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6th Annual Conference!

Law of the Rio Grande

Stay Informed About Our Grand River

January 27-28, 2005 • Hyatt Regency Hotel • Albuquerque

Featured Presentation!

**River of Complexity:
Environmental, Legal,
Social and Economic Issues**



Kathleen Hartnett White
Chairman

Texas Commission on
Environmental Quality
Austin, TX

Dear Colleagues,

Like the river itself, the problems and challenges facing the Rio Grande are ever-changing. As the population grows, water dwindles, nations blend and compacts are challenged, the land and its people become still further stressed. What changes must be made? And do the answers lie within the range of changes that have been contemplated so far?

As a water professional, you know how important it is to stay informed about our grand river. This year we have assembled a highly-regarded faculty of lawyers, scientists, and policy specialists who will provide you with the tools to understand and incorporate the expected changes and answers into your professional practice.

We look forward to seeing you there.

Sincerely,



Glenn Jarvis, Esq.
Program Co-Chair



John W. Shomaker, PhD
Program Co-Chair

A handwritten signature in black ink, appearing to read "Glenn Jarvis".

Glenn Jarvis, Esq.
Program Co-Chair
McAllen, TX

A handwritten signature in black ink, appearing to read "John W. Shomaker".

John W. Shomaker, PhD
Program Co-Chair
Principal Hydrogeologist
John Shomaker & Associates
Albuquerque, NM



Visit our website at [cle.com](http://www.cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule and Speaker Biographies Inside



conference schedule

Law of the Rio Grande

Wednesday, January 26

6:00 Registration and Check-In

6:30 **Pre-Conference Dinner**

Our River: A Senator's View
Senator Sue Wilson Beffort
New Mexico State Legislature, Santa Fe, NM

Thursday, January 27

8:30 Registration

9:00 **Introduction and Welcome**

Glenn Jarvis, Esq., Program Co-Chair
McAllen, TX

9:15 **The Developing Law of the Rio Grande**

Colorado, New Mexico and No Man's Land (AKA Southern New Mexico)
J. Phillip King, PE, PhD, Associate Professor and Associate Department Head, Department of Civil Engineering
New Mexico State University, Las Cruces, NM

The Texas Perspective
Timothy L. Brown, Esq.
Austin, TX

10:15 Morning Break

10:30 **Featured Presentation**

River of Complexity: Environmental, Legal, Social and Economic Issues
Kathleen Hartnett White, Chairman
Texas Commission on Environmental Quality, Austin, TX

11:15 **Learning from our Neighbors**

The Colorado, Pecos and Rio Grande
F. Lee Brown, PhD, Economic Consultant
Albuquerque, NM

12:00 Lunch Break

1:15 **The New Mexico and Texas Adjudications**

A Variety of Perspectives
Christopher B. Rich, Esq.
Office of the Field Solicitor, U.S. Department of the Interior, Salt Lake City, UT
Douglas G. Caroom, Esq.
Bickerstaff, Heath, Smiley, Pollan, Kever & McDaniel, Austin, TX
Stephen A. Hubert, Esq.
Hubert & Hernandez, Las Cruces, NM

Jay F. Stein, Esq.
Stein & Brockmann, Santa Fe, NM

David W. Robbins, Esq.
Hill & Robbins, Denver, CO

2:45 **The Rio Grande Compact**

Compliance and Evolving Issues
Herman Settemeyer, PE, Water Rights Permit and Availability Section, Interstate Compacts
Texas Commission on Environmental Quality, Austin, TX
Rolf Schmidt-Petersen, Chief, Rio Grande Basin Bureau
New Mexico Interstate Stream Commission, Albuquerque, NM

3:45 Afternoon Break

4:00 **Ground Water-Surface Water Interactions**

Impacts on Water Management
Robert S. Bowman, Hydrology Program Director
New Mexico Institute of Mining and Technology, Socorro, NM

4:45 **New Mexico Active Resource Management Regulations**

How Will These Regulations Be Implemented?
Statewide Overview
John R. D'Antonio, Jr., PE, State Engineer and Secretary to the Interstate Stream Commission
Office of the State Engineer, Santa Fe, NM
Lower Section Overview
Steven L. Hernandez, Esq.
Hubert & Hernandez, Las Cruces, NM
Middle Section Overview
Charles T. DuMars, Esq.
Law & Resource Planning Associates, Albuquerque, NM
Upper Section Overview
David Benavides, Esq., Land and Water Rights Project Director
New Mexico Legal Aid, Santa Fe, NM

6:00 Adjourn

Friday, January 28

9:00 **Summary of Day One and Overview of Day Two**

John W. Shomaker, PhD, Program Co-Chair
Principal Hydrogeologist
John Shomaker & Associates, Albuquerque, NM

