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- U.S. Geological Survey
- Washington Farm Bureau
- Washington State Department of Ecology
- Washington State Office of the Attorney General

A Comprehensive Two-Day Conference on Preparation for

Resolving Interstate Water Conflicts

Critical updates on water availability and water quality

September 21 & 22, 2009

Spokane, Washington

Red Lion River Inn

Credits: WA CLE 13 | ID pending | (call about others)

Quick when/where: 8:30 a.m., 700 N. Division

Resolving Interstate Water Conflicts Conference

September 21 & 22, 2009 | Spokane, Washington

Red Lion River Inn

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Joe Mentor, Jr., Esq., Program Co-Chair
Mentor Law Group PLLC ~ Seattle, WA

Christopher H. Meyer, Esq., Program Co-Chair
Givens Pursley LLP ~ Boise, ID

8:45 Hydrology of the SVRP (Spokane Valley/Rathdrum Prairie) Aquifer

Overview of the USGS study of groundwater and surface water resources in the SVRP area, including its regional groundwater/surface water flow model of the SVRP aquifer

Paul Hsieh, Ph.D., Research Hydrologist
U.S. Geological Survey ~ Menlo Park, CA

State perspectives on cooperative management of bi-state water resources

Robert G. Haynes, P.E., Regional Manager
Idaho Department of Water Resources ~ Coeur d'Alene, ID

Guy J. Gregory, L.G., L.Hg., Senior Hydrogeologist
Washington State Department of Ecology ~ Spokane, WA

10:15 Break

10:30 Watershed Planning: Predicting Future Water Demand

Update on Washington's watershed planning process for the Spokane water resources inventory areas

Bryony Stasney, L.Hg., Senior Project Hydrogeologist
Golder Associates ~ Coeur d'Alene, ID

Idaho's Comprehensive Aquifer Management Planning (CAMP) process

Christian Petrich, Ph.D., P.E., P.G.
Principal Engineer/Hydrologist
SPF Water Engineering ~ Boise, ID

11:30 Special Address: An Appellate Justice's View of the Role of Priorities in Resolving Allocation Water Disputes

The Hon. Gregory J. Hobbs, Jr.
Colorado Supreme Court ~ Denver, CO

12:15 Lunch (on your own)

1:30 Meeting Future Water Supply Needs: Municipal Water Rights and Agricultural Rights

Municipal water rights in Washington

Margaret J. King, Esq.
Kenyon Disend PLLC ~ Issaquah, WA

Idaho's Municipal Water Rights Act and IDWR's new guidance on processing municipal water rights applications

Jeffrey C. Fereday, Esq.
Givens Pursley LLP ~ Boise, ID

Water for agriculture: Meeting future water use requirements for irrigated agriculture and stockwater

John Stuhlmiller, Director of Government Relations
Washington Farm Bureau ~ Lacey, WA

3:15 Break

3:30 Multi-level Planning for Municipal Water Needs

Interstate cooperation and local land use planning in the Palouse Basin of Idaho and Washington

Barbara Cosens, Esq., Associate Professor of Law
University of Idaho ~ Moscow, ID

4:15 Instream Flows and Hydro Power

Achieving instream flows: Tools and techniques to establish and protect instream flows in the Spokane River

Rachael Paschal Osborn, Esq., Executive Director
Center for Environmental Law & Policy ~ Spokane, WA

Hydroelectric power in the Spokane Basin: Update on Avista Utilities' FERC licensing process for the Post Falls and Spokane River hydroelectric projects

Bruce Howard, Environmental Programs Manager
Avista Corp. ~ Spokane, WA

5:30 Continue the Exchange of Ideas: Reception for Faculty and Attendees sponsored by Givens Pursley LLP and Mentor Law Group



About the Conference

LAW SEMINARS INTERNATIONAL

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The Spokane Valley - Rathdrum Prairie (SVRP) aquifer represents the sole source of drinking water for more than 400,000 residents in Spokane County, Washington, and Kootenai County, Idaho. This area includes the rapidly growing cities of Spokane, Spokane Valley and Liberty Lake, Washington, and Coeur d'Alene and Post Falls, Idaho. Recent and projected urban, suburban, and industrial/commercial growth has raised concerns about potential future impacts on water availability and water quality in the SVRP aquifer and Spokane and Little Spokane Rivers. Water resource concerns include growing demands on groundwater and declining groundwater levels, low streamflow in reaches of the Spokane and Little Spokane Rivers, and water-quality problems associated with changing land use activities. Management of the SVRP aquifer system is complicated by the interstate, multi-jurisdictional nature of the system.

