

Peter Nichols

Of Counsel

peter.nichols@bhgrlaw.com



Peter is known for finding creative and innovative approaches to meet his clients' water, water quality, and conservation needs and objectives.

Peter's Core Practices

Water Law | Water Quality Law | Land + Water Conservation Law

Peter is one of the most experienced, knowledgeable, and creative water lawyers in Colorado. His practice focuses on water, water quality, and land and water conservation law.

Water Law

Peter represents water conservancy and groundwater management districts, municipalities, natural resource companies, industrial entities, mutual ditch companies, unincorporated ditches, and acequias, as well as individual farmers and ranchers in a broad range of water matters, including acquisition, development, and protection of water rights. He has considerable experience with the temporary use of agricultural irrigation water rights to meet municipal and other needs.

Water Quality Law

Peter represents water conservancy districts, states, municipalities, and a variety of water districts and providers on water quality matters under the federal Clean Water Act and the Colorado Water Quality Control Act, including critical regional and national water issues.

Land + Water Conservation Law

Peter advises private landowners, nonprofit land trusts, conservation organizations, and local governments in all aspects of conservation law, with extensive experience in surface and groundwater rights and innovative conservation easements.

More About Peter

Peter leads BHGR's Water Practice Group and serves on the firm's Social Development Committee.

Education

J.D., University of Colorado Law School

M.P.A., University of Colorado

B.A., Colorado College

Admissions

- Colorado
- New Mexico
- Wyoming
- U.S. Supreme Court
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, District of Colorado

Related Practices

- Water + Conservation

Associations

American Bar Association, Colorado, New Mexico, Wyoming, and 9th Judicial District (Colorado) Bar Association
Land Trust Alliance and Appraisal Institute

Getches-Wilkinson Center for Natural Resources, Energy and the Environment, University of Colorado School of Law

- Advisory Board (2010-present; Chair, 2015-2017)

Colorado Water Trust (Co-Founder; Executive Director 2001-2002)

- Board of Directors (2003-2015)

Colorado Interbasin Compact Committee

- Gubernatorial appointment (2008-2018)

Colorado Water Congress

- Board of Directors (1987-1999; President 1997-1998)

Colorado Water Quality Control Commission

- Gubernatorial appointment (1993-1999; Chair 1997-1998)

dZi Foundation

- Advisory Committee (2022-present)

Designations

Special Assistant Attorney General, State of Colorado (2005-2018)

Special Assistant Attorney General, State of New Mexico (2005-2018)

He has also been an adjunct Professor of water resources at the University of Colorado School of Law (2019).

Publications + Presentations

Todd Doherty, Jessica Jay, Kevin McCarty, Peter Nichols, & Sarah Parmar, Sharing Water to Save the Farm: A Guide to Agricultural-Municipal Water Sharing for Colorado's Land Conservation Community, Colorado Open Lands (2019).

Groundwater Conservation Easements for Aquifer Recovery in the San Luis Valley, Colorado Open Lands/Rio Grande Headwaters Land Trust, Contributing Author and Reviewer (2022).

Peter is a frequent presenter at local and national continuing legal education courses, seminars, and conferences on a broad range of topics, including agricultural water sharing and transfers, water marketing, water rights in western conservation easements, water and land use, water and growth, The Colorado Water Trust, instream flow strategic planning for the Roaring Fork River Basin, Colorado River law and policy, and the Clean Water Act and water transfers.

A full list of Peter's teaching and speaking engagements is available upon request.

Published Cases

Catskill Mountains Chapter of Trout Unlimited, Inc. v. U.S. Environmental Protection Agency, 8 F. Supp. 3d 500 (S.D.N.Y. 2014); 846 F.3d 492 (2nd Cir. 2017); cert. denied, 138 S.Ct. 1164 (U.S. 2018).

Grand Valley Water Users Ass'n v. Busk-Ivanhoe, Inc., 386 P.3d 452 (Colo. 2016).

Mesa County Land Conservancy, Inc. v. Allen, 318 P.3d 46 (Colo.App.2012), cert. denied (Colo. 2013).

Friends of the Everglades v. South Fla. S. Water Mgmt. Dist., 570 F.3d 1210 (11th Cir. 2009), denied en banc, 605 F.3d 962 (11th Cir. 2010), cert denied 131 S. Ct. 645 (U.S. 2010).

Meridian Ranch Metro. Dist. v. Colorado Ground Water Comm'n, 240 P.3d 382 (Colo. App. 2009), cert denied (2009).

High Plains A&M, LLC v. Southeastern Colo. Water Conservancy Dist., 120 P.3d 710 (Colo. 2005).

Honors & Awards

Top Lawyer (Environmental), 5280 Magazine (2023)

AV Preeminent Rating, Martindale-Hubbell peer review 5-point ratings system (2012-present)

President's Award, National Water Resources Association (2004)

Outstanding Natural Resources Scholar, University of Colorado School of Law (2001)

Pro Bono

Peter provides pro bono legal services to multiple nonprofit organizations and individuals. He is the co-founder of and a supervising attorney for the Acequia Assistance Project at CU Law School, which pairs practicing attorneys with law students to provide pro bono legal services to descendants of Colorado's first immigrants. In addition, Peter is general counsel to the dZi Foundation, which works with isolated subsistence farming communities in Nepal. He also acts as general counsel for the United Sherpa Association of Colorado, a non-profit organization to



preserve and promote Sherpa culture and tradition of the Sherpa community living in the Rocky Mountain Area.

Out + About

Outside of the office, Peter enjoys skiing, mountain biking, and dinner out with his daughter, Kelcey Nichols, who is the managing partner of an Aspen-based law firm. He is an avid climber, skier, mountain biker, and cyclist, and a former international mountaineering guide. Peter has a decades-long relationship with Himalayan communities in Nepal and has led multiple efforts to rebuild schools and homes following the 2015 earthquakes.