

2009
TEXAS WATER LAW INSTITUTE



Zigzagging Creek, 30" x 40" oil on canvas is by Laurel Daniel. For more information, contact the Davis Gallery at www.davisgalleryaustin.com or the artist at www.laureldaniel.com

December 9*, 10 – 11, 2009
Hyatt Regency Austin ▪ Austin, Texas

*Optional Wednesday Evening Session:
Texas Water Law Overview—Included in Registration

Special \$350 Registration Fee for State Employees
and Texas Alliance of Groundwater Districts

Earn up to 15.00 Hours of Credit including 1.75 Hours of Ethics Credit
CEP Credit for Professional Engineers Available

2009 TEXAS WATER LAW INSTITUTE

December 9*, 10-11, 2009 • Hyatt Regency Austin • Austin, Texas

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*OPTIONAL WED. EVENING, DEC. 9, 2009

5:30 p.m. Registration Opens

Included in conference registration fee.

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.

Doug Caroom, Austin, TX
Jim Mathews, Austin, TX

7:30 p.m. Adjourn

THURSDAY MORNING, DEC. 10, 2009

Presiding Officer: Jim Mathews, Austin, TX

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .50 hr

Legislative Perspective on CCN's

Is further modification necessary or desirable?

Rep. Bill Callegari, Houston, TX

9:30 a.m. 1.00 hr

Groundwater Ownership in Texas: When Does It Vest?

A pro and con discussion of the issues raised by *City of Del Rio v. Hamilton Trust* and *Edwards Aquifer v. Day*, cases that are now pending for review before the Texas Supreme Court, and the potential implications of the decisions.

Sydney W. Falk Jr., Austin, TX
Darcy Alan Frownfelter, Austin, TX

10:30 a.m. Break

Is There a Future for Water Marketing in Texas?

10:45 a.m. .50 hr

Economic Perspective on Water Marketing in Texas

Mechanisms for making groundwater marketing work. Why is it so hard to market water in Texas?

William E. Avera, Austin, TX

11:15 a.m. .50 hr

Texas Water Marketing in Perspective

Comparing the water marketing framework in Texas with the framework in other key western states.

Laura Harnish, San Francisco, CA
Mary Elizabeth Kelly, Austin, TX

THURSDAY AFTERNOON

Presiding Officer: Doug Caroom, Austin, TX

LUNCHEON PRESENTATION

11:45 a.m. Pick up Box Lunch

Included in conference registration.

12:00 p.m. .50 hr

Legislative Update

Significant water and environmental legislation courtesy of the 81st Legislature.

Mark McPherson, Dallas, TX

12:30 p.m. Break

Groundwater Management Issues in Texas

12:45 p.m. 1.00 hr

Local Control of Groundwater: Can It Work?

Is local control working, and for whom? Should local districts be the state's preferred method of groundwater management? When do their regulations go too far?

Steve Kosub, San Antonio, TX

1:45 p.m. 1.00 hr

Role of Groundwater Districts: Desired Future Conditions

How well is the process working?

Horace Grace, Killeen, TX
Marvin W. (Marty) Jones, Amarillo, TX
Daniel L. Krienke, Perryton, TX
Randy Williams, Sunset Valley, TX

2:45 p.m. Break

3:00 p.m. .75 hr ethics

Talking Out Loud: Ex Parte Communications and the Beleaguered Bureaucrat

This presentation explores the implications of Ethics Advisory Opinion 587 and the ways that opinion has, or has not, altered our understanding of the ban on ex parte communications in contested administrative cases.

Ron Lynn Beal, Waco, TX
Lou Bright, Austin, TX

3:45 p.m. 1.75 hrs

Developing and Implementing Environmental Flows Criteria

The legal framework and overview of the environmental flow determination process.

Colette Barron Bradsby, Austin, TX

A case study: the Trinity Basin from different perspectives.

W.H. Espey Jr., Austin, TX
Ken Kramer, Austin, TX
Jim Oliver, Fort Worth, TX

Concludes with Q&A with the panel.

5:30 p.m. Adjourn

FRIDAY MORNING, DEC. 11, 2009

Presiding Officer: Doug Caroom, Austin, TX

8:00 a.m. Conference Room Opens

Includes continental breakfast.

9:00 a.m. .50 hr

Climate Change: Relevance to Water Planning?

Is there really going to be less water available? Do we need to adjust plans to compensate?

George H. Ward Jr., Austin, TX

9:30 a.m. .75 hr

Federal Issues in State Water Law

What recent Federal Court decisions, legislation and regulation may mean to state water management.

