



**LAW SEMINARS  
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*The Tenth Annual Comprehensive Conference on*  
**Tribal Water in the Southwest**

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

**April 27 & 28, 2023**

Live via Interactive Online Broadcast

*Agenda—Day 1*

**9:00 Mountain Standard / Pacific Daylight Time: Introduction & Overview**

**John C. Bezdek, Esq.**, *Program Co-Chair*  
Water and Power Law Group ~ Washington, DC

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

**9:15 National Update on Tribal Water Right Settlements**

Overview of Tribal/state water settlements working their way through the federal pipeline; anticipated additional Congressional action on settlements; process changes at DOI

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

**Sarah LeFlore, Esq.**,  
*Attorney Advisor, Indian Water Rights Office*  
U.S. Department of the Interior ~ Washington, DC

**10:15 Break**

**10:30 Tribal Water Rights Settlement Case Study: Provisions of 2022 Senate Bills for New Mexico Pueblos, How the Politics Played Out, and Lessons for Future Legislative Efforts**

New Mexico Pueblos: Perspectives on S. 4896 (Pueblos of Jemez and Zia) and S. 4898 (Pueblos of Acoma and Laguna)

**Nicole Greenspan, Esq.**, *Staff Attorney*  
New Mexico Office of the State Engineer  
Santa Fe, NM

**Ann Berkley Rodgers, Esq.**,  
Chestnut Law Offices ~ Albuquerque, NM

**John W. Utton, Esq.**,  
Utton & Kery ~ Santa Fe, NM  
Pueblo of Jemez ~ Jemez Pueblo, NM

**12:15 Lunch Break**

**1:15 Implementation of Tribal Water Rights Settlements**

Congressional approval as necessary but also just a starting point: Anticipating the legal and practical issues likely to arise so that you can develop effective implementation plans, including the most effective use of federal funding

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

**2:00 Tribal Water Security in the US Supreme Court's 2022-2023 Term**

Update on the arguments and outcomes for Arizona v. Navajo Nation and Department of the Interior v. Navajo Nation relating to the federal government's trust obligations to assert Tribal rights to Colorado River water

**Kate Hoover, Esq.**  
Sacks Tierney ~ Scottsdale, AZ

**2:45 Break**

**3:00 Groundwater: As Surface Water Declines Groundwater Protection and Tribal Access to Groundwater Become More Important**

Arizona's regulatory structure for conjunctive management of ground and surface water

**Michael J. Pearce, Esq.**  
Gammage & Burnham ~ Phoenix, AZ

Update on the ongoing litigation relating to Agua Caliente Band's regulatory authority over groundwater, the Tribe's regulatory structure for implementing that authority, and tips for using Tribal authority over water quality to protect groundwater

**Catherine F. Munson, Esq.**  
Kilpatrick Townsend & Stockton ~ Washington, DC  
**Margaret E. Park, AICP, Chief Planning Officer**  
Agua Caliente Band of Cahuilla Indians ~ Palm Springs, CA

**4:30 The Role of Indigenous People in Governing Shared Waters**

Update on the proceedings and action commitment coming out of the recent UN Water Conference

**Sharon B. Megdal, Ph.D.,**  
*Director, Water Resources Research Center*  
University of Arizona ~ Tucson, AZ

**5:00 Adjourn Day 1**

*Agenda—Day 2*

**9:00 Climate Change Impacts on Water Availability**

Climatological forecasts for near-term and long-term water supplies: How much water will Mother Nature be supplying?

**Erinanne Saffell, Ph.D.,**  
*Arizona State Climatologist*  
Arizona State University ~ Tempe, AZ

**9:45 Update on Efforts to Reduce Use and Increase Lake Levels in the Colorado River Basin: What Needs to be Done vs. What Has Been Politically Possible**

The Upper Basin

**Chuck Cullom, Executive Director**  
Upper Colorado River Commission ~ Salt Lake City, UT

The Lower Basin

**Leslie A. Meyers, P.E., Chief Water Executive**  
Salt River Project ~ Phoenix, AZ

**11:00 Break**

**11:15 Adaptation Strategies for the Colorado River Basin**

Update on the Water and Tribes Initiative for the Colorado River Basin: Collaboration by Tribes, conservation organizations, watershed groups, universities, and state and federal agencies to shape the future of the basin

