The Pecos River Controversy- How Did We Get Here?

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The University of New Mexico
School of Law
The Natural Resources Journal
and the
International Transboundary Resources Center

Present

A Water Law Symposium

A Legislative Briefing
on
New Mexico Water Issues

February 7 and 8, 1997
La Fonda Hotel
Santa Fe, New Mexico

Sponsored by:
The Hatton W. Sumners Foundation, Dallas, Texas
Program

Friday, February 7, 1997

7:30 - 8:30 a.m.  Registration
                 Outside New Mexico Room

8:30 - 8:50 a.m.  Opening Session
                 New Mexico Room

Welcoming Remarks

• Leo Romero, Dean, University of New Mexico School of Law

• Senator Michael Sanchez - District 29, (Valencia County)
  Chair, Integrated Water & Resource Planning, Interim Committee

Preview of Program

• Charles DuMars, Professor, University of New Mexico
  School of Law - Introduction

Interstate Issues Facing New Mexico

Part I - The Pecos - Where Do We Go from Here?

Moderator: Representative Joe Stell, Carlsbad

8:50 - 9:10 a.m.

The Pecos River Controversy - How Did We Get Here?

• Emlen Hall, Professor, The University of New Mexico School of Law
9:10 - 9:30 a.m.
Where Are We Now, What Are We Doing, Is There A Way Out?
  • Rebecca Dempsey, Assistant Attorney General

9:30 - 9:50 a.m.
Lessons to be Learned from Other States: Kansas v. Colorado
  • John Draper, Esq., Montgomery & Andrews Law Firm, Santa Fe

9:50 - 10:10 a.m. - Discussion

Part II - The Lower Rio Grande - A Continuing Challenge

Moderator: Representative G. X. McSherry, Deming

10:10 - 10:30 a.m.
Compacts, Treaties and Water Availability
  • Lee Wilson, Lee Wilson & Associates, Santa Fe

10:30 - 10:50 a.m.
The El Paso Water War Revisited - What Does the Future Hold?
  • Tom Bahr, Director, New Mexico Water Resources Research Institute, Las Cruces

10:50 - 11:10 a.m. - Discussion

11:10 - 11:30 a.m. - Break

Part III - The San Juan River - What Are New Mexico's Needs?

Moderator: Richard Cheney, Farmington, Commissioner, Interstate Stream Commission

11:30 - 11:50 a.m.
The Current Controversy
  • Randy Kirkpatrick, San Juan Water Commission, Farmington
11:50 - 12:10 p.m.
How Do We Ensure Municipal Water Supply?
- Jim Dunlap, San Juan Water Commission, Farmington

12:10 - 12:30 p.m.
Perspective of the Navajo Nation
- Stanley Pollack, Esq., Special Counsel for Water Rights, Navajo Nation, Window Rock

12:30 - 12:50 p.m. - Discussion

1:00 - 2:30 p.m. - Luncheon - Ballroom

Speaker - Eluid Martinez, Commissioner of Reclamation, "Western Water Issues and the Outlook for New Mexico"

Intrastate Issues Facing New Mexico
Part I - Water Markets

Moderator: Representative Gary King, Moriarty

2:30 - 2:50 p.m.
The Current New Mexico Experience - Is the Market Working?
- Tim DeYoung, Esq., Modrall Law Firm, Albuquerque

2:50 - 3:10 p.m.
Water Banking - The MRGCD Approach
- Maria O'Brien, Sheehan, Sheehan & Stelzner, Albuquerque

3:10 - 3:30 p.m. - Discussion

Part II- New Mexico State Water Institutions

Moderator - Representative Max Coll, Santa Fe
3:30 - 3:50 p.m.
State Water Administration - The Experience in Other Western States
  • Craig Bell, Executive Director, Western States Water Council, Midvale, Utah

3:50 - 4:10 p.m.
The State Engineer and the Interstate Stream Commission: The Interlocking Relationship
  • Professor Albert E. Utton, Director, International Transboundary Resources Center, The University of New Mexico School of Law

4:10 - 4:30 p.m.
The Citizen's Role in New Mexico Water Management
  • Chris Nunn, Water Economist, Villanueva

4:30 - 4:50 - Discussion

4:50 - 5:00 p.m. - Wrap up and Overview - Professor Al Utton

Saturday, February 8, 1997

9:00 a.m. - Ballroom North

The Nuts and Bolts of New Mexico Water Administration and Law Practice

Moderator: Professor Suedeen G. Kelly, Editor-in-Chief of the Natural Resources Journal, The University of New Mexico School of Law

9:00 - 9:20 a.m.
Representing the Municipality - Current Challenges
  • Jay Stein, Esq., Simms & Stein, P.A., Santa Fe
9:20 - 9:40 a.m.  
**Representing the Acequias - Current Challenges**  
- David Benavides, Esq., Northern New Mexico Legal Services, Santa Fe

9:40 - 10:00 a.m. - **Discussion**

10:00 - 10:20 a.m. - **Break**

10:20 - 10:40 a.m.  
**Everything You Wanted To Know About Buying A Water Right**  
- Tessa Davidson, Esq., Sheehan, Sheehan & Stelzner, Albuquerque

10:40 - 11:00 a.m.  
**Everything You Wanted To Know About Transferring the Right Once You Have Bought It**  
- John Utton, Esq., Sheehan, Sheehan & Stelzner, Albuquerque

11:00 - 11:20 a.m. - **Discussion**

11:20 - 1:00 p.m. - **Lunch on Your Own**

**Moderator:** Fred Hennighausen, Esq., Hennighausen, Olsen and Stevens, Roswell

1:00 - 1:20 p.m.  
**Opportunities for Water for the Environment**  
- Denise Fort, Professor, The University of New Mexico School of Law

1:20 - 1:40 p.m.  
**The New Subdivision Law - How Much Water is Required?**  
- Liz Taylor, Esq., Sheehan, Sheehan & Stelzner, Albuquerque
1:40 - 2:00 p.m.  
Representing Irrigation Districts: Current Issues  
- Steve Hernandez, Esq., Hubert & Hernandez, P.C., Las Cruces

2:00 - 2:30 p.m. - Discussion

2:30 p.m. - Adjournment