

# ARIZONA WATER LAW

Balancing the Rights & Interests of All Arizonians  
August 24-25, 2017 • Hilton • Scottsdale

Join over 100 of your colleagues!

Dear Colleague:

Your time is valuable, and not a minute of it will be wasted at our 25th Anniversary Arizona Water Law Conference.

From the moment the Mayors of Scottsdale and Tucson open each day of the Conference, until the very last speaker's final remarks, you will obtain crucial knowledge from experienced experts.

Leading experts will address a range of important new topics at this conference, including: the Water-Forest Connection; Federal Water Issues Under the New Administration; the Transfer of Yuma Area Water; and more!

Network with others in the field, learn about the challenges facing Arizonians today, hear varied viewpoints, and gain valuable perspectives on creative solutions for the future.

Whether you are just beginning your career, or have been involved in Arizona's water community for decades, this is one conference you do not want to miss!

Who Should Attend:

- **Attorneys**
- **Environmentalists**
- **Engineers**
- **Scientists**
- **Government Officials**
- **Tribal Representatives**
- **Agricultural Professionals**

... and anyone interested in the past, present, and future of water in Arizona.

We look forward to seeing you in August!

*Mark A. McGinnis*



**Mark A. McGinnis, Esq.**  
Program Co-Chair  
Salmon, Lewis & Weldon, Phoenix

*John B. Weldon, Jr.*



**John B. Weldon Jr., Esq.**  
Program Co-Chair  
Salmon, Lewis & Weldon, Phoenix



## CONFERENCE LOCATION & HOTEL ACCOMMODATIONS



### Hilton Scottsdale Resort & Villas

6333 North Scottsdale Road  
Scottsdale, AZ 85250-5428

The Hilton Scottsdale Resort & Villas is a AAA Four Diamond resort located on 20 acres of beautiful desert landscape, at the foot of Camelback Mountain. The resort is close to Old Town Scottsdale and provides complimentary shuttle service within a two-mile radius.

Enjoy the modern, luxurious Hilton Scottsdale at specially discounted rates exclusively for Conference participants!

Free Parking!

### Hotel Reservations

1-800-498-7396  
Group Name: AZ Water Law  
Group code: AWL

**THURSDAY, AUGUST 24**

- 8:00 Registration and Continental Breakfast
- 8:30 **Welcome and Introduction**  
Overview of Day One  
**Mark A. McGinnis, Esq., Program Co-Chair** and  
**John B. Weldon Jr., Esq., Program Co-Chair**  
Salmon, Lewis & Weldon, Phoenix
- 8:35 **Welcome from the City of Scottsdale**  
**W.J. "Jim" Lane, Mayor**  
City of Scottsdale
- 8:45 **Surface Water and Adjudication Issues**  
2016-2017 Update  
**Mark A. McGinnis, Esq., Program Co-Chair**
- 9:45 **An Adventure in Groundwater**  
Understanding our Groundwater Management Code and Charting a Course Through the Basics and Beyond  
**Carla A. Consoli, Esq.**  
Lewis Roca Rothgerber Christie, Phoenix
- 10:15 Networking Break
- 10:30 **Clean Water Act**  
Latest Developments  
**Cynthia S. Campbell, Esq.**  
**Water Resources Management Advisor**  
City of Phoenix
- 11:15 **Overview of the Law of the Colorado River**  
The Basics and the Big Picture  
**Nicole D. Klobas, Esq., Deputy Counsel**  
Arizona Department of Water Resources, Phoenix
- 12:00 Lunch Break (on your own)
- 1:15 **WOTUS and EPA Water Transfer Rules**  
Epic Litigation, Executive Orders, Conflicting Decisions—Where Are We Now and What Does It Mean Going Forward?  
**Kathy Robb, Esq.**  
Sive, Paget & Riesel, New York, NY
- 2:00 **The Bishop Letter and What It Means**  
The New Criteria for Moving Indian Water Settlements in Congress  
**Ryan A. Smith, Esq.**  
Brownstein Hyatt Farber Schreck, Washington, DC
- 2:45 **Water in Rural Arizona: Can History Repeat Itself?**  
Discussion of the History of Water Adjudications in Yavapai County and Whether Those Same Methods Can Work Today  
**The Honorable David L. Mackey, Presiding Judge**  
Yavapai County Superior Court, Division 1, Prescott
- 3:30 Networking Break
- 3:45 **The Water - Forest Connection**  
Examination of the Nexus Between Forest Health and How It Relates to Water Quality and Quantity Within the Watershed; Review of Work Currently Being Done to Improve Forest Health  
**Scott Deeny, Esq. Arizona Water Program Lead**  
The Nature Conservancy, Phoenix
- 4:30 **The Endangered Species Act**  
Recent ESA Rules and Mitigation Policies; Listings and Critical Habitat Designations; Section 7 Consultation Trends  
**Norman D. James, Esq.**  
Fennemore Craig, Phoenix
- 5:30 Adjourn