**Celene Hawkins, Esq.,**

*Colorado River Tribal Engagement Program Director*

The Nature Conservancy ~ Boulder, CO

**T. Daryl Vigil, Co-Director**

Water & Tribes in the Colorado River Basin ~ Scottsdale, AZ

## 12:00 Lunch Break

## 1:00 Opportunities for Effective Tribal Engagement on Big Water Management Issues

Tribal engagement on climate change issues, including the ongoing drought, and how Tribes can influence the resources available for converting paper senior water rights to water appropriated for beneficial use under Western Water Law

**Daniel Cordalis, Esq.,**

*Tribal Partnerships Manager*

Colorado River Sustainability Campaign

Arcata, CA

How the interplay between the 1922 Colorado River Compact, which largely ignored Tribal rights to water, and western first in beneficial use water law have made it difficult for Tribes to claim their water rights

**Jason T. Hauer, Esq.**

Akin Gump Strauss Hauer & Feld

Washington, DC

## 2:30 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*

The ongoing drought is keeping Tribal water rights, impacts of the changing climate, and environmental protections as front burner issues in the Southwest. With respect to Tribal water rights, we start the program with a review of Tribal/state water settlements working their way through the federal pipeline and take a deep dive into a case study of settlements for several New Mexico pueblos. We will follow that with a panel addressing implementation of water settlements.

There are several cases relating to Tribal water security on the US Supreme Court's docket for the 2022-2023 term with a potential impact on water availability for Tribes. An alternative to water from the Colorado River is groundwater, so we end the first day with a discussion of declining surface water on groundwater and how Tribes can protect groundwater resources.

The region is very dependent on water from the Colorado river. In this year's program you will hear about continuing climate change impacts on water availability, collaborative efforts to adapt river management to new climatological realities, and negotiations among stakeholders to cut consumption and increase water levels in lakes Powell and Mead.

We will wrap up the program with a panel discussing opportunities for effective Tribal engagement on big water management issues. This will include Tribal engagement on climate change issues, how Tribes can influence the resources available for converting paper senior water rights to appropriated water, and tips for overcoming obstacles to claiming Tribal water rights.

This conference prides itself on offering lively, timely, and informative discussions with our speakers. Join us to hear from 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.

Register soon to reserve your virtual seat.

~ **John C. Bezdek, Esq.** of Water and Power Law Group and  
**Heather Whiteman Runs Him, Esq.** of James E. Rogers College of Law,  
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 and course materials.

Make checks payable to Law Seminars International.

As a value-added bonus, attendees will 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, April 21, 2023. 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: This program qualifies for 10.50 AZ, 10.75 CA, 10.50 NM MCLE, and 10.50 ABCEP environmental professional credits. 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 in the Water and Power Law Group. He previously served as Counselor to the Deputy Secretary of the U.S. Department of Interior, Assistant Solicitor for Water and Power Resources, and Deputy Director of the Secretary's Indian Water Rights Office. He has negotiated complex water rights settlements in the Klamath River Basin (Oregon and California), Black Canyon of the Gunnison National Park (Colorado), with the Navajo Nation (New Mexico) and the Colorado Ute Tribes (New Mexico and Colorado).

**Heather Whiteman Runs Him, Program Co-Chair**, is Director, Tribal Justice Clinic at the University of Arizona's James E. Rogers College of Law. She previously worked at the Native American Rights Fund, where she represented Tribal clients on water rights and advised clients on claims relating to water, land, and other natural resource issues. Prior to that, she was joint lead counsel at the Crow Tribe Office of Executive Counsel.

**Katie Brossy**, a member of the Ponca Tribe of Nebraska, 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.

**Daniel Cordalis** is Tribal Partnerships Manager for the Colorado River Sustainability Campaign. He is a member of the Navajo Nation, a natural resources and Indian law attorney, and has worked in private and nonprofit practice to protect Tribes' water, natural, and cultural resources through litigation, resource negotiations, land acquisition, and Tribal governance and land management initiatives.

**Chuck Cullom** is Executive Director of the Upper Colorado River Commission. Prior to joining the UCRC, he was the Colorado River Programs Manager for the Central Arizona Water Conservation District.

**Nicole Greenspan** is an attorney for the New Mexico Office of the State Engineer in the Bureau for Pueblos, Tribes, & Nations. The Bureau focuses on the adjudication and settlement of the water rights claims of the Pueblos, Tribes, & Nations in New Mexico, and implementation among Tribal and non-Tribal parties.