9:15 **A Look at Some Other Water Management Strategies**

What's out There?
Desalination – Salty Water to Drink?
Michael M. Hightower, PE, and Howard D. Passell, PhD
Sandia National Laboratories, Albuquerque, NM
Aquifer Storage Recovery – Do We Know the Water Will Be There?
Mike Bitner, RG, PG, President and CEO
Daniel B. Stephens & Associates, Albuquerque, NM
Edmond R. McCarthy, Jr., Esq.
Jackson, Sjoberg, McCarthy & Wilson, Austin, TX

10:30 Morning Break

10:45 **Bilateral Water Issues and Challenges on the Rio Grande**

A U.S. Perspective
Arturo Duran, Commissioner, United States Section
International Boundary and Water Commission, El Paso, TX, US
A Mexican Perspective
J. Arturo Herrera, PE, Commissioner, Mexican Section
International Boundary and Water Commission, Juárez, Chihuahua, Mexico

11:45 Lunch Break

1:00 **Legislative Update**

What's Happening in Santa Fe and Austin?
A View from New Mexico
Pauline K. Gubbels, Former New Mexico State Representative
Albuquerque, NM
The Changing Approach to Water Policy in Texas
Edmund G. Archuleta, PE, General Manager
El Paso Water Utilities, El Paso, TX

2:00 **Native American Settlements and Adjudications Along the Tributaries**

Implications for the Mainstem
Jessica Aberly, Esq.
Rothstein, Donatelli, Hughes, Dahlstrom & Schoenburg, Albuquerque, NM
David C. Mielke, Esq.
Sonosky & Mielke, Albuquerque, NM
Stephen H. Greetham, Esq.
Nordhaus, Haltom, Taylor, Taradash & Bladh, Albuquerque, NM

3:15 **Water for Agriculture and Endangered Species in the Rio Grande**

Constraints and Opportunities
Sterling Grogan, Biologist and Planner
Middle Rio Grande Conservancy District, Albuquerque, NM

4:00 **Ethics**

Ethical Considerations for the Water Law Professional
Robert Kidd, Esq., Assistant City Attorney
City Attorney's Office, Albuquerque, NM

5:00 Q&A Panel

Members of the Faculty

5:15 Adjourn

Upcoming

Land Use Law
December 2-3, Albuquerque

Texas Wetlands
January 27-28, Houston

NEPA
February 3-4, Denver

Eminent Domain
February 17-18, Austin

Colorado Water Law
March 7-8, Denver

Golf & Resort Development
March 17-18, Naples

For more information about these and other programs, visit our website at www.cle.com.

<p>Program Co-Chairs</p> <p>Glenn Jarvis has been involved in Rio Grande water issues since 1963. He is chairman of the Rio Grande Regional Water Planning Group M. He is now involved in the pending adjudication above Fort Quitman in El Paso.</p> <p>John W. Shomaker has over 39 years' experience in hydrogeology, including four years with the U.S. Geological Survey Water Resources Division and over 31 years as a consultant and Principal of John Shomaker & Associates.</p>	<p>Robert S. Bowman has trained 40 MS and PhD students. Previously, he spent five years as a soil scientist with the Agricultural Research Service in Phoenix.</p> <p>F. Lee Brown is an economic consultant specializing in water resource issues and is a Professor Emeritus of Economics and Public Administration at UNM.</p> <p>Timothy L. Brown focuses on environmental and water law, including water rights, administrative law and governmental and legislative practice.</p> <p>Douglas G. Caroom practices water law extensively in Texas and represented Texas in much of the <i>Texas v. New Mexico Pecos River</i> litigation.</p>	<p>Michael M. Hightower has over 25 years' experience in research and development projects.</p> <p>Stephen A. Hubert has been chief counsel for the Elephant Butte Irrigation District, a quasi-municipal corporation that delivers irrigation water through the Rio Grande Project.</p> <p>Robert Kidd practices in the areas of water law, utility regulation and labor and employment law. He is a former member of the Advisory Opinions Committee for the New Mexico State Bar.</p>
<p>Pre-Conference Dinner Presenter</p> <p>Senator Sue Wilson Beffort is starting her third term in the New Mexico Legislature. She is a member of the interim Legislative Finance Committee as well as the Senate Finance Committee.</p>	<p>John R. D'Antonio, Jr., was previously Cabinet Secretary of the New Mexico Environment Department, and also served as the Director of the Water Resource Allocation Program of the Office of the State Engineer.</p>	<p>J. Phillip King specializes in water resources engineering, and his research has included irrigation, hydrology, and water quality studies of the Rio Grande.</p> <p>Edmond R. McCarthy, Jr., concentrates his practice on environmental and water law. He is Vice Chair of the Water Laws Committee of the Texas Water Conservation Association.</p>
<p>Featured Conference Presenter</p> <p>Chairman Kathleen Hartnett White lived in Valentine, Texas, near the Rio Grande for almost 10 years. She was appointed by Texas Governor Rick Perry as chair of the Texas Commission on Environmental Quality on October 20, 2003.</p>	<p>Charles T. DuMars is a member of a natural resource law firm, representing clients both domestically and internationally.</p> <p>Arturo Duran was sworn in as Commissioner on January 16, 2004. He previously served as General Manager for the Lower Valley Water District in Texas.</p>	<p>David C. Mielke is the founding partner of his firm, with primary responsibility for providing general counsel services to his tribal clients in New Mexico.</p> <p>Howard D. Passell works on water resources monitoring, modeling and management projects in various regions around the world.</p>
<p>Jessica Aberly has practiced Indian water law for the past 10 years. Recently, she has assisted Tesuque Pueblo, Santa Clara Pueblo and Santo Domingo Pueblo.</p> <p>Edmund G. Archuleta is manager of the EPWU, which has been recognized regionally and nationally for leadership in conservation, reclamation and management.</p> <p>David Benavides represents low-income persons and communities in gaining legal recognition for their water rights and their historic water-use customs.</p> <p>Mike Bitner is experienced in water resources development and management, and expert witness and technical consulting on water resources and water rights issues.</p>	<p>Stephen H. Greetham specializes in representing tribal governments. His practice focuses on water and administrative law, and the strengthening of tribal regulatory institutions.</p> <p>Sterling Grogan has more than 30 years' experience in land and water management. His duties include management of the 150-mile-long middle Rio Grande riparian bosque.</p> <p>Pauline K. Gubbels served as a New Mexico State Representative from 1995-2002. As a Representative, she sponsored numerous water bills.</p> <p>Steven L. Hernandez is the senior board member of the New Mexico State Bar Section of Natural Resources, Energy and Environmental Law.</p> <p>J. Arturo Herrera has served 22 years in an international forum, where he has worked on border issues such as water quality, salinity control, and international bridges.</p>	<p>Christopher B. Rich concentrates on federal reclamation law, water law, environmental and natural resources law.</p> <p>David W. Robbins emphasizes water and natural resources law, water quality, and environmental law. Previously, he served with the U.S. EPA.</p> <p>Rolf Schmidt-Petersen is a hydrologist with 15 years' experience, the last five years of which have been with the New Mexico Interstate Stream Commission addressing Rio Grande issues.</p> <p>Herman Settemeyer works in Water Rights Permitting and Availability Section at the Division of the Texas Commission on Environmental Quality.</p> <p>Jay F. Stein has practiced water law since 1978. His firm represents municipalities and private interests throughout the State of New Mexico.</p>