**FRIDAY, AUGUST 25**

- 8:00 Continental Breakfast
- 8:30 **Welcome Back**  
Overview of Day Two  
**Mark A. McGinnis, Esq., Program Co-Chair** and  
**John B. Weldon Jr., Esq., Program Co-Chair**  
Salmon, Lewis & Weldon, Phoenix
- 8:35 **Welcome from the City of Tucson**  
**Jonathan Rothschild, Mayor**  
City of Tucson
- 8:45 **In Water - How Much Is Too Small to Adjudicate?**  
Update on De Minimis/Ownership Issues  
**David A. Brown, Esq.**  
Brown & Brown Law Offices, St. Johns
- 9:30 **Federal Water Issues Under the New Administration**  
The Process for Getting Approval of an Indian Water Rights Settlement; Recent Settlements Update and What Is on the Horizon  
**Pamela Williams**  
**Director, Secretary's Indian Water Rights Office**  
US Department of the Interior, Washington, DC
- 10:15 Networking Break
- 10:30 **Arizona Water Basin Drought Contingency Plan**  
What You Need to Know  
**Thomas Buschatzke, Director**  
Arizona Department of Water Resources, Phoenix  
**Chuck Cullom, Colorado River Programs Manager**  
Central Arizona Project, Phoenix  
**Jason T. Hauter, Esq.**  
Akin Gump Strauss Hauer & Feld, Washington, DC
- 11:45 Lunch Break (on your own)
- 1:00 **Transferring Yuma Area Water - Can I Get Some?**  
Each Year Colorado River Water Entitlement Holders in the Yuma Area Transfer More than 100,000 Acre Feet of Their Entitlements to the Central Arizona Project - Is More Available? Is More Transferable? Discussion and Analysis  
**Wade Noble, Esq.**  
**Coordinator, Yuma County Agriculture Water Coalition**  
Wade Noble Law Firm, Yuma
- 1:45 **The Globe Equity Decree of 1935**  
The Continuing Fight for Waters of the Gila River  
**Paul F. Eckstein, Esq.**  
Perkins Coie, Phoenix
- 2:30 **Ethics**  
Considerations for Your Practice Illustrated Through All New Movie and TV Clips!  
**Larry J. Cohen, Esq.**  
Cohen Law Firm, Phoenix
- 3:30 Evaluations and Adjourn

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

**PROGRAM CO-CHAIRS**

**Mark A. McGinnis** focuses on water rights, environmental, and complex commercial litigation and the law relating to special districts. His primary clients include an agricultural improvement district, irrigation and electrical districts, industrial entities, individual business owners, and developers. He has in-depth experience in the Arizona Surface Water and Groundwater Codes and matters relating to the Colorado River. Mr. McGinnis has co-chaired CLE International's Arizona Water Law Conference every year since 1995.

