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Conference Schedule and Speaker Biographies Inside



Monday, August 15

Tuesday, August 16

- 8:15 Registration and Continental Breakfast
- 8:45 **Introduction and Overview**
John B. Draper, Esq., Program Co-Chair
Montgomery & Andrews, Santa Fe, NM
- 9:00 **Water Policies and Initiatives of the State Engineer—2005**
AWRM Regulations and Beyond
John R. D’Antonio, Jr., PE, State Engineer and Secretary Interstate Stream Commission
Office of the State Engineer, Santa Fe, NM
- 9:45 Morning Break
- 10:00 **The Effects of Federal Environmental Laws and U.S. Supreme Court Decisions on Water Rights**
What It Means to New Mexico
Roderick E. Walston, Esq.
Best Best & Krieger, Walnut Creek, CA
- 10:45 **The Pecos River**
Challenges to the Carlsbad Project Settlement; The Adjudication; State Administration; U.S. Supreme Court Decree Compliance
Paul L. Bloom, Esq.
White, Koch, Kelly & McCarthy, Santa Fe, NM, and Washington, DC
A.J. Olsen, Esq.
Hennighausen & Olsen, Roswell, NM
Richard A. Simms, Esq.
Sun Valley, ID
- 12:00 Lunch Break
- 1:15 **Active Water Resource Management Regulations**
Adjudications vs. AWRM: The Roles of the Courts and the New Mexico State Engineer
Charles T. DuMars, Esq.
Law and Resource Planning Associates, Albuquerque, NM
The State Engineer’s Perspective
DL Sanders, Esq., Chief Counsel
Office of the State Engineer, Santa Fe, NM
- 2:15 **Consumptive Use (“CU”) and Return Flow Analysis**
Agricultural CU Methodologies and Remote Sensing
Richard G. Allen, PhD, PE
Professor of Water Resources Engineering
University of Idaho, Kimberly, ID
The Challenges of Agriculture Water Conservation in New Mexico
John W. Longworth, Bureau Chief
Water Use and Conservation Bureau
Office of the State Engineer, Santa Fe, NM
Evaluation of Return Flow to Groundwater in New Mexico
Neil Blandford, Vice President of Water Rights Services
Daniel B. Stephens & Associates, Albuquerque, NM
- 3:30 Afternoon Break
- 3:45 **How to Do an Administrative Water Hearing**
Getting the Results You Want
David Brooks, Assistant General Counsel
New Mexico Energy, Minerals and Natural Resources Department
Santa Fe, NM
Victor Kovach, Esq., Administrative Hearing Examiner
Office of the State Engineer, Santa Fe, NM
Felicia Orth, Administrative Hearing Officer
New Mexico Environment Department, Santa Fe, NM
- 5:00 Conference and Private Reception Sponsored by Daniel B. Stephens & Associates

- 8:45 **Overview and Perspective**
Issues for Day Two
Louis W. Rose, Esq., Program Co-Chair
Montgomery & Andrews, Santa Fe, NM
- 9:00 **Effluent Trading as a Tool to Resolve Costly Water Quality Problems**
Is It a Good Idea, and Will It Work in New Mexico?
Scott Wilson, Environmental Scientist
Water Quality Trading Coordinator
U.S. Environmental Protection Agency, Region 6, Dallas, TX
- 9:45 **Federal Policies**
A View from the House
Johanna F. Polsenberg, PhD, Senior Legislative Assistant
Office of Congressman Tom Udall, Washington, D.C.
- 10:15 Morning Break
- 10:30 **A History of New Mexico’s Water Quality Standards**
From the Perspective of the Regulated Community, the State and the Feds
John W. Hernandez, PE, PhD, Professor Emeritus
Civil Engineering
New Mexico State University, Las Cruces, NM
- 11:15 **The Improved 2004 Triennial Review Process**
Is It Permanent and Is It Enough?
Jolene L. McCaleb, Esq.
Wolf, Taylor and McCaleb, Albuquerque, NM
- 12:00 Q&A Panel
Members of the Faculty
- 12:15 Lunch Break
- 1:30 **Federal Update**
From Capitol Hill to Santa Fe
Alletta D. Belin, Esq.
Belin & Sugarman, Santa Fe, NM
- 2:15 **Changes in the Land of Enchantment**
A State Update
J. Brent Moore, Esq., Assistant General Counsel
Office of General Counsel, New Mexico Environment Department
Santa Fe, NM
- 3:00 Afternoon Break
- 3:15 **Ethics**
An Interactive Discussion
Peter H. Pierotti, Esq.
Dines & Gross, Albuquerque, NM
- 4:15 Evaluations and Adjourn

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New Mexico Water Law

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Program Co-Chairs

John B. Draper has practiced New Mexico water rights and natural resources law for more than 25 years. He has been counsel of record before the U.S. Supreme Court in two interstate water cases, *Kansas v. Colorado* and *Kansas v. Nebraska*.

