

# TEXAS WATER LAW

Join Over 150 of Your Colleagues!

September 16-17, 2010 • Omni Downtown • AUSTIN

**Dear Colleague:**

For 19 years, you and your colleagues have depended on this Conference to provide you with the most up-to-date and relevant examination of the state of water law in Texas.

This year, you'll hear from those who are actively shaping the direction of policy and practice in the areas of water supply and water quality. These experts are present where the rubber meets the road and primed to answer your questions on topics such as:

- **How Drought Influenced the Development of Texas Water Law**
- **Issues and Trends in Recent Cases**
- **The ESA and Surface Water**
- **The Water Master System**
- **Exempt Uses in Surface Water and Groundwater**
- **Special Purpose Districts**
- **Alternatives to Traditional Water Sources**
- **The Groundwater Planning Process**

Plus, don't miss our keynote and featured presentations from Commissioner Rubinstein and Representative Ritter.

See you in September!



**Edmond R. McCarthy Jr., Esq., Program Co-Chair**  
Jackson, Sjoberg, McCarthy & Wilson, Austin



**Russell S. Johnson, Esq., Program Co-Chair**  
McGinnis, Lochridge & Kilgore, Austin

Earn up to 12 Hours MCLE Credit  
Including One Hour of Ethics

Earn up to 12 Hours Engineering and Real Estate Credit

Schedule and Information Inside 

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# CONFERENCE SCHEDULE

## THURSDAY, SEPTEMBER 16

7:30	Registration and Continental Breakfast
8:00	<b>Welcome and Introduction</b> Overview of Day One <b>Edmond R. McCarthy Jr., Esq., Program Co-Chair</b> Jackson, Sjoberg, McCarthy & Wilson, Austin <b>Russell S. Johnson, Esq., Program Co-Chair</b> McGinnis, Lochridge & Kilgore, Austin
8:15	<b>History of Texas Water Law</b> How the Legal Landscape Developed in Response to Drought <b>Timothy L. Brown, Esq.</b> Austin
9:00	<b>Featured Presentation</b> What Will Be on the House's Agenda Next Year? <b>The Honorable Allan Ritter, Representative</b> <b>Chairman Natural Resource Committee</b> Texas House of Representatives, Austin
9:45	Morning Break
10:00	<b>Endangered Species Act Issues</b> Surface Water, the Aransas Project, Guadalupe River Basin and Whooping Cranes; Is This the Tip of the Iceberg? <b>David P. Smith, Esq.</b> Barrett & Smith, Austin
11:00	<b>Keynote Presentation</b> Active Water Management in Texas <b>The Honorable Carlos Rubinstein, Commissioner</b> Texas Commission on Environmental Quality, Austin
11:45	<b>Q&amp;A Panel</b> Members of the Faculty
12:00	Lunch Break
1:15	<b>The Water Master System</b> How Permits are Managed <b>Alex Segovia, South Texas Water Master</b> Texas Commission on Environmental Quality, San Antonio
2:00	<b>Exempt Uses in Surface Water and Groundwater</b> <i>Overview</i> <b>Carl R. Galant, Esq.</b> McGinnis, Lochridge & Kilgore, Austin <i>Agency Perspective</i> <b>Robin Smith, Esq.</b> Texas Commission on Environmental Quality, Austin <i>Surface Water Exemptions</i> <b>Leonard H. Dougal, Esq.</b> Jackson Walker, Austin <i>Groundwater Exemptions</i> <b>Jason T. Hill, Esq.</b> Lloyd Gosselink Rochelle & Townsend, Austin <i>Farm Bureau Perspective</i> <b>Billy Howe, State Legislative Director</b> The Farm Bureau, Austin
3:15	Afternoon Break
3:30	<b>Special Purpose Districts</b> Certificates of Convenience and Necessity Disputes; Use of Water Supply Districts and Special Purpose Districts for Special Projects <b>Lynn Sherman, Esq.</b> h2otx.net, Austin
4:15	<b>Ethics</b> Issues for Water Law Professionals <b>Thomas H. Watkins, Esq.</b> Brown McCarroll, Austin
5:15	<b>Q&amp;A Panel</b> Members of the Faculty
5:30	Adjourn

