

David Getches

“Our Interior Dean”

Wren and I have been hiking in the Elk Mountain Wilderness, most recently across the back of Oh-Be-Joyful, the last of the big wilderness additions to the 1993 legislation.

The wildflowers are at their height – even John Fielder would be challenged to record this special year. Waterfalls are still pouring down the mountainsides, and mountain meadows are so green that they shine, shadowed only by cow parsnip and bolting century plants.

This is one small part of the wilderness David Getches helped to save – his political savvy and remarkable technical expertise guided us through seemingly endless thickets of reserve water rights, abandoned mines and timber sales, bogus land claims and mineral patents, and general conservative recalcitrance.

Always with a twinkling eye and a serious smile, David helped Jim Martin, Maggie Fox, and other hearty advocates, all dedicated to the proposition that we owe a loyalty to the earth:

- Beyond its resources
- Beyond its opportunities for profit
- Beyond the so-called political “realists” who will compromise and then compromise again until everything is gone.

In reference to Native American law, David coined the phrase “philosophy of permanence.” He had that same instinct for the land.

David’s was an integrity that should and could pervade our Interior West:

- The preservation of places that don’t lend themselves to exploitation (or what is euphemistically termed “usefulness”);
- For Native Americans, the first time provision of assurance that treaties were enforceable and permanent;
- A clear vision for the legal status of water and public lands;
- And a resolve to continue to challenge right up to the highest courts of the land.

To quote Charles Wilkinson: David was one of the most important figures in the post-World War II American West.

As Dean, David’s teaching and scholarship, steeped in his passionate honesty, provides a framework and discipline to a next generation.

And yes, he even built a monument – bricks and mortar; this LEED-certified law school building, where the communities that David served will continue to come together in the months and years ahead, for lectures, seminars, training programs, faculty events, public happenings.

Every time we go in and out of these doors, we will remember David. My own glimpses include:

- That big wilderness bill;
- River trips and his fat blow-up air mattress;
- My pride when he enlisted our son, Christopher, to help him write his book *Water Law in a Nutshell*;
- Faculty seminars and events, as he built his wonderful team at the law school.

David was a friend, counselor, colleague, to all of us. We need to keep our eyes firmly set on the example of his integrity, humor, warmth and idealism. The interior of our West and the interior of each of us needs these qualities now more than ever.

Thank you, friend, and may God bless Ann, your family, and your spirit.

Timothy E. Wirth  
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