

16th Annual Conference!

Western Water Law

Back in Las Vegas!

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Featuring Speakers From:

- U.S. Department of Justice
- Idaho Water Users Association
- New Mexico Interstate Stream Commission
- South Florida Water Management District
- University of the Pacific McGeorge School of Law
- National Wildlife Federation
- Metropolitan Water District of Southern California
- Nebraska Attorney General's Office
- Southern Nevada Water Authority
- Upper Colorado River Commission
- U.S. Geological Survey

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Dear Colleague,

Please join us at CLE International's Western Water Law Conference in Las Vegas in late August.

This 16th Annual Conference will feature many highly qualified speakers addressing many of the most timely and important water law issues facing the West and the nation today—global warming and drought, the impacts of federal regulation on water resources and water rights, disputes over allocation of the West's rivers, updates of Supreme Court decisions, and much more.

Anyone who wants to learn about the most recent developments in this critically-important area of the law will benefit from this two-day Conference.

We hope to see you there!

Sincerely,



Eric L. Garner, Esq.
Program Co-Chair
Best Best & Krieger
Riverside, CA



Roderick E. Walston, Esq.
Program Co-Chair
Best Best & Krieger
Walnut Creek, CA

Schedule and Instructor Bios Inside ▶

REGISTER NOW!
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THURSDAY, AUGUST 27

- 8:30 Registration and Continental Breakfast
- 9:00 **Welcome and Introduction**
Overview of Day One
Eric L. Garner, Esq., Program Co-Chair
Best Best & Krieger, Riverside, CA
Roderick E. Walston, Esq., Program Co-Chair
Best Best & Krieger, Walnut Creek, CA
- 9:15 **Keynote Presentation**
Major Water Issues Facing the West and the Nation Today
John Cruden, Esq., Deputy Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice, Washington, DC
- 10:15 Morning Break
- 10:30 **The Clean Water Act, the *Rapanos* Aftermath, and Constitutional Standing**
Are the Supreme Court and Congress on a Collision Course?
Roderick E. Walston, Esq., Program Co-Chair
- 11:15 **Does the Clean Water Act Apply to Water Transfers?**
The EPA's Water Transfer Rule
James E. Nutt, Esq., Senior Specialist Attorney
South Florida Water Management District, West Palm Beach, FL
Peter D. Nichols, Esq.
Trout, Raley, Montaño, Witwer & Freeman, Denver, CO
- 12:15 Lunch Break
- 1:30 **Takings Cases and Water Rights**
The Casitas and Klamath Cases
Nancie G. Marzulla, Esq.
Marzulla Law Firm, Washington, DC
Ellison Folk, Esq.
Shute, Mihaly & Weinberger, San Francisco, CA
- 2:30 **Water Marketing**
Will Capitalism Solve Water Shortage Problems?
Carla A. Consoli, Esq.
Lewis and Roca, Phoenix, AZ
- 3:15 Afternoon Break
- 3:30 **Endangered Species Act**
New Limitations on Water Rights
Sacramento-San Joaquin Delta Biological Opinions
Daniel J. O'Hanlon, Esq.
Kronick Moskowitz Tiedemann & Girard, Sacramento, CA
Information Quality Act
Craig Manson, Esq.
Distinguished Professor and Lecturer in Law
University of the Pacific McGeorge School of Law, Sacramento, CA
Columbia River/Idaho Controversy
Norm Semanko, Esq.
Executive Director and General Counsel
Idaho Water Users Association, Boise, ID
- 5:00 Q&A Panel
Members of the Faculty
- 5:15 Adjourn

FRIDAY, AUGUST 28

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**
Overview of Day Two
Eric L. Garner, Esq., Program Co-Chair
Roderick E. Walston, Esq., Program Co-Chair
- 9:15 **The Colorado River**
Reliability of Water Supplies in an Age of Drought
Jeffrey Kightlinger
General Manager and Chief Executive Officer
Metropolitan Water District of Southern California, Los Angeles, CA
John J. Entsminger, Esq., Deputy General Counsel
Southern Nevada Water Authority, Las Vegas, NV
Don A. Ostler, Executive Director and Secretary
Upper Colorado River Commission, Salt Lake City, UT
Jerome C. Muys, Esq.
Muys & Associates, Washington, DC
- 10:45 Morning Break
- 11:00 **Global Warming**
Its Effect on Water Supplies
Lorraine E. Flint, PhD, Research Hydrologist
U.S. Geological Survey, Sacramento, CA
- 11:45 Lunch Break
- 1:00 **Ethics**
Considerations for Environmental Practitioners
Stefanie D. Hedlund, Esq.
Best Best & Krieger, Sacramento, CA
- 2:00 **Interstate Water Disputes**
An Overview
Tanya M. Trujillo, Esq., General Counsel
New Mexico Interstate Stream Commission, Santa Fe, NM
- 2:45 Afternoon Break
- 3:00 **Interstate/Intrastate Water Disputes**
New Mexico-Texas Dispute: The Rio Grande and Pecos Rivers
James C. Brockmann, Esq.
Stein & Brockmann, Santa Fe, NM
A Model for Resolving Disputes: The Great Lakes Compact
Sara Gosman, Esq.
National Wildlife Federation, Ann Arbor, MI
Kansas-Nebraska Dispute: The Republican River
Justin D. Lavene, Esq.
Special Counsel to the Attorney General
Nebraska Attorney General's Office, Lincoln, NE
- 4:30 Q&A Panel
Members of the Faculty
- 4:45 Evaluations and Adjourn

TELL US WHAT YOU WANT!

