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# Frank J. Trelease - Biographical Data

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# FRANK J. TRELEASE

Dean Emeritus  
University of Wyoming  
College of Law

Professor Emeritus  
University of the Pacific  
McGeorge School of Law

## BIOGRAPHICAL DATA

### PERSONAL

Born November 3, 1913, Buffalo, New York  
Married Mary Thayer, February 1, 1936; one son, Frank J. Tre-  
lease III,  
Water Resources Engineer, Cheyenne, Wyoming

### EDUCATION

Colorado Springs High School, 1932  
A.B., University of Colorado, 1937  
LL.B., University of Colorado, 1938  
J.S.D., University of Wisconsin, 1962

### ADMITTED TO PRACTICE

Colorado, 1938  
Wyoming, 1946

### EXPERIENCE

L. Ward Bannister, Attorney, Denver, Colorado, Associate 1938-  
39  
Yeaman, Grove & Huffman, Attorneys, Denver, Colorado, Partner,  
1939-42  
University of Colorado, Instructor in Law, 1946-48  
University of Wyoming:  
Assistant Professor Law, 1942-43, 1946-48  
Associate Professor, 1948  
Professor, 1950-60, 1971-77  
Dean, 1960-71; Dean Emeritus, 1977

All American Aviation, Wilmington, Delaware, 1943-45  
Civil Aeronautics Board, Washington, D.C., Trial Examiner, 1945  
Missouri Basin Survey Commission, Lincoln, Nebraska, General  
Counsel, 1952

University of Wisconsin, Research Fellow, 1959-60

Visiting Professor:

University of Texas, Summer 1948, 1954

University of North Carolina, Summer 1950

University of Arizona, Summer 1957

University of Colorado, Summer 1960

University of Washington, Summer 1961

University of Chicago, 1962-63

Louisiana State University, Summer 1965, 1967, 1976

University of New Mexico, Spring 1980

Distinguished Visiting Professor, McGeorge School of Law,  
University of the Pacific, 1977-78; Professor, 1978-86

Walker-Ames Visiting Professor, University of Washington, 1980

John S. Lehman Distinguished Visiting Professor, Washington  
University, 1982

## HONORS

ODK Outstanding Teacher, 1959

George Duke Humphrey Distinguished Faculty Award, 1970

Honor Societies:

Phi Beta Kappa

Phi Kappa Phi

Order of the Coif

LL.D., University of Wyoming, 1977

Distinguished Alumnus, University of Colorado School of Law,  
1983

## ORGANIZATIONS

Chi Psi Fraternity

Phi Delta Phi Legal Fraternity

Wyoming State Bar

American Bar Association:

Section on Natural Resources, Committee on Water Rights

Section on Legal Education and Admission to the Bar

Association of American Law Schools:

Torts Round Table Council, 1952

Committee on Admissions to the Bar, 1957-58, Chairman,

Subcommittee on Character Questionnaires, 1958  
Executive Committee, 1958  
Committee on Program, 1960  
Nominating Committee, 1961  
Committee on Continuing Legal Education, 1961  
Torts Round Table Council, Chairman, 1963  
Curriculum Committee, Chairman, 1965  
Nominating Committee, 1965  
American Law Institute  
International Law Association  
International Association for Water Law

## CONSULTING SERVICES

Principal Clients: State of Wyoming, City of Cheyenne, State of Alaska, State of Nebraska, Public Land Law Review Commission, National Water Commission, United Nations Food and Agriculture Organization, United Nations Office of Technical Cooperation

## SUBJECTS *TAUGHT*

Over 10 years:

- Judicial Remedies
- Natural Resources
- Torts
- Water Rights

5 to 10 years:

- Damages
- Domestic Relations
- Equity
- Public Utilities
- Mining Law
- Oil & Gas Law

1 to 5 years:

- Agency
- Code & Federal Pleading
- Conflict of Laws
- Constitutional Law
- Environmental Law
- Federal Courts
- Introduction to Law
- Wills

