

2005 Texas Water Law Institute

Earn up to 15.00 Hours of Credit Including 2.00 Hours of Ethics Credit

CEP credit for Professional Engineers Available



SPECIAL \$325 STATE EMPLOYEE REGISTRATION FEE

September 28*, 29-30, 2005
*Optional Wednesday Evening Primer
Hyatt Regency on Town Lake
Austin, Texas

2005 Texas Water Law Institute

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WEDNESDAY EVENING, SEPT 28, 2005

*Optional Primer—Additional \$10

Please select on registration form.

5:30 p.m. Registration Opens

6:00 p.m. 1.50 hrs

Texas Water Law Overview

An overview of Texas water law cases, statutes and regulations, including vocabulary and acronyms necessary to understanding Texas water law. This session is designed for practitioners unfamiliar with the subject area as well as non-lawyers, governmental officials and engineers.

Douglas G. Caroom, Austin Jim Mathews, Austin

7:30 p.m. Adjourn

THURSDAY MORNING, SEPT 29, 2005

Presiding Officer: Jim Mathews

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

Legislative Developments

9:00 a.m. .75 hr

Water Legislation in the 79th Legislative Session

The Legislators' perspective—what's done and what's left to be done.

Sen. Ken Armbrister, Victoria (invited) Rep. Robert R. Puente, San Antonio

9:45 a.m. .75 hr

A Practitioner's Analysis—Water Legislation in the 79th Legislative Session

What have they done to us now? Ed McCarthy, Austin

10:30 a.m. Break

Water Permitting and the Determination of Water Availability

10:45 a.m. .50 hr

Evolution of Water Availability Determinations

A Historical Analysis—What did they do before the WAM?

Timothy L. Brown, Austin

11:15 a.m.

75 hr

Development and Use of Current Water Availability Models

The Water Availability Models (WAMs) have been developed by the Texas Commission on Environmental Quality to assist in the permitting of surface water rights in Texas. This presentation will give an overview of the uses and limitations of the WAMs.

David Harkins, Austin

12:00 p.m.

.50 hr

Optional Box Lunch Presentation

Please select on registration form.

"Water Follies: The Environmental Consequences of Groundwater Pumping"

The excessive pumping of our aquifers has created an environmental catastrophe known to only a few scientists, a handful of water management experts, and those unfortunate enough to have suffered the direct consequences. As our groundwater use has increased, pumping has caused rivers, springs, lakes, and wetlands to dry up, ground beneath us to collapse, and fish, birds, wildlife, trees, and shrubs to die. This talk will illustrate the scope of the problem with stories from around the country. These water follies are tales of human foibles including greed, stubbornness, and, especially, the unlimited human capacity to ignore reality.

Robert Glennon, University of Arizona, Tucson, AZ

THURSDAY AFTERNOON

Presiding Officer: Douglas G. Caroom

Water Permitting and the Determination of Water Availability

1:15 p.m.

.50 h

Environmental Flows—Where are We Now?

Discussion of where the State of Texas is now with regard to its environmental flow programs for bay and estuary freshwater inflows and instream flows.

Bob Brandes, Austin

1:45 p.m.

.50 hr

Instream Flows—An Environmental Perspective on Texas Laws

A look at instream flow protection in Texas: where we are, how we got here, and what the future may bring.

Myron Hess, Austin

2:15 p.m.

.50 hr

REUSE—Will it Ever Flow?

Duncan Norton, Austin

A discussion of policy issues before the TCEQ.

Dog

2:45 p.m.

Break

Regional Planning and Groundwater Management

3:00 p.m.

.50 hr

Survey of Groundwater Management Issues

Key issues facing different groundwater districts across the state.

Gregory M. Ellis, League City

3:30 p.m.

.50 hr

The Continuing Evolution of the Regional Planning Process

From its birth through its adolescence, regional water planning has moved from innocence to increasing conflict and complexity as it grows and matures.

Suzanne Schwartz, Austin

4:00 p.m.

.75 hr

Past, Present, Future—Coordination Between Regional Water Planning Groups and Groundwater Conservation Districts

Working relationships between Regional Water Planning Groups and Groundwater Conservation Districts since the passage of Senate Bill 1, 1997.

Robert S. Kier, Austin Bill Mullican, Austin Monique Norman, Austin

4:45 p.m.

