3d 617 (2013) (Burdick, C.J.).
- *Mann v. Peters*, Case No. CV-2011-57 (Idaho, Fifth Judicial Dist., Aug. 11, 2011) (upholding right to develop an “accessory dwelling unit” on property).
  - *American Independence Mines and Minerals Co. v. USDA*, 733 F. Supp. 2d 1241 (D. Idaho 2010) (Lodge, J.) (NEPA, standing, and road law issues).
  - *In Re SRBA*, Case No. 39576, Subcase Nos. 63-02779 et al. (Idaho, Fifth Judicial Dist., June 3, 2009), Subcase Nos. 63-02449 et al. (Fifth Judicial Dist., May 20, 2009) (secured partial decrees for each of the City of Nampa’s water rights).
  - *In Re SRBA*, Case No. 39576, Subcase Nos. 29-00271 et al. (Idaho, Fifth Judicial Dist., Nov. 9, 2009 and April 12, 2010) (Melanson, J.), *aff’d*, *City of Pocatello v. State*, 152 Idaho 830, 275 P.3d 845 (2012) (Eismann, J.) (upholding position of *amici curiae* regarding alternative points of diversion in City of Pocatello municipal water rights litigation).
  - *Galli v. Idaho County*, 146 Idaho 155, 191 P.3d 233 (2008) (W. Jones, J.; J. Jones, concurring) (amicus brief in public access case).
  - *Cove Springs Development, Inc. v. Blaine County*, Case No. CV2008-22 (Idaho, Fifth Judicial Dist., June 3, 2008) (Robert J. Elgee, D.J.) (declaring unlawful and unconstitutional various exaction and comprehensive plan ordinance provisions).
  - *Schaefer v. City of Sun Valley*, Case No. CV-06-882 (Idaho, Fifth Judicial Dist. July 3, 2007) (Robert J. Elgee, D.J.) (declaring unconstitutional Sun Valley’s affordable housing fee).
  - *American Falls Reservoir Dist. No. 2 v. Idaho Dep’t of Water Resources*, 143 Idaho 862, 154 P.3d 433 (2007) (Trout, J.) (conjunctive management of ground and surface water).
  - *Chisholm v. Idaho Department of Water Resources*, 142 Idaho 159, 125 P.3d 515 (2005) (Burdick, J.) (water rights—local public interest).
  - *Davisco Foods Int’l, Inc. v. Gooding County*, 141 Idaho 784, 118 P.3d 116 (2005) (Schroeder, J.; J. Jones, dissenting) (land use).
  - *Colorado Water Conservation Bd. v. City of Central*, 125 P.3d 424 (Colo. 2005) (Martinez, J.) (article by Christopher Meyer cited by court).
  - *Farrell v. Bd. of County Comm’rs of Lemhi County*, 138 Idaho 378, 64 P.3d 304 (2002) (Schroeder, J.) (public road access—the Indian Creek Road case).
  - *Potlatch Corp. v. United States*, 134 Idaho 916, 12 P.3d 1260 (2000) (Schroeder, J.) (rejecting federal reserved water rights for wilderness).
  - *State v. Hagerman Water Right Owners, Inc.*, 130 Idaho 727, 947 P.2d 400 (1997) (Schroeder, J.) (partial forfeiture water rights case).
  - *Fremont-Madison Irrigation Dist. v. Idaho Ground Water Appropriators, Inc.*, 129 Idaho 454, 926 P.2d 1301 (1996) (Schroeder, J.) (interpretation of water right amnesty statute).
  - *The Klamath Tribes*, 135 I.B.L.A. 192, 1996 WL 518742 (Apr. 12, 1996) (prevailed in defending challenge by Indian tribe to cultural

resource use permit).