ARTICLES BY FRANK J. TRELEASE

- Discharge of a Tax Lien by Reliance on a Certificate that no Taxes are Due* [Burton v. City & County of Denver 61 Pac(2d) 856 (Colo.)], 9 ROCKY MTN. L. REV. 289-92 (1937).
- Reorganization of Dissolved Corporations Under 77B* [Chicago Title's Trust Co. v. Forty-one Thirty-six Wilcox Bldg. Corp., 58 Sup. Ct. 125], 10 ROCKY MTN. L. REV. 197-201 (1938).
- Stock Liens and Transfer Restrictions Under the Uniform Stock Transfer Act* 10 ROCKY MTN. L. REV. 117-21 (1938).
- Speeding the Regulatory Process—Temporary Orders of the Federal Power Commission* [Federal Power Comm'n v. Natural Gas Pipeline Co., 62 Sup. Ct. 736], 14 ROCKY MTN. L. REV. 324-26 (1942).
- A Proposal for Wyoming Procedural Reform* 1 WYO. L.J. (1947).
- Book Review: RHYNE, CHARLES S., *Aviation Accident Law* (1947), 2 WYO L.J. 142-43 (1948).
- Examination Techniques—Criteria of Grading*, 23 ROCKY MTN. L. REV. 118-23 (1950).
- Book Review: KARLEN, DELMAR, *Primer of Procedure* (1950), 29 N.C. L. REV. 96-8 (1950).
- Minimum Standards of Judicial Administration in Wyoming*, 5 WYO. L.J. 159-69 (1951).
- Book Review: MORRIS, CLARENCE *Studies in the Law of Torts* (1951), 5 WYO. L.J. 218-20 (1951).
- Book Review: SMITH, YOUNG B. & PROSSER, WILLIAM L., *Cases and Materials on Torts* (1952).
- Federal-State Compact for Missouri Basin Development*, 7 WYO. L.J. 161-90 (1953).
- Coordination of Riparian and Appropriate Rights to the Use of Water*, 33 TEX. L. REV. 24-69 (1954).
- Preference to the Use of Water*, 27 ROCKY MTN. L. REV. 133-60 (1955).
- Book Review: BELLI, MELVIN M., *Modern Trials* 3, v. 1954, 10 WYO. L.J. 91 (1955).
- A Model State Water Code for River Basin Development* (part of Symposium: River Basin Development), 22 LAW & CONTEMP. PROB. 301 (1957).
- Concept of Reasonable Beneficial Use in the Law of Surface Streams*, 12 WYO. L.J. 1 (1957).

