



**LAW SEMINARS  
INTERNATIONAL**

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*The Eighth Annual Comprehensive Conference on*  
**Tribal Water in the Southwest**

*Key new developments for Tribal water rights and management,  
settlement processes and implementation,  
infrastructure development, and  
water marketing*

**May 20 & 21, 2021**  
Interactive Online Broadcast

*Agenda—Day 1*

**9:00 Introduction & Overview**

**John C. Bezdek, Esq.**, *Program Co-Chair*  
Water Power Law Group ~ Washington, DC  
**John B. Weldon, Jr., Esq.**, *Program Co-Chair*  
Salmon Lewis & Weldon ~ Phoenix, AZ

**9:15 Impact of the Election on Tribal Water Rights, Settlements, and Resource Management**

What can we reasonably expect from Congress and the Department of the Interior?

**Jason T. Hauer, Esq.**  
Akin Gump Strauss Hauer & Feld ~ Washington, DC

**9:45 Update on the Atmospheric Science: How Much Water Will Mother Nature be Supplying?**

Climatological forecasts for near and long term water supplies

**Erinanne Saffell, Ph.D.**,  
*Director of the SWIFT Weather Camp*  
Arizona State University ~ Tempe, AZ

**10:15 Break**

**10:30 Water Management Issues in the Colorado River Basin**

Minimizing evaporative and groundwater seepage losses: The Fill Mead First proposal and the potential benefits of alternative management of Lake Mead and Lake Powell

**Eric Balken**, *Executive Director*  
Glenn Canyon Institute ~ Salt Lake City, UT

Status report on the Drought Contingency Plan (DCP) and the issues currently being addressed: Will we be seeing a shortage declaration coming around the bend?

**Nicole Klobas, Esq.**, *Deputy Chief Counsel*  
Arizona Department of Water Resources  
Phoenix, AZ  
**Lawrence Marquez**,

*Native American Affairs Office Manager*  
U.S. Bureau of Reclamation ~ Glendale, AZ

**12:00 Lunch Break**

**1:15 Special Address: Development of Solutions for the Lower Colorado River Basin**

Pathways to getting the stakeholders onto common ground and the approaches currently being pursued by the Ducey Administration

**Charles Podolak, Ph.D.**,  
*Natural Resources Policy Advisor*  
Office of Governor Doug Ducey ~ Phoenix, AZ

**1:45 National Update on Tribal Water Rights Settlements**

Overview of Tribal/state water settlements working their way through the DOJ pipeline

**Pamela S. Williams, Esq.**,  
*Director, Indian Water Rights Office*  
U.S. Department of the Interior ~ Phoenix, AZ  
**Joshua Mann, Esq., Attorney**  
Department of the Interior ~ Albuquerque, NM

**2:45 Break**

**3:00 Implementation of Water Settlements**

Overview: Anticipating the legal and practical issues likely to arise and strategies for developing effective implementation plans

**Katie Brossy, Esq.**  
Akin Gump Strauss Hauer & Feld  
Washington, DC

Case study of the Navajo/Utah settlement

**Stanley M. Pollack, Esq., Contract Attorney**  
Navajo Nation Department of Justice  
Albuquerque, NM

Case study of the Aamodt Settlement: State and Tribal perspective on prioritizing use of additional funding when it comes in

**Arianne Singer, Esq., General Counsel**  
New Mexico Interstate Stream Commission  
Santa Fe, NM

**Robert A. Mora, Sr., Former Governor**  
Pueblo of Tesuque ~ Santa Fe, NM

**5:00 Adjourn Day 1**

*Agenda—Day 2*

**9:00 Tribal Water Litigation Update**

Nationally: Overview of state and federal cases impacting Tribal water

**Heather Whiteman Runs Him, Esq.**,  
*Director, Tribal Justice Clinic*  
James E. Rogers College of Law ~ Tucson, AZ

Early-stage case study of the upcoming Navajo litigation: Tips for strategically planning the approach to the case

**Jeffrey S. Leonard, Esq.**  
Sacks Tierney ~ Scottsdale, AZ

**10:30 Break**

**10:45 Building a Solid Record**

Problems areas and strategy development for assembling the evidence you need to effectively pursue your case

**Judith M. Dworkin, Esq.**  
Sacks Tierney ~ Scottsdale, AZ

Trying the first case under Gila V: Practical issues in applying Gila V to a real case

**Colin F. Campbell, Esq.**  
Osborn Maledon ~ Phoenix, AZ

**12:00 Lunch Break**

**1:15 Post Litigation Issues**

Tips for identifying and addressing unresolved issues

**Catherine F. Munson, Esq.**  
Kilpatrick Townsend & Stockton ~ Washington, DC

**2:00 Groundwater Update**

Where things are with groundwater as we sift through Agua Caliente?

