



Getches-Wilkinson Center
for Natural Resources, Energy,
and the Environment

2018 Martz Summer Conference



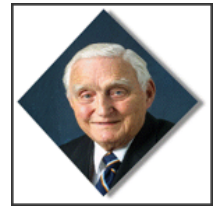
What Lies Beneath: Reasons to Care (and be Excited) About Groundwater Use and Management in the Southwest

University of Colorado School of Law
Wolf Law Building, Wittemyer Courtroom
Thursday, June 7th and Friday, June 8th, 2018

*Presented by the Getches-Wilkinson Center for Natural Resources,
Energy, and the Environment*

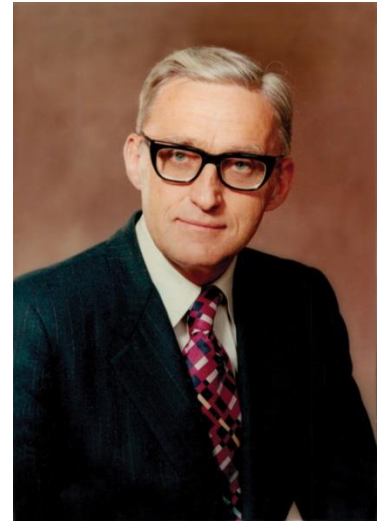


39th Annual Martz Summer Conference



Clyde O. Martz was a father of natural resource law in the United States. He was an exemplary teacher, mentor, counselor, advocate, and a professor of natural resources law for 15 years at Colorado Law. Professor Martz was one of the founders of the Rocky Mountain Mineral Law Foundation and of the Law School's Natural Resources Law Center, which later became the Getches-Wilkinson Center for Natural Resources, Energy, and the Environment. In 1951, he assembled and published the first natural resources law casebook, combining the previously discrete subjects of water law, mining law, and oil and gas law.

In 1962, Professor Martz joined the law firm of Davis Graham & Stubbs. During his tenure at Davis, Graham & Stubbs, he took periodic leaves of absence to serve as the Assistant Attorney General of the Lands and Natural Resources Division of the U.S. Department of Justice (1967-69), a Colorado Special Assistant Attorney General (1971-75), and as the Solicitor of the Department of the Interior (1980-81). He retired from the firm in the late 1990s and passed away in 2010 at the age of 89.



The Getches-Wilkinson Center's annual summer conference hosts outstanding faculty, scholars, public officials, and students who gather to discuss the complex and fascinating issues that dominate the field of natural resources law and policy. The GWC will administer the summer program in a way that honors Clyde's singular contributions to the profession.

Conference Introduction

As snowfall levels continue to disappoint, multiple efforts are underway across the Southwest to protect reservoir storage levels, particularly in Lakes Mead and Powell along the Colorado River. These reservoirs—the largest in the US—are critically important, but ultimately, they are dwarfed by the region’s largest hydrologic asset: groundwater. Although barely mentioned in the Colorado’s “Law of the River,” groundwater is not only the primary water supply for many water users (especially in agriculture), but is intertwined with surface water in a variety of ways: physically, legally, and in management. Deplete one resource, and the other will undoubtedly be affected; enhance one, and the benefits can be mutual.

Featuring a blend of thematic and case study presentations from across the Southwest (defined broadly), this 2-day conference will examine a variety of salient topics, including:

- Innovative cooperative and market-based governance arrangements in the Edwards Aquifer (TX), Diamond Valley (NV) and the San Luis Valley (CO)
- Aiding groundwater dependent ecosystems in the San Pedro River (AZ) and the Colorado River Delta
- Large-scale groundwater export schemes in California (Cadiz) and Nevada (SNWA)
- Mitigating threats to water quality from oil and gas development (Pavillion, WY), new (and old) uranium mining near the Grand Canyon, and the western legacy of abandoned mines
- Lessons from interstate compact disputes from groundwater pumping in CO, KS, NE, and NM
- Using prior appropriation to regulate conjunctive use in the South Platte (CO)
- Pending legal reforms in Arizona, and implementation challenges of California SGMA
- The reach of decisions in Hawaii’s “groundwater conduit” litigation, and *Aqua Caliente* in California
- Using surface water imports to stabilize groundwater supplies
- Applying emerging technologies for brackish groundwater desalination and aquifer storage and recovery throughout the region

Agenda Day One: Thursday, June 7th

Welcoming Remarks

8:00-8:10

Doug Kenney, Director, Western Water Policy Program, GWC

Session One

8:10-9:45

Setting the Stage

Groundwater 101: Overview of the Essential Science

Speaker: Gil Barth, Senior Hydrologist, S.S. Papadopulos & Associates, Inc.