- Government Ownership and Trusteeship of Water* (part of Symposium: Legal Problems in H<sub>2</sub>O Resources), 45 CALIF. L. REV. 653 (1957).
- Proceedings, Institute on Wyoming Rules of Civil Procedure: A Symposium. Forward & Wyoming Practice Under Rules of Civil Procedure*, 12 WYO. L.J. 175 (1958), 12 WYO. L.J. 202 (1958).
- Book Review: JOINER, CHARLES W., *Trials and Appeals: Cases, Text, Statutes Rules and Forms* (1957), 11 J. LEGAL EDUC. 132 (1958).
- Reclamation Water Rights*, (part of a Symposium: Public H<sub>2</sub>O law), 32 ROCKY MTN. L. REV. 464 (1960).
- Federal Limitations on State Water Rights*, 10 BUFFALO L.R. 399 (1961).
- Water Law and Economic Transfers of Water*, Part I, 43 J. FARM ECON. 1147 (1961), Part II, 44 J. FARM ECON. 434 (1962).
- Law, Water and People: The Role of Water Law in Conserving and Developing Natural Resources in the West*, 18 WYO. L.J. 3 (1963).
- Arizona v. California* (83 S. Ct. 1468), *Allocation of Water Resources to People, States and Nation*, 1963 SUP. CT. REV. 158 (1963).
- Policies for Water Law: Property Rights, Economic Forces and Public Regulation*, 5 NAT. RESOURCES J. 1 (1965).
- Priority and Progress: Case Studies of the Transfer of Water Rights*, 1 LAND & WATER L. REV. 1 (1966).
- Alaska's New Water Use Act*, 2 LAND & WATER L. REV. 1 (1967).
- Changes and Transfers of Water Rights*, 13 ROCKY MTN. MIN. L. INST. 507 (1967).
- Transfer of Water Rights—Sales for Recreational Purposes and to Districts*, 2 LAND & WATER L. REV. 321 (1967).
- Water Resources on the Public Lands: PLLRC's Solution to the Reservation Doctrine*, 6 LAND & WATER L. REV. 89 (1970).
- Use of Fresh Water for Secondary Recovery of Oil in the Rocky Mountain States*, 16 ROCKY MTN. MIN. L. INST. 605 (1971).
- The Role of the Law Student*, 16 STUDENT L.J. 8 (1971).
- Book Review: TECLAFF, *Abstraction and Use of Water, a Comparison of Legal Regimes*, 8 LAND & WATER L. REV. 583 (1973).
- Model Water Code, the Wise Administrator and the Goddam Bureaucrat*, 14 NAT. RESOURCES J. 207-29 (1974).

- Alternatives to Appropriation Law*, 6 DENVER J. INT'L L. & POL'Y 283-305 (1976).
- New Water Legislation: Drafting for Development, Efficient Allocation and Environmental Protection*, 12 LAND & WATER L. REV. 385-429 (1977).
- Water—Federal Reserved Water Rights Since PLLRC*, 54 DEN. L.J. 473-505 (1978).
- Changing Water Market for Energy Production*, 5 J. CONTEMP. L. 83-93 (1978).
- Legal Solutions to Ground Water Problems—A General Overview*, 11 PAC. L.J. 863-75 (1980).
- Uneasy Federalism—State Water Laws and National Water Uses*, 55 WASH L. REV. 751-75 (1980).
- Conjunctive Use of Ground Water and Surface Water*, 27B ROCKY MNT. MIN. L. INST. 1853-94 (1982).
- A Water Management Law for Arkansas*, 6 U. ARK. LITTLE ROCK L.J. 369-90 (1983).
- The New West German Mining Law*, (W/G. Kuehne), 19 LAND & WATER L. REV. 372-94 (1984).
- State Water and State Lines: Commerce in Water Resources*, 56 U. COLO. L. REV. 347-79 (1985).

#### FEDERAL CASES CITING FRANK TRELEASE

1. State of Ariz. v. State of Cal., 460 U.S. 605 (1983).
2. Merrion v. Jicarilla Apache Tribe, 455 U.S. 130 (1982).
3. Andrus v. Charlestone Stone Prod. Co., 436 U.S. 604 (1978).
4. Cappaert v. United States, 426 U.S. 128 (1976).
5. Public Serv. Co. of Colo. v. Federal Energy Regulatory Comm'n, 754 F.2d 1555 (10th Cir. 1985).
6. Akootchook v. United States, 747 F.2d 1316 (9th Cir. 1984).
7. Blackfeet Tribe of Indians v. State of Mont., 729 F.2d 1192 (9th Cir. 1984).
8. United States v. Alpine Land & Reservoir Co., 697 F.2d 851 (9th Cir. 1983).
9. United States v. Truckee-Carson Irrigation Dist., 649 F.2d 1286 (9th Cir. 1981).
10. Turner v. Kings River Conservation Dist., 360 F.2d 184 (9th Cir. 1966).
11. Sierra Club v. Block, 622 F. Supp. 842 (D. Colo. 1985).
12. United States v. Alpine Land & Reservoir Co., 503 F. Supp. 877 (D. Nev. 1980).