- *State, ex rel. Higginson v. United States*, 128 Idaho 246, 912 P.2d 614 (1995) (McDevitt, C.J.) (constitutionality of SRBA amendments—water law).
- *Nebraska v. Rural Electrification Administration*, 23 F.3d 1336 (8th Cir. 1994) (Heaney, J.), aff'g, 1993 WL 662353 (D. Neb 1993) (scope of environmental trust's authority to litigate).
- *Sierra Club v. Yeutter*, 911 F.2d 1405 (10<sup>th</sup> Cir. 1990) (Tacha, J.) (federal reserved water rights - amicus brief).
- *State v. Morros*, 766 P.2d 263 (Nev. 1988) (per curiam) (prevailed in establishing recognition of instream flows under state law).
- *Catherland Reclamation Dist. v. Lower Platte North Natural Resources Dist.*, 433 N.W.2d 161 (Neb. 1988) (Fahrnbruch, J.) (water rights and state endangered species act).
- *Hitchcock and Red Willow Irrigation Dist. v. Lower Platte North Natural Resources Dist.*, 410 N.W.2d 101 (Neb. 1987) (Hastings, J.) (right to build water project).
- *Tulalip Tribes of Washington v. FERC*, 732 F.2d 1451 (9th Cir. 1985) (East, J.) (hydropower licensing).
- *Escondido Mutual Water Co. v. La Jolla Band of Mission Indians*, 466 U.S. 765 (1984) (mitigation for hydroelectric developments on public lands) (White, J.) (amicus curiae brief).
- *National Wildlife Fed'n v. Marsh*, 568 F. Supp. 985 (D.D.C. 1983) (Parker, J.) (administrative law under NEPA).
- *Sporhase v. Nebraska ex rel. Douglas*, 458 U.S. 941 (1982) (Stevens, J.) (ban on water export in violation of commerce clause) (amicus curiae brief available at 1982 WL 608572).

## Legislation

- Tax Deed Amendments of 2016 (easements), S.B. 1388.
- Highway Funding Amendments of 2014 (road law), H.B. 619a, 2014 Idaho Sess. Laws ch. 214, codified at Idaho Code §§ 40-709, 40-709A.
- Public Access Amendments of 2013 (road law), H.B. 321, 2013 Idaho Sess. Laws ch. 239, codified at Idaho Code §§ 40-114, 40-202, 40-203, 40-208, 40-2312.
- Exemption from water rights for land application of municipal effluent (water rights), H.B. 608, 2012 Idaho Sess. Laws ch. 218, codified at Idaho Code §§ 42-201(8), 42-221(P).
- Local Public Interest Amendments (water rights), 2003 Idaho Sess. Laws ch. 298, codified at Idaho Code §§ 42-202B(3), 42-203A(5), 42-222(1), 42-240(5), 42-1763.
- Municipal Water Rights Act of 1996 (water rights), 1996 Idaho Sess. Laws ch. 297, codified at Idaho Code §§ 42-202(2), 42-202B, 42-217("4."), 42-219(1) & (2), 42-222(1), 42-223(2), 43-335, 43-338.
- Idaho Administrative Procedure Act (logical outgrowth rule), 1992 Idaho Sess. Laws ch. 263, codified at Idaho Code § 67-5227.

## Publications

- Meyer, *Urban Growth, Land Use Planning, and Water Rights in Idaho*

(the Idaho Chapter of a publication by the National Judicial Council) (2017).

