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In the high plains of Texas the farmers who grow cotton, alfalfa and other crops are entitled by law to as much underground water as they can reasonably use. No matter that this water comes from the Ogallala Aquifer, that vast underground reservoir whose levels have dropped precipitously since 1940. No matter that the overpumping threatens eventually to put thousands of farmers across seven states out of business. The illusion, codified in the law not just in Texas but in much of the U.S., is that groundwater is somehow boundless, or in a category apart from lakes, rivers and streams, and ought not be regulated, even for the common good. Now comes Robert Glennon to puncture this illusion, in a book as rich in detail as it is devastating in its argument. Its focus on groundwater brings overdue attention to a category that accounts for nearly a quarter of American freshwater use. Its title, *Water Follies*, sets the tone for tales that can be tragicomic; this is a book about water being squandered, so it is also, as the author puts it, a book about "human foibles, including greed, stubbornness, and especially, the unlimited human capacity to ignore reality." Take, for example, his story of the fast-food french fry. It used to be that potatoes were grown on unirrigated land, he writes, but Americans' love of processed foods changed that. Uneven moisture leads to small, knobby, misshapen potatoes, so most American growers, even in places such as Minnesota, routinely irrigate their lands, to produce products acceptable to the industry and customers like McDonald's. But in Minnesota the groundwater that farmers pump for potatoes turned out to be the same water that helps to sustain the Straight River, a major trout fishery. Even modest pumping for potatoes, a federal study eventually concluded, had the potential to reduce the river's flow by one third during irrigation season, with adverse impact on the brown trout. For now, the trout are not in danger, but that could change if Minnesota were to approve applications from farmers still eager to see potato planting and irrigation widen. "One long-term answer, of course," Glennon notes, with characteristic wryness, "is for us, as American consumers, to accept french fries that have slightly different colors, or minor discolorations, or even ones that are not long enough to stick out from a super-size carton." Farmers are not the only ones who get a hard time for their shortsightedness. Bottled-water purveyors, particularly Perrier, are tarred for their pursuit, in places such as Wisconsin, of cool, underground (and highly profitable) springwater in quantities so vast as to prove devastating to

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the ecology of nearby rivers. The gold-mining industry is called to account for "dewatering" operations in, for example, Nevada, where it makes way for its deep operations by pumping away groundwater at a stunning rate. And planners in Tampa, Fla., and San Antonio, Tex., come under fire for their cavalier reliance on perishable underground sources such as Texas's Edwards Aquifer to fuel development they are finding difficult to sustain. The cumulative picture painted by the author is a grim one. Already four states-- Florida, Nebraska, Kansas and Mississippi-- use more groundwater than surface water, and more and more are looking underground to support growing populations. Becoming equally apparent are the consequences in dry rivers, land subsidence, and aquifers drawn down far faster than they can ever be recharged. "The country cannot sustain even the current levels of groundwater use," Glennon writes, "never mind the projected increases in groundwater consumption over the next two decades." Why is it that groundwater has become subject to such abuse? One reason, of course, is that buried below the surface, it is hidden from the kind of relentless monitoring that in recent decades has helped clean up rivers such as the Erie and the Hudson. But Glennon, a professor of law at the University of Arizona, finds buried in the law some further reasons for the neglect. Even now, he says, most American laws affecting groundwater do not recognize any connection between underground and surface waters, despite abundant evidence of such links. They remain rooted in 19th-century ideas that underground flows were something so mysterious that they could not be understood, an assumption that has been translated into lax or nonexistent regulation. In most parts of the U.S., the author points out, surface water is subject to doctrines of riparian law or prior appropriation, with water rights carefully parceled out to various claimants. Groundwater, in contrast, is most often subject to the rule of capture, which, as Glennon observes, essentially means that "the biggest pump wins," notwithstanding the impact on surface water or the aquifer itself. To Glennon, the plight of the country's groundwater has come increasingly to represent what biologist Garrett Hardin called "the tragedy of the commons," a direct result of allowing citizens unlimited use of a common area. Among his recommendations for the future is an immediate halt to unregulated groundwater pumping. To some ears, especially those of high-plains Texas farmers, that is certain to sound like an unconscionable assault on property rights. But *Water Follies* makes the case that groundwater is something that we all should regard as very public indeed.