



**LAW SEMINARS  
INTERNATIONAL**

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*The Ninth 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 25 & 26, 2022**

Live Online via Interactive 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

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

**9:15 Special Opening Address**

Tribal Water Policy Priorities at the Department of the Interior

**Danna Jackson**  
*Senior Counselor to the Assistant Secretary for Water and Science*  
Department of the Interior  
Washington DC

**9:30 Congressional Update**

Tribal water funding in the Infrastructure Investment and Jobs Act; relevant parts of Build Back Better Plan that may become enacted; federal plans for divvying up undisbursed funds; prospects for additional Congressional action

**Denise Desiderio**  
*Policy Advisor*  
Akin Gump Strauss Hauer & Feld  
Washington, DC

**10:00 Break**

**10:15 National Update on Tribal Water Right Settlements**

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

**Pamela S. Williams, Esq.,**  
*Director, Indian Water Rights Office*  
U.S. Department of the Interior ~ Phoenix, AZ  
**Sarah LeFlore Foley, Esq., Policy Advisor**  
DOI Indian Water Rights Office ~ Washington, DC

**11:30 Climate Change Impacts on Water Availability: Recently Implemented Tier 1 Water Restrictions for Agricultural Irrigation**

Will they be sufficient to sustain reservoir levels to support agriculture as less water flows into the river?

**Brad Udall,**  
*Senior Water & Climate Research Scientist*  
Colorado Water Institute ~ Fort Collins, CO

**12:15 Lunch Break**

**1:15 The 500 Plus Program to Conserve Colorado River Water**

Update on the 500 Plus program to conserve Colorado River water

**Greg Adams, Esq.,**  
*Senior Attorney*  
Central Arizona Project ~ Phoenix, AZ

Arizona state perspective

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

City of Phoenix's voluntary to relinquish some river water under the plan

**Cynthia Campbell, Esq.,**  
*Water Resource Management Adviser*  
City of Phoenix ~ Phoenix, AZ

**3:00 Break**

**3:15 The Here and How: Who is Doing What for Water Management in the Colorado River Basin**

Primary upper basin concerns and management priorities

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

Lower basin perspectives on river management

**Thomas Buschatzke, Director**  
Arizona Department of Water Resources  
Phoenix, AZ  
**Christopher S. Harris, Executive Director**  
Colorado River Board of California  
Glendale, CA

**5:00 Adjourn Day 1**

**Agenda—Day 2**

**9:00 Effective Tribal Engagement on Big River Issues**

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 and Colorado River Tribal Engagement Program Director*  
The Nature Conservancy ~ Boulder, CO

A view from the trenches on effective Tribal engagement

**Jay Weiner, Esq.,**  
Rosette LLP ~ Sacramento, CA

Federal Law and State Law Strategies for Tribes to Keep Water Instream.

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

**10:45 Break**

**11:00 Hydrological Issues Affecting Water Management in the Colorado River Basin**

What you need to know about hydrologic science as it relates to a large river basin; ways in which the science can guide policy decisions; thorny issues to resolve in the upper and lower Colorado River basin

**Leslie A. Meyers, P.E.,**  
*Area Manager, Phoenix Area Office*  
Bureau of Reclamation ~ Glendale, AZ

**11:45 Winters Doctrine Litigation Update: Navajo Nation vs U.S. Department of the Interior**

Ninth Circuit's reversal of the district court's dismissal, based on lack of jurisdiction, of Navajo Nation's breach of trust claim alleging that DOI failed to consider the Navajo Nation's unquantified water rights in managing the Colorado River

**M. Kathryn Hoover, Esq.**  
Sacks Tierney ~ Scottsdale, AZ

**12:15 Lunch Break**

**1:15 Preparing for Implementation of Water Settlements**

Anticipating the legal and practical issues likely to arise so that you can develop effective implementation plans

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

Case study of the Navajo/San Juan settlement

**Michelle Brown-Yazzie, Esq.,**  
*Assistant Attorney General*  
Navajo Nation Department of Justice  
Window Rock, AZ

**2:30 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

**3:00 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*

LSI draft > This year the ongoing drought is keeping Tribal water rights, impacts of the changing climate, and environmental protections as front burner issues in the Southwest. For example, this year agricultural users are having to contend with Tier 1 water restrictions limiting withdrawals for irrigation. You will hear about continuing climate change impacts on water availability and negotiations among stakeholders to cut consumption this year and next.

Meanwhile, there are basin management issues to be resolved in the here and now. You will have an opportunity to hear directly from key players on what we can expect to be happening in upper and lower basins. Tribes are key players in resolution of big river issues and you will hear about effective strategies for Tribal engagement on those issues.

Colorado River management negotiations are continuing among the stakeholders, and we will be covering those negotiations and related river management issues in detail. This includes an update on the hydrology of the Colorado River Basin and how it limits the nature of options available for river management.

Litigation of Tribal water rights is on the upswing to gain access to these dwindling water supplies before it is too late. We will update you on those developments and water right settlement processes and implication challenges.