- Allen, Meyer, Nelson & Lee, *Idaho Land Use Planning Handbook*, Givens Pursley (2017).
- Fereday, Meyer & Creamer, *Water Law Handbook: The Acquisition, Use, Transfer, Administration, and Management of Water Rights in Idaho*, Givens Pursley (2017).
- Meyer, *Road Law Handbook: Road Creation and Abandonment Law in Idaho*, Givens Pursley (2017).
- Meyer, *Ethics Handbook: Ethical Considerations for the Client and Lawyer in Idaho*, Givens Pursley (2017).
- Fereday & Meyer, *What is the Federal Reserved Water Rights Doctrine, Really? Answering this Question in Idaho's Snake River Basin Adjudication*, 51 Idaho L. Rev. 341 (2016).
- Meyer, *Cap Fee Basics and News from the Legal Front*, Association of Idaho Cities (2016).
- Meyer, *The Non-Appropriation Lease After Greater Boise Auditorium District v. Frazier*, Idaho Association of Counties (2015).
- Meyer, *Mitigation of Injury to Water Rights: Law & Strategy in Idaho*, The Water Report, at 14 (Dec. 2015).
- Meyer, *Planning for Future Needs Under the Municipal Water Rights Act of 1996*, Association of Idaho Cities Conference on Municipal Issues (2011).
- Meyer, *Municipal Water Rights and the Growing Communities Doctrine*, The Water Report at 1 (Mar. 15, 2010).
- Meyer, "Development, Codification, and Application of the Growing Communities Doctrine in Idaho," presented at American Bar Association, Section of Environment, Energy, and Resources, 28<sup>th</sup> Annual Water Law Conference: Whose Spigot Is It? (Feb. 18-19, 2010).
- Meyer, *An Introduction to the Law of Interstate Water Allocation: From Compacts to Common Sense*, Law Seminars International (2009).
- Meyer, *Interstate Water Allocation*, The Water Report (Aug. 15, 2007).
- Meyer, Idaho Chapter Author for *Brownfields Law and Practice*, Matthew Bender & Co., Inc. (2004) (named *Best Law Book of the Year* by the American Association of Publishers).
- Meyer, *A Comprehensive Guide to Redeveloping Contaminated Property* (Idaho Chapter), American Bar Association (2002).
- Meyer, *The Federal Reserved Water Rights Doctrine in a Skeptical Age*, 39 American Law Institute - American Bar Assn. 219 (2001) (Westlaw: SG039 ALI-ABA 219).
- Meyer, *All I Really Need To Know About Legal Ethics I Learned in Law School*, 43 The Advocate (Idaho Bar Assn.) 15 (2000).
- Allen, Humberger, Honhorst & Meyer, *Land Use Law in Idaho*, National Business Institute (1999).
- Meyer, *Aquifer Storage and Recovery in Idaho*, University of Idaho (1999).
- Meyer, *Complying with Environmental and Special Use Regulations*, in *Land Use Law in Idaho*, National Business Institute (1999).
- Meyer, *Municipal Water Rights in Idaho: The Growing Communities Doctrine and Its Recent Codification*, Northwest Water Law & Policy

Project (1996).

- Meyer, *Small Handles on Big Projects: The Federalization of Private Undertakings*, 41 Rocky Mountain Mineral Law Institute 5-1 (1995).
- Meyer, *Instream Flows: Integrating New Uses and New Players into the Prior Appropriation System*, in *Instream Flow Protection in the West*, Natural Resource Law Center (1993).
- Meyer, *Water Conservation: Looks Can Deceive*, in *River Voices* (1993).
- Meyer, *Instream Flows: Coming of Age in America*, in *Proceedings of the Western Regional Instream Flow Conference* (1989).
- Meyer, *Western Water Law: The New Frontier*, in *Audubon Wildlife Report* (1989).
- Meyer, *New Developments in Water Rights on Public Lands: Federal Rights and State Interests*, paper presented at conference sponsored by the Natural Resource Law Center, University of Colorado School of Law, *Water as a Public Resource: Emerging Rights and Obligations* (1987).
- Meyer, *Navigating the Wetlands Jurisdiction of the Army Corps of Engineers*, 9 Resource L. Notes 3, Natural Resources Law Center (1986).
- Meyer, Two papers published in *Winning Strategies for Rivers: Proceedings of the Tenth Annual National Conference on Rivers*, American Rivers Conservation Council (1985).
- Osann, Campbell, Meyer, & Allemang, *Shortchanging the Treasury: The Failure of the Department of the Interior to Comply with the Inspector General's Audit Recommendations to Recover the Costs of Federal Water Projects*, National Wildlife Federation (1984).
- Anderson, Campbell & Meyer, *Solving the Water Crisis*, V-7 Policy Report 9, the Cato Institute (1983).
- Meyer, *Sporhase v. Nebraska: A Spur to Better Water Resource Management*, 1 Env'tl. Forum 28, Environmental Law Institute (1983).
- Burwell & Meyer, *A Citizen's Guide to Clean Air and Transportation: Implications for Urban Revitalization*, U.S. Environmental Protection Agency (1980).
- Meyer, *The Effects of Labor Organization on the Functional Distribution of Income in Manufacturing Industries in the United States for the Years 1948 through 1972*, Senior Honors Thesis, University of Michigan (1978).