The legal, policy and environmental landscape for water law continues to be of critical importance in both Idaho and Washington. Building on prior years' water law seminars in both states, we will explore recent developments in the legislature and courts, regulatory initiatives at the Idaho Department of Water Resources and the Washington Department of Ecology, the latest on watershed planning, and efforts to address water quality issues. We will hear about the process of adjudicating water rights in both states, and about how other states are working to resolve interstate water disputes.

This conference brings together experts from a variety of perspectives and disciplines, including representatives from federal, state and local governments, to share their experiences, challenges and success stories regarding this evolving landscape, as well as other pressing issues. The program also provides critical updates and thought-provoking discussions for water law practitioners, water users and resources managers.

~ Program Co-Chairs: Joe Mentor, Jr., Esq. and Christopher H. Meyer, Esq.



8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Joe Mentor, Jr., Esq., Program Co-Chair

Christopher H. Meyer, Esq., Program Co-Chair

8:45 Water Quality Issues for the Spokane River

Water quality issues: Update on the 303(d) process, TMDLs and developing water quality protection plans for the Spokane Basin

James A. Tupper, Jr., Esq.

Tupper Mack Brower PLLC ~ Seattle, WA USA

9:30 Intrastate Adjudication Processes: Prelude to Interstate Water Allocation

Update on the North Idaho Adjudication: The State of Idaho's progress to adjudicate water rights in the upper Spokane River Basin

Eric J. Wildman, Esq., Staff Attorney

Snake River Basin Adjudication ~ Twin Falls, ID

10:15 Break

10:30 Intrastate Adjudication Processes: Prelude to Interstate Water Allocation (con't)

Preparing for the upcoming Washington adjudication: Using the adjudication process to quantify water rights; Federal and tribal issues

Joe Mentor, Jr., Esq., Program Co-Chair

Commencing Washington's Spokane Basin adjudication: Overview of the State of Washington's plans to initiate a general adjudication for the lower and middle Spokane River Basins

Alan Reichman, Esq.

Assistant Attorney General Ecology Division Washington State Office of the Attorney General Olympia, WA

12:00 Lunch (on your own)

1:15 Methods of Interstate Water Allocation and What's Currently in Place in the Pacific Northwest

Introduction: Macro Approaches (compacts, equitable apportionment, Congressional allocation, informal agreements) and Micro Approaches (export restrictions, cross-state transfers, private enforcement of priority across state lines)

Christopher H. Meyer, Esq., Program Co-Chair

Interstate Compacts in the Pacific Northwest: The Northwest Power Act, the Snake River Compact, the Columbia River Gorge Scenic Area Act and the Columbia River Compact: Lessons from our region's past experiences with interstate compacts

John Shurts, Ph.D., Esq., General Counsel

Northwest Power and Conservation Council ~ Portland, OR

2:45 Break

3:00 Special Closing Panel: Lessons Learned from Across the West

Experiences in other states with equitable apportionment, interstate compacts, and Congressional allocation of interstate water resources

Karl J. Dreher, P.E., D.WRE

Dreher Consulting, LLC ~ Parker, CO

Lawrence J. MacDonnell, Esq., Professor of Law

University of Wyoming College of Law ~ Laramie, WY

4:15 Evaluations and Adjourn

Upcoming Seminars:

Model Toxics Control Act	July 22, 2009	Seattle WA
Renewable Energy in the Pacific Northwest	August 6 & 7, 2009	Seattle WA
Preparing for Transit Oriented Development	September 17 & 18, 2008	Seattle WA

See more at www.lawseminars.com



Registration & Other Conference Information

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Walk-ins are welcome, subject to space availability.

Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$995 with a group rate of \$845 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

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 Tuesday, September 15, 2009. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Red Lion River Inn at 700 N. Division in Spokane, WA 99202. Call the hotel directly at (509) 326-5577 for reservations and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits:

This program qualifies for 13 WA CLE credits and Idaho CLE are pending. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or searchable CD), is available for \$1005. The course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or from the date we receive payment.

Faculty: Resolving Interstate Water Conflicts Conference

Joe Mentor, Jr., Program Co-Chair, principal with Mentor Law Group PLLC, focuses on water and natural resources development and represents Skagit County in the rulemaking process and related litigation over the Skagit instream flow rule. He was named a "Super Lawyer".

Christopher H. Meyer, Program Co-Chair, partner with Givens Pursley LLP, focuses on water, land use, environmental and constitutional administrative law. He is listed in *The Best Lawyers in America*, *Mountain States Super Lawyers* and *Chambers USA*.

The Hon. Gregory J. Hobbs, Special Address, has been a Justice in the Colorado Supreme Court for ten years. Previously, he practiced law with emphasis on water, environment, land use, and transportation.