Attendees will 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.

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 and 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 and course materials.

Make checks payable to Law Seminars International.

As a bonus, you 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 Thursday, May 19, 2022. 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 11.00 WA and 11.25 CA MCLE credits plus 11.00 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 at Water and 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, and Indian law. This includes representation of the largest water users' association in Arizona, an agricultural improvement and power district, and an Arizona municipality.

**Greg Adams** is a Senior Attorney at Central Arizona Project. He worked extensively on the development and implantation of the Lower Basin Drought Contingency Plan and more recently on the "500+ Plan." Prior to joining Central Arizona Project, Greg was a Director at Fennemore Craig, in Phoenix, Arizona, where he advised clients on natural resources and environmental matters with a particular focus on water rights related matters.

**Brett Bovee** is the Rocky Mountain Regional Director for WestWater Research. He 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.

**Michelle Brown-Yazzie** is an enrolled member of the Navajo Nation and serves as an Assistant Attorney General at the Navajo Nation Department of Justice. Her positions include as Staff Attorney and Senior Prosecutor for the Navajo Nation, Prosecutor for the Gila River Indian Community, Assistant District Attorney for McKinley County. She also has served in the judiciary and most recently was the Chief Judge for the Mescalero Apache Tribe.

**Brenda Burman** is an Executive Strategy Advisor at the Central Arizona Project (CAP). She is responsible for providing advice and leadership across multiple functional areas to recommend, develop and implement strategic and tactical plans and related policy to ensure that the CAP mission is accomplished. Before joining CAP, she was the Commissioner of the U.S. Bureau of Reclamation.

**Thomas Buschatzke** is the Director of the Arizona Department of Water Resources. Prior to this appointment he served as the Assistant Director of the Department's Water Planning Division, overseeing the Colorado River Management, Active Management Areas, Planning and Data Management, Assured and Adequate Water Supply and Recharge Permitting, and Statewide Planning programs and Tribal Liaison. He is responsible for multiple planning and policy, regulatory and permitting programs for the management of the state's water supplies.

**Cynthia Campbell** is a Water Resource Management Adviser for the City of Phoenix. She previously served as the Manager of Water Quality Compliance for the Arizona Department of Environmental Quality and as an Assistant Attorney General representing the Department.

**Chuck Cullom** is Executive Director of the Upper Colorado River Commission (UCRC). Prior to joining the UCRC, he was the Colorado River Programs Manager for the Central Arizona Water Conservation District. His work experience includes modeling surface and groundwater systems, developing and implementing water efficiency and conservation programs, and implementing habitat conservation and endangered species protection programs.

**Denise Desiderio**, Akin Gump, focuses her practice on American Indian law and policy matters. She has 15 years of experience in advising on American Indian policy and regulation, working on behalf of NCAI, the largest national organization for tribal governments, and the U.S. government. In her role at NCAI, she was responsible for overseeing policy, advocating to Congress and the White House, and communicating directly with leaders of tribal governments on policy matters.

**Sarah LeFlore Foley** is a policy analyst in the DOI Secretary's Indian Water Rights Office where she helps coordinate Indian water rights settlement issues among the Department's issues. Previously, she was an attorney in the Solicitor's Office for nearly ten years and specialized in Indian water rights.

**Christopher S. Harris** is Executive Director of the Colorado River Board of California.

**M. Kathryn Hoover** joined Sacks Tierney after serving as a principal attorney for the Navajo Nation Department of Justice, Water Rights Unit, working to advance the water rights claims of the Nation through negotiated settlements and litigation.

**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*.

**Danna Jackson** serves the Biden administration as Senior Counselor to the Assistant Secretary for Water and Science. She has spent her entire legal career in the area of Natural Resources and Indian Law. Before returning to Washington D.C., Danna was chief legal counsel to the State of Montana's Department of Natural Resources and Conservation – the agency that manages Montana's trust lands, waters, state forests, and conservation initiatives.

**Matthew McKinney** is the Director of the Center for Natural Resources & Environmental Policy at the University of Montana. For the past five years, he has co-facilitated the Water & Tribes Initiative, an ad hoc partnership among tribal and other leaders in the Colorado River Basin to enhance tribal capacity and support collaborative problem-solving.

**Leslie A. Meyers** is Area Manager for the Phoenix Area Office of the Bureau of Reclamation. She is responsible for oversight of Reclamation's projects in Arizona including the Salt River Project and Central Arizona Project. The Bureau's constituents include Tribes, agricultural users, and municipal users.

**Brad Udall** is a Senior Water & Climate Research Scientist at the Colorado Water Institute. His background in water and climate policy issues includes serving as Director of the Western Water Assessment (University of Colorado) and as the first Director of the Getches-Wilkinson Center for Natural Resources, Energy and the Environment (University of Colorado). He formerly was a consulting engineer and the managing partner at Hydrosphere Resource Consultants.

**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.