

ARTICLE ABSTRACT

Waste or Wasted?—Rethinking the Regulation of Coalbed Methane Byproduct Water in the Rocky Mountains: A Comparative Analysis of Approaches to Coalbed Methane Produced Water Quantity Legal Issues in Utah, New Mexico, Colorado, Montana, and Wyoming

*Thomas F. Darin\**

This article discusses the water quantity issues in coalbed methane (CBM) extraction. CBM, found virtually everywhere there is coal, is poised to become a major source of natural gas and its production has increased dramatically. Darin provides analysis of CBM issues in Utah, New Mexico, Colorado, Montana, and Wyoming, states where water associated with CBM extraction will total trillions of gallons.

Part I summarizes CBM byproduct water regulatory approaches. Part II describes the CBM extraction process. Part III surveys western ground water law. Part IV provides analysis of laws that views byproduct water as waste. Part V explains Montana's approach to the issue. Part VI describes Wyoming's unique approach to CBM produced water regulation. In conclusion, part VII calls for reform necessary to utilize CBM produced water as a valuable recourse.

\* J.D., Northern Illinois University College of Law (1993); B.A. University of Notre Dame (1990). The author is Staff Attorney and Director of Public Lands and Recourses at the Wyoming Outdoor Council, a non-profit conservation group.