**Paul Stanton Kibel, Esq.,**  
*Co-Director, LLM Environmental Law Program*  
Golden Gate University School of Law  
San Francisco, CA

**2:45 Break**

**3:00 Effective Water Marketing Strategies**

Marketing Tribal water rights: Update on current water markets and examples of water transactions by Colorado River Tribes

**Brett Bovee, Rocky Mountain Regional Director**  
WestWater Research ~ Fort Collins, CO

Case study of the Lower Colorado River Indian Tribes' efforts to market their water

**Margaret J. Vick, Ph.D., Esq.**  
Margaret J. Vick, PLC ~ Tempe, AZ

**4:30 Evaluations and Adjourn**

*Who Should Attend*

Attorneys, Tribal, local, state and federal governmental representatives, environmental professionals, industry executives, water users and their representatives

*About the Conference*

As we embark on the beginnings of a new federal Administration in Washington and the tenure of the first Native American Secretary of Interior, change for the better is in the air. Throughout the West and in Indian Country there is an expectancy of significant improvements in Tribal-federal relationships and opportunities for reservation economic development. Tribal water rights, impacts of the changing climate, and environmental protections are front burner issues with this Administration and the Department.

This year we again have brought together a group of speakers well versed in the significant Tribal water issues in the Southwest, who will provide their insight in what has happened in the past year and how to navigate what is expected to occur in the next few years. Colorado River management negotiations are beginning among the stakeholders with significant tribal participation. It is crucial that these negotiations address the long-range consequences of reduced runoff and resulting shortages across the entire Basin for all users. Litigation of Tribal water rights is on the upswing to gain access to these dwindling water supplies before it is too late.

While the last Administration was remarkably successful in gaining congressional approval of several Tribal water settlements, there is much more work to do. Speakers from the Administration will provide updates on what has been accomplished and can be accomplished going forward.

This conference prides itself on offering lively and informative discussions with our speakers and we hope you will join us.

~ John C. Bezdek, Esq. of Water Power Law Group and  
John B. Weldon, Jr., Esq. of Salmon Lewis & Weldon,  
Program Co-Chairs

### *Registration & Other Conference Information*

**Tuition:** Regular tuition for this program is \$895 with a group rate of \$805 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$670. For Tribal Members, public interest NGO's, students, and people in their job for less than a year, our rate is \$447.50. All rates include admission to all program sessions, food and beverages at breaks, and course materials.

Make checks payable to Law Seminars International. As an added value bonus, you'll receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

**Substitution & Cancellation:** You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, May 14, 2021. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

**Continuing Education Credit:** Live credits: ^Number AZ, CA, NM MCLE | ^Number ABCEP environmental professional | ^Number AICP planner. Upon request, we will help you apply for CLE credits in other states and other types of credits.

**Time Shift Your Content:** Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

### *Faculty*

**John C. Bezdek**, *Program Co-Chair*, is a shareholder at Water Power Law Group. He formerly served as Counselor to the Deputy Secretary at the Department of the Interior and as Deputy Director of the Secretary's Indian Water Rights Office.

**John B. Weldon, Jr.**, *Program Co-Chair*, 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.

**Eric Balken**, Executive Director of the Glenn Canyon Institute (GCI), has been deeply involved with Colorado River policy for the past decade. The scientific research coordinated by GCI has generated nationwide discussion around the Fill Mead First proposal.

**Brett Bovee** is the Rocky Mountain Regional Director for WestWater Research and has performed dozens of focused water right valuation studies and broader economic and water market analyses. This includes studies focused on water valuation, comprehensive water planning, irrigated agriculture, scenario modeling, and water project feasibility.

**Katie Brossy** is senior counsel at Akin Gump Strauss Hauer & Feld where she advises clients regarding American Indian law and policy. She has worked on a number of highly significant Tribal issues, including one of the largest Indian water rights settlements in U.S. history and the largest Tribal trust claim settlement.

**Colin F. Campbell** returned to Osborn Maledon after serving as a judge on the Maricopa County Superior Court for 17 years, including five as Presiding Judge. He has had extensive trial experience from both sides of the bench.