13. Cape Fox Corp. v. United States, 456 F. Supp. 784 (D. Alaska 1978).

14. United States v. Fallbrook Pub. Util. Dist., 165 F. Supp. 806 (S.D. Cal. 1958).

#### STATE CASES CITING FRANK TRELEASE

1. Shokal v. Dunn, 109 Idaho 330, 707 P.2d 441 (1985).

2. State of Wash. v. Abbott, 103 Wash. 2d 686, 694 P.2d 1071 (1985).

3. R.J.A., Inc. v. Water Users Ass'n of Dist. No. 6, 690 P.2d 823 (Colo. 1984).

4. *In re* Contests of Laredo, 675 S.W.2d 257 (Tex. Ct. App. 1984).

5. Cate v. Hargrave, 680 P.2d 952 (Mont. 1984).

6. *In re* Rules & Regulations Governing the Use, Control & Protection of Water Rights for Both Surface & Underground Water Located in the Rio Grande & Conejos River Basins & Their Tributaries v. Gould, 674 P.2d 914 (Colo. 1983).

7. Green River Dev. Co. v. FMC Corp., 660 P.2d 339 (Wyo. 1983).

8. Robinson v. Ariyoshi, 65 Hawaii 641, 658 P.2d 287 (1982).

9. Reppun v. Board of Water Supply, 65 Hawaii 531, 656 P.2d 57 (1982).

10. United States v. City & County of Denver, 656 P.2d 1 (Colo. 1982).

11. Lower Colo. River Auth. v. Texas Dept. of Water Resources, 638 S.W.2d 557 (Tex. Ct. App. 1982).

12. Town of Chino Valley v. City of Prescott, 131 Ariz. 78, 638 P.2d 1324 (1981).

13. Paug Vik, Inc. v. Wards Cove Packing Co., 633 P.2d 1015 (Alaska 1981).

14. *In re* Adjudication of the Upper Guadalupe River Segment of the Guadalupe River Basin, 625 S.W.2d 353 (Tex. Ct. Civ. App. 1981).

15. John Meier & Son, Inc. v. Horse Creek Conservation Dist. of Goshen County, 603 P.2d 1283 (Wyo. 1979).

16. *In re* Determination of Rights to Waters of Long Valley Creek Stream Sys. v. Ramelli, 25 Cal. 3d 339, 599 P.2d 656, 158 Cal. Rptr. 350 (1979).

17. Village of Tequesta v. Jupiter Inlet Corp., 371 So. 2d 663 (Fla. 1979).



18. *McLeary v. State of Wash.*, 91 Wash. 2d 647, 591 P.2d 778 (1979).
19. *Basin Elec. Power Coop. v. State Board of Control*, 578 P.2d 557 (Wyo. 1978).
20. *State of Wyo. v. Husky Oil Co.*, 575 P.2d 262 (Wyo. 1978).
21. *State of Idaho v. Idaho Dep't of Water Admin.*, 96 Idaho 440, 530 P.2d 924 (1974).
22. *Avondale Irrigation Dist. v. North Idaho Properties, Inc.*, 96 Idaho 1, 523 P.2d 818 (1974).
23. *Baker v. Ore-Ida Foods, Inc.*, 95 Idaho 575, 513 P.2d 627 (1973).
24. *Sun Oil Co. v. Whitaker*, 483 S.W.2d 808 (Tex. 1972).
25. *Peters v. Langrehr*, 188 Neb. 480, 197 N.W.2d 698 (1972).
26. *State of Tex. v. Hildalgo County Water Control & Improvement Dist. No. 18*, 443 S.W.2d 728 (Tex. Ct. Civ. App. 1969).
27. *Mathers v. Texaco, Inc.*, 77 N.M. 239, 421 P.2d 771 (1966).
28. *San Antonio River Auth. v. Lewis*, 363 S.W.2d 444 (Tex. 1962).