

2011 Texas Water Law Institute
November 30*, 1-2, 2011 • AT&T Conference Center • Austin, TX

Wednesday Evening, Nov. 30, 2011

	OPTIONAL SESSION
5:30 pm	Registration Opens
6:00 pm 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, government officials and engineers. Doug Caroom, Bickerstaff Heath Delgado Acosta LLP - Austin, TX Jim Mathews, Mathews & Freeland LLP - Austin, TX
7:30 pm	Adjourn

Thursday Morning, Dec. 1, 2011

Presiding Officer:

Jim Mathews, Mathews & Freeland LLP - Austin, TX

8:00 am	Registration Opens Includes continental breakfast.
8:50 am	Welcoming Remarks
9:00 am 1.00 hr	Groundwater Issues in the 82nd Legislative Session In a session enmeshed in budget issues and redistricting, groundwater management was one of the areas in which progress was made. Timothy L. Brown, Austin, TX
10:00 am 1.00 hr	Groundwater Ownership/Regulation Three perspectives on groundwater regulation and property rights: Where we've been and where we may be going. Jane Cohen, The University of Texas School of Law - Austin, TX William D. Dugat III, Bickerstaff Heath Delgado Acosta LLP - Austin, TX Jason Skaggs, Texas and Southwestern Cattle Raisers Association - Austin, TX
11:00 am	Break

11:15 am 0.50 hr	Sovereign Immunity Issues in Water Supplies How can sovereign immunity affect your ability to enforce your water supply contract? Jeffrey S. Boyd, Office of the Governor - Austin, TX
11:45 am	Pick Up Box Lunch Included in conference registration fee.

Thursday Afternoon, Dec. 1, 2011

Presiding Officer:

Doug Caroom, Bickerstaff Heath Delgado Acosta LLP - Austin, TX

	Luncheon Presentation
12:00 pm 1.00 hr ethics	Public Information and Open Meetings in the Modern Age James E. Cousar, Thompson & Knight LLP - Austin, TX Materials By: C. Robert Heath, Bickerstaff Heath Delgado Acosta LLP - Austin, TX
1:00 pm	Break
1:15 pm 1.00 hr	Energy Water Usage: Shale Gas and Oil Development Water use and water quality issues associated with hydraulic fracturing in shale gas development. Existing exemptions and expected new regulations governing hydraulic fracturing activities are covered. Leonard H. Dougal, Jackson Walker L.L.P. - Austin, TX Eric C. Potter, Bureau of Economic Geology, The University of Texas - Austin, TX
	DFC MAG Segment
2:15 pm 1.00 hr	After the Sun Went Down: Desired Future Conditions and Managed (Now Modeled...) Available Groundwater after the 82nd Legislative Session Groundwater conservation districts adopted desired future conditions for their relevant aquifers in 2010. The spring of 2011 brought final managed available groundwater numbers as well as changes to the water code (and changes to the agencies). So what happens now? Robert Mace, Texas Water Development Board - Austin, TX
3:15 pm	Break

3:30 pm 1.00 hr	<p>The Next Step: Implementing Modeled Available Groundwater</p> <p>Straight from the horse's mouth: GCD general managers discuss implementing the Modeled Available Groundwater.</p> <p>Moderator: Gregory M. Ellis, Attorney at Law - League City, TX</p> <p>Panelists: Tim Andruss, Victoria County Groundwater Conservation District - Victoria, TX</p> <p>Panelists: Jim Conkwright, High Plains UWC District No. 1 - Lubbock, TX</p> <p>Panelists: Kirk Holland, Barton Springs/Edwards Aquifer Conservation District - Austin, TX</p> <p>Panelists: Caroline R. Runge, Menard County Underground Water District - Menard, TX</p>
4:30 pm	Adjourn
	Luncheon Presentation

Friday Morning, Dec. 2, 2011

Presiding Officer:

Doug Caroom, Bickerstaff Heath Delgado Acosta LLP - Austin, TX

8:00 am	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
9:00 am 0.50 hr	<p>Legislative Implementation at the TCEQ</p> <p>How the TCEQ is implementing its Sunset legislation as well as other water-related bills.</p> <p>L'Oreal W. Stepney, Texas Commission on Environmental Quality - Austin, TX</p>
9:30 am 0.50 hr	<p>Case Law Update</p> <p>Discussion of recent groundwater, surface water, and utility cases and their implications.</p> <p>Marc O. Knisely, Jackson, Sjoberg, McCarthy & Wilson, L.L.P. - Austin, TX</p>
10:00 am	Break

10:15 am 1.50 hrs	Environmental Flows and the SB3 Process The stakeholder's perspective, the process, the rules, lessons learned, and interesting outcomes. Moderator: Suzanne Schwartz, The University of Texas School of Law - Austin, TX Panelists: Patrick Brzozowski, Lavaca-Navidad River Authority - Edna, TX Panelists: Robert Huston, Former Chair, TCEQ - Austin, TX Panelists: Norman D. Johns Ph.D, National Wildlife Federation - Austin, TX Panelists: Kellye Rila, Texas Commission on Environmental Quality - Austin, TX
11:45 am	Pick Up Box Lunch Included in conference registration fee.

Friday Afternoon, Dec. 2, 2011

Presiding Officer:

Jim Mathews, Mathews & Freeland LLP - Austin, TX

	Luncheon Presentation
12:00 pm 1.00 hr	Part 1: Financing Solutions and Funding Mechanisms How are we going to pay for the new water supplies and infrastructure that Texas needs? Hon. Allan Ritter, Texas House of Representatives - Austin, TX Hon. Edward G. Vaughan, Texas Water Development Board - Austin, TX
1:00 pm	Break
1:15 pm 0.50 hr	Part 2: Funding at the Local Level How important is state assistance and what are the alternatives? Wayne Owen, Tarrant Regional Water District - Fort Worth, TX
1:45 pm 1.00 hr	Endangered Species Act Implementation on Water Issues The Edwards Aquifer experience and its implications as the state looks at possible widespread listings of aquatic species. Doug Caroom, Bickerstaff Heath Delgado Acosta LLP - Austin, TX Jim Mathews, Mathews & Freeland LLP - Austin, TX

2:45 pm
1.00 hr ethics

Ethics Ex Parte Contact in a Modern Age

This presentation includes a discussion of the APA prohibition of ex parte contacts, the recent opinions of the Professional Ethics Committee for the State Bar of Texas relating to lawyer communications with agency decision-makers and the Disciplinary Rules, and their implications for lawyers who practice before administrative agencies.

Pete Schenkkan, Graves Dougherty Heaton & Moody P.C. - Austin, TX

3:45 pm

Adjourn