Barbara Cosens, University of Idaho Associate Professor of Law for Property, Water Law and Interdisciplinary Water Resource, helped launch the "Water of the West" Initiative for a new interdisciplinary graduate program in water resources which includes a concurrent JD option. Previously she mediated water distribution disputes.

Karl J. Dreher, P.E., D. WRE is an independent consultant for disciplines related to water resources engineering and water rights. He was Director of the Idaho Department of Water Resources and Chairman of the Western States Water Council.

Jeffrey C. Fereday, partner in Givens Pursley LLP's Natural Resources, Environmental and Energy Group, is listed in *The Best Lawyers in America* and *The International Who's Who of Mining Lawyers*.

Guy J. Gregory, L.G., L.H.G., Technical Unit Supervisor and Senior Hydrogeologist of the Washington Department of Ecology Water Resources Program, is responsible for technical assessment of water supply issues in Eastern Washington. He led Washington's effort on the

Spokane Valley-Rathdrum Prairie Aquifer study.

Robert (Bob) G. Haynes, P.E. is Regional Manager of the Idaho Department of Water Resources and Chairman of the Department of Water Resources' Rathdrum Prairie Ground Water Management Area Advisory Committee.

Bruce Howard is Director of Environmental Affairs for Avista Corp. Previously, he managed the relicensing process for the Spokane River Hydro Project, and worked in consulting, private industry, and at the Washington Department of Ecology.

Paul Hsieh, Ph.D. is Research Hydrologist, at the U.S. Geological Survey, where his research includes the study of fluid flow and solute transport in fractured rocks, subsurface deformation in volcanic areas and development of computer simulation models. He was the lead scientist of the modeling team that developed the groundwater flow model for the Spokane Valley-Rathdrum Prairie aquifer.

Margaret J. King focuses on all areas of municipal law, with emphasis on land use and water rights issues. She is City Attorney for Roslyn and Sultan, WA. Previously, she was the primary attorney responsible for advising on water issues for the Washington State Senate Water, Energy and Technology Committee.

Lawrence J. MacDonnell, Professor of Law at the University of Wyoming College of Law, teaches water law, public land law, and natural resources law, and focuses on water resources and ways to make a natural resource development more environmentally compatible.

Rachael Paschal Osborn is Executive Director of the Center for Environmental Law & Policy, a nonprofit organization dedicated to promoting the public interest in fresh water resources of the Columbia watershed and western

Washington. She also teaches law at Gonzaga Law School.

Christian Petrich, Ph.D., P.E., P.G., Principal Engineer/Hydrologist for SPF Water Engineering, is experienced in aquifer characterization, water resource investigations, water right permit and transfer applications, and municipal water planning and water policy.

Alan Reichman, Assistant Attorney General for the Ecology Division of the Washington State Attorney General's Office, is Section Manager for Water Resources and lead counsel to the Department of Ecology's Water Resources Program.

John Shurts, Ph.D. is General Counsel for Northwest Power and Conservation Council and an Adjunct Professor at Lewis and Clark College, teaching courses in energy law, natural resources law, environmental history and natural resources policy and politics.

Bryony Stasney, L.Hg. is Senior Hydrogeologist for Golder Associates based in Coeur d'Alene office. She focuses on watershed planning and water supply development and protection for clients in Eastern Washington and Northern Idaho.

John Stuhlmiller is Director of Government Relations for the Washington Farm Bureau. He is responsible for leading a four member lobby team, and lobbying general agricultural, energy, environmental and natural resource issues, with a special emphasis on water law.

James Tupper, partner with Tupper Mack Brower PLLC, focuses on environmental, natural resource and land use law, with an emphasis on water quality, water resources, and shoreline development.

Eric J. Wildman, Staff Attorney for the Snake River Basin and Coeur D'Alene-Spokane River Basin Adjudications, is responsible for the management and progress of the adjudications including advising and assisting the presiding judge.

September 21 & 22, 2009

Spokane, Washington

Red Lion River Inn

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(509) 326-5577

Who Should Attend:

Attorneys, environmental and real estate professionals, corporate managers, governmental officials, tribal representatives, resource managers and planners

You Will Learn About:

- *The hydrology of the Spokane Valley/Rathdrum Prairie Aquifer*
- *Meeting future water supply needs for municipal and agricultural water rights and land use planning*
- *Instream flows, hydro power, and water quality*
- *Adjudicating federal reserved water rights*
- *The intrastate adjudication processes in Washington and Idaho*
- *Methods of interstate water allocation*
- *Lessons learned and success stories in other states*

To Register:

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