**Jason Travis Hauter**, a Member of the Gila River Indian Community, is a partner at Akin Gump Strauss Hauer & Feld. He represents Tribes and Tribally owned enterprises on a wide range of issues including water rights. He previously served as in-house counsel for the Gila Indian River Community.

**Celene Hawkins** is the Colorado River Tribal Engagement Program Director for The Nature Conservancy with a special focus on advancing Tribal freshwater conservation projects in the San Juan River Basin. She also leads the Tribal Water Initiative in the Conservancy's Colorado River Program and serves on the leadership team of the Water and Tribes Initiative.

**Kate Hoover** is of counsel to Sacks Tierney. She exclusively focuses on matters related to the unmet water needs of the Navajo Nation. She has worked in Indian country for over thirty years serving as both in-house and outside counsel for several other Tribes.

**Sarah LeFlore**, a member of the Choctaw Nation of Oklahoma, is a policy analyst in the Secretary's Indian Water Rights Office at the U.S. Department of the Interior. Previously, she was an attorney in the Solicitor's Office for nearly ten years and specialized in Indian water rights with an emphasis on settlement, adjudication, and allottee issues. In her current role, she coordinates Indian water rights settlement activities in Arizona, Montana, Utah, and Oklahoma.

**Sharon B. Megdal, Ph.D.** is Director of the Water Resources Research Center at the University of Arizona. She aims to bridge the academic, practitioner, and civil society communities through water policy and management research, education, and engagement programs. Her applied research projects include analysis of water management, policy, and governance in water-scarce regions, groundwater recharge, and transboundary aquifer assessment. Key engagement initiatives are Indigenous Water Dialogues and Diversifying Voices in Water Resources.

**Leslie A. Meyers** is the Chief Water Executive and Associate General Manager of Water Resources for the Salt River Project. She previously served as the Phoenix Area Office Manager for the Bureau of Reclamation. During her career, she has worked on strategic initiative planning and implementation with federal and state-level organizations, Tribes, irrigation districts, local governments, non-governmental organizations, and others.

**Catherine F. Munson** is co-leader of the Native American Affairs practice at Kilpatrick Townsend & Stockton. 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. She has been lead counsel for the Agua Caliente Band of Cahuilla Indians in its case against California water districts seeking a declaration and quantification of Agua Caliente's federally reserved rights to groundwater.

**Margaret E. Park, AICP**, is the Chief Planning Officer for the Agua Caliente Band of Cahuilla Indians. She formerly served as the Tribe's Director of Planning and Natural Resources for the Agua Caliente Band of Cahuilla Indians and was responsible for the day-to-day operations of a diverse team of planning and natural resource professionals tasked with managing land planning, natural resources, development entitlements/permitting and community development.

**Michael J. Pearce** is a member of Gammage & Burnham exclusively focusing on water rights, water management, and water policy matters. He has been involved in interstate litigation concerning the Colorado River Basin, the Missouri River Basin and the Apalachicola/Chattahoochee/Flint River Basin. He has also represented several interests in the Arizona general stream adjudications and through the Arizona Assured Water Supply program.

**Ann Berkley Rodgers** is an owner-attorney at Chestnut Law Offices. She previously was a Research Professor focusing on water law at the University of New Mexico School of Law and a Research Attorney for the Northern Pueblos Tributary Water Rights Association.

**Erinanne Saffell, Ph.D.**, is the Arizona State Climatologist and a Senior Global Futures Scientist at the Julie Ann Wrigley Global Futures Laboratory at Arizona State University. Her main research interests are extreme weather and climate events, including flood and drought, as well as impacts of the Urban Heat Island. She is currently co-chair of the Arizona Drought Monitoring Technical Committee and serves on the American Meteorological Society Board of Outreach and Informal Education.

**John W. Utton**, Utton & Kery PA, previously served as an Assistant New Mexico Attorney General. His litigation practice is devoted almost entirely to water law matters. Currently, he is representing clients in five stream system adjudication suits in New Mexico. He has also represented clients in three Indian water rights settlements that have been approved by Congress.

**T. Daryl Vigil**, Jicarilla Apache, Jemez Pueblo, Zia Pueblo, is the Co-Director of Water & Tribes in the Colorado River Basin and the Water Administrator for the Jicarilla Apache Nation. He also is Chairman of Water is Life, a Tribal Partnership, spokesperson for, and past Chairman of, the Colorado River Ten Tribes Partnership, and member of the Navajo Gallup Water Supply Project Planning, Construction, and Operation Committees.

**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.