**John B. Weldon Jr.** is a founding member of Salmon, Lewis & Weldon. His practice focuses on water law, natural resources litigation, environmental law, Indian law, and electric power and utilities. Mr. Weldon concentrates on the representation of the largest water users' association in Arizona, an agricultural improvement and power district, an Arizona municipality, and the co-owners of one of the largest coal-fired electric generation stations in the US in water rights, environmental and natural resource related matters. He has been included in *Best Lawyers in America* in Natural Resources Law, Water Law, and Environmental Law every year since 1993, and he is a frequent author and speaker on Arizona water law and the Law of the Colorado River.

**WELCOME ADDRESS SPEAKERS**

**W.J. "Jim" Lane, Mayor**  
City of Scottsdale

**Jonathan Rothschild, Mayor**  
City of Tucson

**FACULTY**

**David A. Brown, Esq.**  
Brown & Brown Law Offices, St. Johns

**Thomas Buschatzke, Director**  
Arizona Department of Water Resources, Phoenix

**Cynthia S. Campbell, Esq.**  
**Water Resources Management Advisor**  
City of Phoenix

**Larry J. Cohen, Esq.**  
Cohen Law Firm, Phoenix

**Carla A. Consoli, Esq.**  
Lewis Roca Rothgerber Christie, Phoenix

**Chuck Cullom**  
**Colorado River Programs Manager**  
Central Arizona Project, Phoenix

**Scott Deeny, Esq., Arizona Water Program Lead**  
The Nature Conservancy, Phoenix

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Akin Gump Strauss Hauer & Feld  
Washington, DC

**Norman D. James, Esq.**  
Fennemore Craig, Phoenix

**Nicole D. Klobas, Esq., Deputy Counsel**  
Arizona Department of Water Resources, Phoenix

**The Honorable David L. Mackey**  
**Presiding Judge**  
Yavapai County Superior Court, Division 1  
Prescott

**Wade Noble, Esq.**  
**Coordinator, Yuma County Agriculture**  
**Water Coalition**  
Wade Noble Law Firm, Yuma

**Kathy Robb, Esq.**  
Sive, Paget & Riesel, New York, NY

**Ryan A. Smith, Esq.**  
Brownstein Hyatt Farber Schreck  
Washington, DC

**Pamela Williams, Director**  
**Secretary's Indian Water Rights Office**  
US Department of the Interior, Washington, DC

<b>4 EASY WAYS TO REGISTER</b>	<b>1</b> <a href="http://cle.com/Arizona17">cle.com/Arizona17</a>	<b>2</b> <b>FAX</b> (303) 321-6320	<b>3</b> <b>PHONE</b> (800) 873-7130	<b>4</b> <b>MAIL</b> 7995 East Prentice Avenue Suite 200 Greenwood Village, CO 80111

**YES!** Please register the following:

Name \_\_\_\_\_  
 Email \_\_\_\_\_ **PLEASE PRINT**

Name \_\_\_\_\_  
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Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip+4 \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

**Cancellation**

Full tuition refunds (less a \$75 administrative charge) will be given only if notice of cancellation is received by 5:00 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

Course Materials provided in electronic format only.

**Tuition - same price as last year! Includes Course Materials**

- \$895 per person
- \$795 each for two or more
- \$795 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
- \$695 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

**Home Study - available after the Conference**

Audio transcript and course materials  
 \$895

**Course Materials Only**

\$250

**Payment**

Check payable to CLE International \$ \_\_\_\_\_ or  
 charge my:

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August 24-25, 2017 ▪ Hilton ▪ Scottsdale

25th Anniversary Conference -  
*Live!* in Scottsdale!



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

REGISTER NOW! [cle.com/Arizona17](http://cle.com/Arizona17) or (800) 873-7130

25th Anniversary Conference *Live!*



# ARIZONA WATER LAW

Federal, State, Municipal, Rural, Urban,  
Environmental & Tribal Points of View

August 24-25, 2017 ▪ Hilton ▪ Scottsdale



## Featuring Experts From:

- Arizona Department of Water Resources
- Central Arizona Project
- City of Phoenix
- City of Scottsdale
- City of Tucson
- The Nature Conservancy
- US Department of the Interior
- Yavapai County Superior Court
- ... and leading law firms!

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