## FRIDAY, SEPTEMBER 17

8:00	Continental Breakfast
8:25	<b>Welcome Back</b> Overview of Day Two <b>Russell S. Johnson, Esq., Program Co-Chair</b> <b>Edmond R. McCarthy, Jr., Esq., Program Co-Chair</b>
8:30	<b>Litigation Update</b> Issues and Trends from Recent Cases <b>Paul M. Terrill III, Esq.</b> The Terrill Firm, Austin
9:15	<b>Alternatives to Traditional Water Sources I</b> Aquifer Storage and Recovery: Water Development Study Findings <b>Fred M. Blumberg, Senior Associate</b> Malcolm Pirnie, Austin
10:00	Morning Break
10:15	<b>Alternatives to Traditional Water Sources II</b> Water Reuse: History, Future Water Supply, Challenges to Implementation, Advancing Water Reuse <b>Ellen T. McDonald, PhD, PE</b> Alan Plummer Associates, Fort Worth
11:00	<b>Alternatives to Traditional Water Sources III</b> Brackish Groundwater and Desalination <b>Robert R. Puente, Esq., President and CEO</b> San Antonio Water System, San Antonio
11:45	<b>Q&amp;A Panel</b> Members of the Faculty
12:00	Lunch Break
1:15	<b>The Groundwater Planning Process</b> What Is in Store, Given the September 1 Desired Future Conditions Deadline? <i>Overview from the Texas Water Development Board</i> <b>Bill Hutchison, PhD, PE, PG, Director</b> <b>Groundwater Resources</b> Texas Water Development Board, Austin <i>Water District Perspective</i> <b>Caroline Runge, Manager</b> Menard Groundwater District, Menard <i>Regulated Community Perspective</i> <b>Marvin W. "Marty" Jones, Esq.</b> Sprouse Shrader Smith, Amarillo
1:45	Afternoon Break
2:00	<b>The Groundwater Planning Process: Continued</b>
3:00	<b>Q&amp;A Panel</b> Members of the Faculty
3:15	Evaluations and Adjourn

CLE INTERNATIONAL  
Program Attorney:  
Caroline R. Kert, caroline@cle.com

# MEET YOUR DISTINGUISHED FACULTY

## FEATURED PRESENTERS



**Allan Ritter** serves on the Economy Development Committee and Calendars Committee in addition to his service as the Chairman of the House Natural Resources Committee. He was first elected to the Texas House of Representatives in 1998, and

he was honored as Freshman of the Year in a bipartisan vote by his House colleagues in 1999. He previously served as Vice Chair of the House Ways and Means Committee, Chair of Pension and Investments Committee and Chair of the House Economy Development Committee.



**Carlos Rubinstein** was appointed to his position by Governor Rick Perry in 2009. His term will expire in 2015. He previously served as his agency's Deputy Executive Director since June 2008. His responsibilities included assisting the Executive

Director in all major capacities such as directing operations of all employees in 17 statewide offices, administrative oversight of agency budget, legislative activity, and implementation of agency policies. Mr. Rubinstein previously served as the Commission's director for the border and South-Central Texas area, and regional director for the Harlingen and Laredo offices, as well as the Rio Grande Watermaster.

## PROGRAM CO-CHAIRS

**Russell S. Johnson** focuses his practice on water law, including representation of landowners, businesses, mineral owners and developers in all matters involving water. He has a strong background in transactions involving water and in advocating and negotiating for clients before legislative bodies, administrative agencies, and both state and federal courts in the water law area.

**Edmond R. McCarthy Jr.** represents clients in the sale and transfer of water rights, regional water supply projects, the development of water rights, district legislation, and agency rules and regulations. He represents clients before state and federal regulatory agencies, the Texas Legislature, and the U.S. Congress.

**Billy Howe, State Legislative Director**  
The Farm Bureau, Austin

**Bill Hutchison, PhD, PE, PG, Director Groundwater Resources**  
Texas Water Development Board, Austin

**Marvin W. "Marty" Jones, Esq.**  
Sprouse Shrader Smith, Amarillo

**Ellen T. McDonald, PhD, PE**  
Alan Plummer Associates, Fort Worth

**Robert R. Puente, Esq., President and CEO**  
San Antonio Water System, San Antonio

**Caroline Runge, Manager**  
Menard Groundwater District, Menard

**Alex Segovia, South Texas Water Master**  
Texas Commission on Environmental Quality  
San Antonio

**Lynn Sherman, Esq.**  
h2otx.net, Austin

**David P. Smith, Esq.**  
Barrett & Smith, Austin

**Robin Smith, Esq.**  
Texas Commission on Environmental Quality  
Austin

**Paul M. Terrill III, Esq.**  
The Terrill Firm, Austin

**Thomas H. Watkins, Esq.**  
Brown McCarroll, Austin

## FACULTY

**Fred M. Blumberg, Senior Associate**  
Malcolm Pirnie, Austin

**Timothy L. Brown, Esq.**  
Austin

**Leonard H. Dougal, Esq.**  
Jackson Walker, Austin

**Carl R. Galant, Esq.**  
McGinnis, Lochridge & Kilgore, Austin

**Jason T. Hill, Esq.**  
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### Cancellation

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.

### Tuition

- \$695 per person
- \$595 each for two or more
- \$595 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$495 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

### Home Study

- Audio transcript and course materials
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## Keynote Presentation

**Active Water Management in Texas**

**The Honorable Carlos Rubinstein, Commissioner**  
Texas Commission on Environmental Quality, Austin

## Featured Presentation

**What Will Be on the House's Agenda Next Year?**

**The Honorable Allan Ritter, Representative**  
**Chairman Natural Resource Committee**  
Texas House of Representatives, Austin



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