**Judith M. Dworkin** is the managing shareholder at Sacks Tierney and leads the firm's Indian Law and Tribal Relations practice group. She is the Presiding Appellate Justice of the Salt River Pima- Maricopa Indian Community Council Court and has served as a judge pro tem for the Tohono O'odham Nation and a special judge to the Fallon-Paiute Shoshone Tribe in Nevada as well as a Solicitor to the Hualapai Tribe.

**Jason T. Hauter** is a partner at Akin Gump Strauss Hauer & Feld. He primarily represents Indian tribes and Tribally owned enterprises, advising on a variety of matters including Indian water rights. He has served as in-house counsel for the Gila Indian River Community.

**Paul Stanton Kibel** is Co-Director, LLM Environmental Law Program at Golden Gate University School of Law. He is a former partner at Fitzgerald, Abbott & Beardsley LLP in the environmental/land use practice group. His recent publications include *Riverflow: The Right to Keep Water Instream*.

**Nicole Klobas** is Deputy Chief Counsel for the Arizona Department of Water Resources. She represents the Department in matters related to the Colorado River and serves as counsel to the Arizona Water Banking Authority. Ms. Klobas participated in negotiations of the 2007 Lower Basin State Forbearance Agreement and other documents associated with the 2007 Interim Guidelines on behalf of the Department.

**Jeffrey S. Leonard**, Sacks Tierney, is recognized in the Phoenix legal community as an accomplished and experienced civil trial lawyer and litigator in state and federal courts. His trial experience includes a wide variety of business and commercial cases.

**Joshua Mann** is an attorney in the Office of the Solicitor at the Department of the Interior. He previously served as a Special Assistant at the U.S. Bureau of Reclamation and as a Special Assistant Attorney General for the New Mexico Interstate Stream Commission.

**Lawrence Marquez** is Native American Affairs Office Manager for the U.S. Bureau of Reclamation's Phoenix area office. As the NAAO Manager, he serves as the official representative of the NAAO providing a direct point of contact for Tribes throughout Arizona to address tribal needs and to ensure consistency in Reclamation/Tribal relationships. He also serves as the Federal Team Chair for multiple water rights negotiation and implementation teams.

**Robert A. Mora, Sr.** is Former Governor of the Pueblo of Tesuque. It is one of the pueblos benefiting from the Aamodt Settlement, which recently received additional funding.

**Catherine F. Munson** is a partner at Kilpatrick Townsend & Stockton and co-leader of the Native American Affairs practice. She specializes in water-related litigation and in advising clients on water matters, including water marketing, leasing, storage, protection of water quality, water regulation, and code drafting.

**Charles Podolak** is the Natural Resources Policy Advisor in the Office of Governor Doug Ducey. He joined the Governor's Office from the Salt River Project, where he serves as Director of Water Rights and Contracts. Prior to this position, he served as the Natural Resources Policy Advisor for Senator Jeff Flake.

**Stanley M. Pollack** is a Contract Attorney for the Navajo Nation Department of Justice. He has represented the Navajo Nation since 1985 in all matters affecting the tribe's water resources and although he has been "retired" for a few years he remains an integral and busy member of the team. He negotiated the Navajo Utah Water Rights Settlement Act recently approved by the Senate. He currently is engaged in negotiations and litigation of the Navajo Nation's Colorado River claims in Arizona.

**Erinanne Saffell, Ph.D.**, is Director of the SWIFT Weather Camp at Arizona State University. Her climatological research focuses on understanding risk, vulnerability, and resilience associated with extreme weather and climate events.

**Arienne Singer** is General Counsel for the New Mexico Interstate Stream Commission. She formerly served as Deputy General Counsel for the New Mexico Office of the State Engineer.

**Margaret J. Vick**, Margaret J. Vick PLC, has more than 20 years of experience working with elected and appointed government officers on complex cross-jurisdictional issues. She serves as Special Counsel for Water Resources for the Colorado River Indian Tribes and as Special Counsel to the Havasupai Tribe.

**Heather Whiteman Runs Him** is Director of the Tribal Justice Clinic at the University of Arizona's James E. Rogers College of Law. She previously was a staff attorney at the Native American Rights Fund and joint lead counsel at the Crow Tribe Office of Executive Counsel.

**Pamela S. Williams** is the Director of the Secretary's Indian Water Rights Office at the U.S. Department of the Interior. Her duties include coordinating Indian water right settlement issues among the Department's agencies, providing policy advice to officials at the highest levels of the Department and supervising Water Rights Office staff who oversee, coordinate, and manage Federal negotiation, implementation, and assessment teams that the Department has in place throughout the western United States.