Southwestern Groundwater: A Status Report and a Look Ahead

Speaker: Leonard F. Konikow, USGS

Dealing with a 'Secret, Occult and Concealed' Resource: The Governance Conundrum

Speaker: Sharon Medgal, University of Arizona

Morning Networking Break

9:45-10:15

Refreshments provided in Boettcher Hall

Session Two

10:15-11:45

Innovative Cooperative and Market-Based Arrangements

From the Courthouse to the Marketplace: Striving for Sustainability in the Edwards Aquifer

Speaker: Bonnie Colby, University of Arizona

Learning to Co-Exist in the Upper Rio Grande / San Luis Valley

Speaker: Cleave Simpson, Manager, Rio Grande Water Conservation District

Using Markets to Curtail Over-pumping in Diamond Valley, NV

(Speaker: TBD)

Lunch

11:45-12:45

Lunch provided on site, Schaden Commons 2nd Floor

Session Three

12:45-2:30

Seeking Clarity in the Courtroom

Reconciling Surface Water Compacts and Groundwater Use: Lessons from CO, KS, NE, NM and TX

Speaker: Burke Griggs, Washburn University

Interstate Groundwater: Issues Raised in the Great Basin (Nevada and Utah)

Speaker: Noah Hall, Wayne State University

The Reach of the Aqua Caliente Decision: Threat, Opportunity, or None of the Above?

Speaker: Heather Whiteman Runs Him, Native American Rights Fund

Afternoon Networking Break

2:30-3:00

Refreshments provided in Boettcher Hall

Session Three continued

3:00-4:30

Seeking Clarity in the Courtroom

Hawaii's "Groundwater Conduit" Interpretation: A New Era for the CWA?

Speaker: Robert Adler, University of Utah Law School

Moderated Q&A Panel: Remaining Challenges in Groundwater Law

Moderator: Mark Squillace, University of Colorado School of Law

Agenda Day Two: Friday, June 8th

Session Four

8:00-9:30

The Challenge of Implementation

Solving Conflict Through Prior Appropriation (sort of): The South Platte Story

Speaker: Reagan Waskom, Colorado State University

Pursuing Safe Yield under AGMA / AZ Water Reforms.

Speaker: TBD

Implementing California's SGMA: Nobody Said it Would Be Easy

Speaker: Stefanie Morris; Partner, Best, Best & Kreiger

Morning Networking Break

9:30-10:00

Refreshments provided in Boettcher Hall

Session Five

10:00-12:00

Fighting for Water Quality and Groundwater Dependent Ecosystems

Reconciling Oil and Gas Development and Groundwater Protection:

Lessons from Pavillion, WY

Speaker: Dominic DiGiulio, Stanford University

A New Era of Uranium Mining in the Colorado Plateau

Speaker: Dave Kreamer, UNLV

Fighting for the Last Oasis in Southern Arizona: The San Pedro River

Speaker: Holly Richter, The Nature Conservancy

Working Across the US/Mexico Border: Reconciling Groundwater Development and Colorado River Delta Restoration

Speaker: Eloise Kendy, The Nature Conservancy

Lunch
12:00-1:00

Lunch provided on site, Schaden Commons 2nd Floor

Session Six
1:00-3:00

Engineering/Infrastructure to the Rescue?

Cadiz on the Fast Track?

Speaker: Amy Steinfeld, Brownstein Hyatt Farber Schreck, LLP

Opportunities for Expanded ASR Applications? South Denver-Metro

Speaker: Courtney Hemenway, Hemenway Groundwater Engineering, Inc.

Groundwater and a Sustainable LA: A Roadmap to Living Without Surface Water Imports.

Speaker: Stephanie Pincetl, California Center for Sustainable Communities

Large-Scale Brackish Groundwater Desalination: Is This Really a Thing?

Speaker: TBD

Afternoon Networking Break
3:00-3:30

Refreshments provided in Boettcher Hall

Panel Discussion and Q&A
3:30-4:30

Concluding Panel Discussion: Envisioning the Future of Groundwater Management

Panelists:

Sharon Medgal, University of Arizona

Stephanie Pincetl, California Center for Sustainable Communities

Others TBD

Event Sponsors



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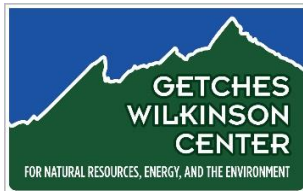


University of Colorado Law School



Established in 1892, the University of Colorado Law School is one of the top public law schools in the United States. Colorado Law School's diverse student body is selected from among the statistically best applicants from every corner of the nation representing over 100 undergraduate institutions, and its highly published faculty is dedicated to interacting with students both inside and outside the classroom. The school's state-of-the-art green building is located at the base of the Rocky Mountains in beautiful Boulder, Colorado. With about 500 students and a low student to faculty ratio, Colorado Law School is a thriving academic community where the study of law is embraced to create leaders who recognize the civic responsibilities essential to the legal profession.

Getches-Wilkinson Center for Natural Resources, Energy, and the Environment



The Getches-Wilkinson Center for Natural Resources, Energy and the Environment endeavors to serve the people of the American West, the nation, and the world through creative, interdisciplinary research, bold, inclusive teaching and innovative problem solving in order to further true sustainability for our use of the lands, waters, and environment. Major programs and initiatives focus on natural resources, water and public lands issues in Colorado and the West; energy and environmental security in the developing world; electricity regulation and energy policy; climate change law and policy; and native communities and environmental justice. The name comes from the contributions of two iconic figures in the law school's environmental law history, David Getches and Charles Wilkinson.