Louis W. Rose has practiced environmental law, including water quality law, for more than 25 years. He represents clients in permitting, groundwater remediation, rulemaking and enforcement matters. He was selected for the 2005-2006 edition of *The Best Lawyers in America*.

Richard G. Allen has received national and international recognition for his work in crop water requirements, irrigation water management and remote sensing of evapotranspiration.

Alletta D. Belin founded her firm in 2000. She practices environmental and water law, representing nonprofit organizations, tribal and governmental entities, and some individuals.

Neil Blandford has practiced groundwater hydrology for 20 years for municipal, state, tribal and private clients throughout the Southwest. He has also served as an expert during water rights proceedings.

Paul L. Bloom practices Natural Resources Law, Water Law and Indian Law. He served as Special Counsel for Compliance for the U.S. Department of Energy from 1978-1981.

David Brooks is Assistant General Counsel for the New Mexico Energy, Minerals and Natural Resources Department. His duties include acting as commission counsel for the Oil Conservation Commission.

John R. D'Antonio, Jr., was previously Cabinet Secretary of the New Mexico Environment Department. He also served as the Director of the Water Resource Allocation Program of the Office of the State Engineer.

Charles T. DuMars is a member of Law and Resource Planning Associates, a law firm practicing resource law not only in New Mexico, but in other states and internationally. He is also Professor Emeritus at the University of New Mexico School of Law.

John W. Hernandez is currently Professor Emeritus at NMSU. He was Dean of the College of Engineering at New Mexico State University from 1975-80 and Deputy Administrator for the U.S. Environmental Protection Agency from 1981-1983.

Victor Kovach is an administrative hearing examiner for the Office of the State Engineer and has presided over numerous water rights hearings, including those concerning the City of Albuquerque's Application for diversion of San Juan-Chama Project water.

John W. Longworth oversees his Agency's conservation program, subdivision review section and the development of consumptive irrigation requirements. Previously, he was a project engineer for the New Mexico Interstate Stream Commission, Pecos River Bureau.

Jolene L. McCaleb has been representing clients on water issues, including water quality rulemakings, for more than six years. Previously, she worked in Phoenix, where she served one year as a law clerk to the Arizona Supreme Court.

J. Brent Moore focuses primarily on enforcement actions, rulemaking, and permit proceedings in the areas of surface water, ground water, hazardous waste, and solid waste.

A.J. Olsen is a founding member of his firm. He holds a certificate of specialization in water law and represents individuals, corporations, municipalities, and other government agencies, and serves as general counsel to the Pecos Valley Artesian Conservancy District.

Felicia Orth has been in her current position since 1999, and has conducted dozens of hearings in matters relating to water quality: the Triennial Review of statewide surface water standards; and ground water discharge permits among others.

Peter H. Pierotti is a shareholder of his firm. As Chair of the New Mexico State Bar Ethics Advisory Committee, he has had contact with attorneys throughout New Mexico to provide guidance in interpreting the Rules of Professional Conduct.

Johanna F. Polsenberg handles federal resources issues as the Senior Legislative Assistant for Representative Tom Udall (D-NM). Previously, she conducted ecological research projects around the world, including in Australia, Indonesia, Alaska, and the Caribbean, focusing on nutrient runoff and coastal management.

DL Sanders is Director of the Litigation and Adjudication Program of the State Engineer's Office. He manages all New Mexico water rights adjudications and provides legal counsel to the State Engineer.

Richard A. Simms Richard Simms has limited his 34-year practice to water law, initially rerepresenting the New Mexico State Engineer and the New Mexico Interstate Stream Commission and entering private practice in 1982. He was responsible for *United States v. New Mexico* and was counsel of record for either the plaintiff or defendant state in *Texas v. New Mexico*, *Colorado v. New Mexico*, *Kansas v. Colorado*, and *Nebraska v. Wyoming*. He was also of counsel in *Oklahoma & Texas v. New Mexico*.

Roderick E. Walston is Of Counsel in his firm's Environmental Law & Natural Resources Practice Group. He served as Deputy Solicitor and Acting Solicitor of the U.S. Department of the Interior (2002-2004).

Scott Wilson is an Environmental Scientist with Region 6 of the U.S. Environmental Protection Agency. He has written waste water discharge permits for 17 years and serves as the Region's water quality trading coordinator.

conference information

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Water Policies and Initiatives of the State Engineer

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Consumptive Use and Return Flow Analysis

Administrative Water Hearings: Getting the Results You Want



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