Do you have specific questions or topics you hope to see covered in this program? Would you like to see a Conference on another topic? Would you like to learn about sponsorship and exhibit opportunities? Contact **CLE INTERNATIONAL** Program Attorney Michelle Messner, michelle@cle.com.

PROGRAM CO-CHAIRS

Eric L. Garner is the managing partner of his firm and practices environmental and water law. He is an author of *California Water II*, a guide to California water and policy issues. In 2006, he was named California Lawyer of the Year by California Lawyer Magazine for his work on the Santa Maria Groundwater Adjudication.

Roderick E. Walston is now in private practice, having spent most of his legal career as a government attorney. He recently served as both Acting Solicitor and Deputy Solicitor of the U.S. Department of the Interior.

KEYNOTE PRESENTER

John Cruden is responsible for supervising a wide variety of environmental litigation, including civil enforcement actions in federal court for the key environmental statutes. He also supervises wetland enforcement, challenges to EPA rule making, and environmental actions filed against the United States.

FACULTY

James C. Brockmann is responsible for water rights planning, acquisition, transfer, leasing, new appropriations and appeals. His firm represents major municipalities, national and international corporations, developers, and farmers and ranchers in intrastate and interstate matters.

Carla A. Consoli practices real estate, corporate due diligence, acquisition and development. Her work includes endangered species and habitat compliance and water rights and water availability analysis.

John J. Entsminger is responsible for oversight and coordination of legal and policy issues related to water resource development and environmental compliance. He has represented the SNWA before various courts and administrative agencies.

Lorraine E. Flint downscales global climate data for application in regional hydrologic models. Most of her work has been applied in the southwestern United States, with studies specifically focused on water availability, streamflow and recharge, in a changing climate.

Ellison Folk represents community groups, public agencies, and environmental organizations on a wide range of environmental and land use issues, including CEQA, the California Coastal Act, NEPA, the Clean Water Act, the Clean Air Act, and general planning and zoning law.

Sara Gosman focuses on legal and policy issues involving the Great Lakes-St. Lawrence River Basin Water Resources Compact and state implementation. She is also a lecturer on environmental law at the University of Michigan Law School.

Stephanie D. Hedlund represents both private and public clients on a wide variety of environmental litigation, including toxic cleanup under the Comprehensive Environmental Response, Compensation and Liability Act, land use and water rights.

Jeffrey Kightlinger is responsible for directing the activities of the District to fulfill Metropolitan's mission of delivering high-quality water to 19 million residents in Southern California.

Justin D. Lavene focuses his practice on litigation arising from the regulation and administration of the waters of Nebraska, including legal challenges to the constitutionality of Nebraska laws relating to the State's water resources.

Craig Manson returned to the faculty in January 2006 after serving four years as the Assistant Secretary for Fish and Wildlife and Parks in the U.S. Department of the Interior. He oversaw the U.S. Fish and Wildlife Service and the National Parks Service. He is presently a Colonel in the Air Force Reserve.

Nancie G. Marzulla focuses on litigating takings claims involving water rights, real property, and environmental claims against the federal government. She has played a key role in several successful landmark property rights cases.

Jerome C. Muys is the president of his firm. He has practiced public land, water resources, and environmental law and has lectured and written extensively in those fields.

Peter D. Nichols practices in the areas of water, water quality, and environmental law. He serves as Special Assistant Attorney General to Colorado and New Mexico, and represents western water agencies, on water transfer issues under the Clean Water Act

James E. Nutt handles both appellate and trial matters involving constitutional, environmental, administrative and commercial law. He was counsel of record in *South Florida Water Management District v. Miccosukee* before the U.S. Supreme Court.

Daniel J. O'Hanlon practices water resources and environmental law, including issues involving endangered species and wetlands. For over a decade, he has represented water contractors in the Sacramento-San Joaquin Rivers Delta ESA litigation.

Don A. Ostler serves the Commission, which was created by Federal Compact to represent the states of Colorado, New Mexico, Utah and Wyoming.

Norm Semanko represents the Association and the Coalition for Idaho Water in federal district court litigation involving challenges to the management of Idaho water, prompted by salmon listings made under the ESA.

Tanya M. Trujillo practices in the areas of natural resources litigation and water rights. She has represented hundreds of non-Indian water rights claimants in Indian water settlement adjudications.

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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

- \$795 per person
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- \$595 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

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- Audio transcript and course materials
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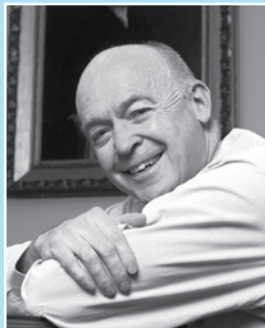
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Solving Water Shortage Problems

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Keynote Presentation:
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