conference **information**

<p>Continuing Education Credit</p> <p>MCLE: This course has been approved for a maximum of 16 hours of credit, including one hour of legal ethics, in Colorado and New Mexico. This course has been approved for a maximum of 13 hours of credit, including one hour of legal ethics, in Texas.</p> <p>Real Estate: This course qualifies for 10 hours of Real Estate Credit in New Mexico.</p> <p>Engineering: This course qualifies for 13 hours of Engineering Credit in Colorado, New Mexico and Texas.</p> <p>CLE INTERNATIONAL is an approved sponsor of the Texas State Bar, Sponsor No. 2645, and in all jurisdictions with mandatory continuing legal education requirements.</p> <p>For accreditation in other jurisdictions or disciplines, please call CLE INTERNATIONAL at (303) 377-6600.</p> <p>About CLE International</p> <p>CLE INTERNATIONAL, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983.</p> <p>Sponsorship Information</p> <p>Sponsorship opportunities are still available. For more information, please contact: Sarah Neenan, Marketing Coordinator, at (303) 377-6600 or sarah@cle.com.</p>	<p>Conference Location and Accommodations</p> <p>The Conference will be held at the Hyatt Regency Hotel, 330 Tijeras N.W., Albuquerque, NM 87102. A block of rooms has been set aside for Conference attendees until December 31.</p> <p>For reservations and special rates, please contact Community World Travel at (888) 724-0500 or visit www.communityworldtravel.com.</p> <p>Registration</p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, e-mail your registration to registrar@cle.com, or register online at www.cle.com. Full payment is due at the time of registration. Walk-in registrations will be subject to space availability. Please call CLE INTERNATIONAL at (303) 377-6600 if you require any special accommodations.</p> <p>Tuition</p> <p>The tuition fee of \$645 includes the pre-conference dinner, attendance at all sessions, course materials, continental breakfasts and coffee breaks. Without the dinner, the tuition fee is \$595. CLE INTERNATIONAL offers special rates for 501(c)(3) organizations, full-time judges and law students.</p>	<p>Save When Two or More Register</p> <p>Save \$200 or more with our multiple registrant discount! The tuition fee is only \$545 per person (\$495 without the dinner) for two or more registering from the same firm.</p> <p>Course Materials</p> <p>Each registrant will receive a set of course materials, prepared by the speakers especially for this Conference that will be invaluable as a future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p>Homestudy Package</p> <p>If you cannot attend, CLE INTERNATIONAL also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This course is approved for self-study credit in Colorado, New Mexico and Texas and may qualify for self-study credit in other jurisdictions.</p> <p>Cancellation</p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday prior to the Conference. Substitutions may be made at any time.</p> <p>CLE International Program Attorney: Laura Terlisner Mehew: laura@cle.com</p>
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