Tom F. Donnelly, Arlington, VA

10:15 a.m. Break

10:30 a.m. .75 hr

Energy and Water Supplies

A discussion of the technical implications of cutting-edge innovations in water conservation, usage and alternative energy sources.

Michael E. Webber, Austin, TX

11:15 a.m. .50 hr

Edwards Aquifer Recovery Implementation Program

An update on status and future direction.

Robert L. Gully, San Antonio, TX

11:45 a.m. .33 hr

The Status of Expedited Decertification

An update of cases, policy and issues related to TCEQ's expedited CCN decertification program and how the program impacts landowners and CCN holders.

Leonard H. Dougal, Austin, TX

FRIDAY AFTERNOON

Presiding Officer: Jim Mathews, Austin, TX

LUNCHEON PRESENTATION

12:05 p.m. Pick up Box Lunch

Included in conference registration.

12:20 p.m. .50 hr

Update on Texas General Land Office's Water Related Programs

An overview of the Coastal Resources Division and current water rights issues, including:

- Open Beaches: public access with changing shorelines
- State-Owned Groundwater: its marketing and regulation

Comm. Jerry Patterson, Austin, TX

12:50 p.m. Break

1:05 p.m. 1.00 hr

Innovative Strategies for Creating Water Supplies

How can more water be "created" within the State guidelines? This discussion includes consideration of environmental requirements and alternatives from a hydrological perspective.

Bob Brandes, Austin, TX
Robert Huston, Austin, TX

2:05 p.m. .75 hr

System Operation of Existing Reservoirs and Water Rights as a New Source of Water

How and why it works. The Brazos River Authority's system operation permit application, anticipated challenges and benefits of system operation.

Doug Caroom, Austin, TX
Tom Gooch, Fort Worth, TX
David Wheelock, Waco, TX

2:50 p.m. Break

3:00 p.m. 1.00 hr ethics

The Big Deal: Ethics of Negotiations Involving Economic Development

A discussion of ethical pitfalls, problem areas, conflict and confidentiality issues, and recommended approaches to negotiating economic development deals involving governmental entities, large out-of-state companies, investors, landowners and locals.

Ross Fischer, San Antonio, TX

4:00 p.m. Adjourn

REGISTRATION FOR WL09

Mail this registration form to:

The University of Texas School of Law, Attn. CLE—WL09

P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876

PLEASE PRINT CLEARLY

Bar Card# _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

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Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION Includes Course Binder, Optional Wednesday Evening Session, and Thursday and Friday Luncheon Presentations

Standard Registration

- Early Registration Fee due by Wednesday, December 2, 2009..... \$450.00
- Registration Fee after Wednesday, December 2, 2009..... \$500.00

Special State Employee/Texas Alliance of Groundwater Districts

- Early Registration Fee due by Wednesday, December 2, 2009..... \$350.00
- Registration Fee after Wednesday, December 2, 2009 \$400.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3-5 weeks from the conference date for delivery.

- Course Binder Without Conference Registration \$225.00
Note: Conference registration includes Course Binder.
- Audio CD Set \$175.00
- eBinder on CD (PDF format) \$225.00/\$50.00
(\$225 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 3-5 weeks from the conference date for delivery.

- In-House CLE for 2—Includes Audio CD Set and Course Binder \$800.00
- _____ Add participants (includes Course Binder) for \$225 each \$ _____

TOTAL ENCLOSED \$ _____

METHOD OF PAYMENT

- Check (make checks payable to: The University of Texas at Austin)
- VISA or MasterCard (sorry, no AMEX or Discover) P.O.

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Authorized Signature

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Exp. Date (mm/yy)

E-mail us at
utcle@law.utexas.edu
or call us at
512-475-6700
for more information

AUSTIN

December 9, 10 – 11, 2009

CONFERENCE LOCATION



Hyatt Regency Austin
208 Barton Springs Road
Austin, TX 78704
512-477-1234

Special Room Rate: \$169
good through November 9, 2009
(subject to availability)

Parking:
\$5 self-parking
(subject to change)

KEY DATES

December 2, 2009, 5 p.m.

last day for early registration
add \$50 for registrations
received after this time

December 4, 2009, 5 p.m.

last day for full refund

December 7, 2009, 5 p.m.

last day for partial refunds
\$50 processing fee applied

December 9, 2009, 6 p.m.

Optional Wednesday Evening Session begins

December 10, 2009, 9 a.m.

Institute begins

CONFERENCE FACULTY

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Texas General Land Office
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Resources
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University of Texas Mechanical
Engineering Department
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DAVID WHELOCK
Brazos River Authority
Waco, TX

RANDY WILLIAMS
Bar-W Groundwater Exploration
Sunset Valley, TX

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