.75 hr ethics

Potential Conflicts of Interests in the Regional Water Planning Process

Conflicts of issues for engineers, consultants, and attorneys participating in the regional planning process.

Thomas C. Gooch, Fort Worth Norman D. Johns, Austin Steven P. Nichols, Austin

5:30 p.m.

Adjourn

FRIDAY MORNING, SEPT. 30, 2005

Presiding Officer: Douglas G. Caroom

8:30 a.m.

.50 hr

Case Law Update

A survey and analysis of recent decisions and their impact on water law and water rights.

Jim Mathews, Austin

Phone: 512-475-6700 Fax: 512-475-6876

9:00 a.m. CCN's

1.00 hr

This topic will explore recent legislation governing Certificates of Convenience and Necessity, and the conflict between property owners and exclusive providers of utility service.

Joe B. Allen, Houston Steve Kosub, San Antonio

10:00 a.m.

Break

10:15 a.m.

.50 hr

Enforcement of Water Rights in Texas— Or the Lack Thereof

A survey of the rules and some of the practicalities associated with enforcing rights to surface water and groundwater.

Max Renea Hicks, Austin

10:45 a.m.

1.00 hr

An Outsider's View of Texas Water Law

A presentation by the former Assistant Secretary of Interior for Water and Science (with responsibility for USGS, USBR and most federal water resources issues).

Bennett Raley, Denver, CO

11:45 a.m.

Lunch on Your Own

FRIDAY AFTERNOON

Presiding Officer: Jim Mathews

Sales Transactions & Valuation Issues

1:00 p.m.

.50 hr

Survey of Water Rights Transactions— Public & Private

How different transactions have been structured and the variable pricing to date.

Douglas G. Caroom, Austin

1:30 p.m.

1.00 hr

The Value of Water and Water Rights

The value of water and water rights understanding and working with valuation methodologies.

Moderator – E. Allen Jacobs, Dallas Martyn C. Glen, San Antonio James Kowis, Austin

2:30 p.m.

Break

2:45 p.m.

.50 hr

Forms & Transactional Issues Involving Private Sales of Water & Water Rights

A discussion of common forms and issues used or encountered in groundwater transfers.

Grady B. Jolley, Boerne Rhonda G. Jolley, Boerne 3:15 p.m.

.75 hr ethics

What Every Lawyer Needs to Know about the New State Bar Grievance Procedures

A look at the new State Bar Grievance Procedures and suggestions on how best to navigate them.

W. Wade Porter, Austin Xavier G. Medina, Austin 4:00 p.m.

.50 hr ethics

Don't Let Legal Ethics be your Waterloo: The Fiduciary Duties of Lawyers and More...

Legal ethics consists of law, social customs and morality. The three interact with each other. The fiduciary duties of lawyers have been watered down for years. That era is ending: this session provides a look at the path ahead.

Michael Sean Quinn, Austin

4:30	p.m.	Adjour

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AUSTIN Sept. 28*, 29-30, 2005

CONFERENCE LOCATION



Hyatt Regency on Town Lake 208 Barton Springs Austin, TX 78704 800-233-1234

\$135 (subject to availability) good through **September 6, 2005**

Parking: \$4 self-parking (subject to change)

KEY DATES

Registration and Cancellation

Sept 21, 2005, 5 p.m.
•last day for early registration

add \$50 for registrations received after this time

Sept 23, 2005, 5 p.m.
•last day for full refund

Sept 26, 2005, 5 p.m.

Monday before conference

last day for partial refunds

\$50 processing fee applied

Sept 28, 2005, 6:00 p.m.
•optional session begins

Sept 29, 2005, 9:00 a.m. •conference begins

CONFERENCE FACULTY

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Allen Boone Humphries Robinson LLP

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BOB BRANDES R.J. Brandes Company

TIMOTHY L. BROWN Attorney at Law Austin

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REP. ROBERT R. PUENTE
Texas House of Representatives
San Antonio

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ABOUT THE COVER

"Improv 194," oil on canvas, is by David Newman. For more information, visit www.artworksbydavid.com or call 512-293-1482.

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 15.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit.

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THE UNIVERSITY OF TEXAS SCHOOL OF LAW
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2005

TEXAS WATER LAW INSTITUTE

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