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Nebraska Water Law

Navigating Through the Past, Present and Future

May 3-4, 2007 • The Cornhusker Marriott • Lincoln

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 - Environmental Scientists
 - Agricultural Professionals
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- ... and anyone concerned about
water in Nebraska!

Reasons to Attend:

- 12 informative and timely presentations structured to provide comprehensive and current information!
- 15 experienced and knowledgeable water professionals ready to share their insights with you!
- Answers to those questions that never seem to get answered.

Featuring Speakers From:

- Lower Republican River Natural Resources District
 - Middle Republican River Natural Resources District
 - Nebraska Game and Parks Commission
 - University of Nebraska Conservation and Survey Division
 - Upper Republican River Natural Resources District
 - WaterClaim
- ... and many of the top water law practitioners in Nebraska and surrounding states!



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Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule and Speaker Biographies Inside

Thursday, May 3

- 8:30 Registration and Continental Breakfast
- 9:00 **Welcome and Introduction**
Overview of Day One
David Jarecke, Esq., Program Co-Chair
Crosby Guenzel, Lincoln, NE
LeRoy W. Sievers, Esq., Program Co-Chair
Knudsen, Berkheimer, Richardson & Endacott, Lincoln, NE
- 9:15 **2007 Case Update**
What's Brewing on the Docket?
Michael Klein, Esq.
Anderson, Klein, Peterson, Swan & Bogle, Holdrege, NE
- 10:00 Morning Break
- 10:15 **Lower Republican River Basin**
Updates and Issues
Michael Clements, Manager
Lower Republican River Natural Resources District, Alma, NE
- 11:00 **Upper Republican River Basin**
Updates and Issues
Jasper Fanning, Manager
Upper Republican River Natural Resources District, Imperial, NE
- 11:45 Lunch Break
- 1:15 **South Platte River Compact**
Past, Present and Future
Robert V. Trout, Esq.
Trout, Raley, Montaño, Witwer & Freeman, Denver, CO
- 2:00 **Nebraska Instream Flow Laws**
History and Future Use of the Niobrara River
Kirk Nelson, Assistant Director
Nebraska Game and Parks Commission, Lincoln, NE
- 2:45 Afternoon Break
- 3:00 **Control Measures**
Analysis of NRD Management Tools Relating to 962
Practical Tools
Daniel Smith, Manager
Middle Republican River Natural Resources District, Curtis, NE
Statutory Provisions
David Jarecke, Esq., Program Co-Chair
- 4:30 Q&A Panel
Members of Faculty
- 4:45 Adjourn

Friday, May 4

- 8:30 Continental Breakfast
- 9:00 **Welcome Back**
Overview of Day Two
David Jarecke, Esq., Program Co-Chair
LeRoy W. Sievers, Esq., Program Co-Chair
- 9:15 **Groundwater Laws**
A Panel Presentation
Colorado
James R. Montgomery, Esq.
Moses, Wittemyer, Harrison & Woodruff, Boulder, CO
Wyoming
Kara Brighton, Esq.
Hageman & Brighton, Cheyenne, WY
Nebraska
Harriet M. Hageman, Esq.
Hageman & Brighton, Cheyenne, WY
- 10:45 Morning Break
- 11:00 **The Cooperative Agreement**
An In-Depth Look at the Issues
Donald G. Blankenau, Esq.
Blackwell Sanders Peper Martin, Lincoln, NE
- 11:45 Lunch Break
- 1:00 **Satisfying Kansas**
Scientific Tools Used by the NRD
James Goeke, Professor and Research Hydrogeologist
*University of Nebraska Conservation and Survey Division
North Platte, NE*
- 1:45 **Interstate Water Issues**
Can't We All Just Get Along?
Thomas Davidson, Esq.
Dorsey & Whitney, Denver, CO
- 2:30 Afternoon Break
- 2:45 **Water Transfers**
Physical and Legal Requirements; Deadlines
Steve Smith, Director
WaterClaim, Imperial, NE
- 3:30 **Water Quality**
Important Points to Consider
Michael S. Mostek, Esq.
Koley Jessen, Omaha, NE
- 4:15 Q&A Panel
Members of the Faculty
- 4:30 Evaluations and Adjourn

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California Water Law
April 12-13, San Francisco
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April 12-13, Phoenix

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April 19-20, Las Vegas
Texas Water Law
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April 26-27, Cheyenne
Colorado River
SuperConference
May 10-11, Las Vegas

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Nebraska Water Law

meet your instructors

Program Co-Chairs

David Jarecke focuses on environmental law, agribusiness, natural resources law, water law, public power, land use and zoning. He has authored one of the initial well moratoriums in the State of Nebraska.

LeRoy W. Sievers has been practicing law for nearly 30 years. In 1984, he joined the Nebraska Attorney General's Office, where he represented the State in water resource litigation. He moved to the Nebraska Department of Water Resources, where he worked on the *Nebraska v. Wyoming* litigation in the U.S. Supreme Court. He was the Lincoln Bar Association's President in 2000-2001.

Donald G. Blankenau practices in the areas of water, natural resources and environmental law. He serves as a Special Assistant Attorney General to the State of Nebraska regarding the Missouri River litigation and before the U.S. Supreme Court in *Kansas v. Nebraska*.

Kara Brighton concentrates her practice on water and natural resources issues and co-founded her firm in order to bring services to ranchers and other Wyoming water users. She has worked for the State of Wyoming on issues related to *Nebraska v. Wyoming*.

Michael Clements has been instrumental in obtaining nearly \$3 million in federal grant money for his district's Rural Water Project. He has also been involved in the *Kansas v. Nebraska* settlement implementation process. He was a Project Manager for AT&T and Lucent Technologies for 27 years.

Thomas Davidson has experience litigating state and federal environmental law issues affecting Wyoming and the Rocky Mountain states. He has served as lead counsel in *Nebraska v. Wyoming* and the Bighorn River Adjudication. He served as Deputy Attorney General in the Division of Water and Natural Resources in the State of Wyoming.

Jasper Fanning is the manager of the Upper Republican Natural Resources District after having served as Temporary Interim Manager. He has a PhD in economics from Kansas State University.

James Goeke works with local agencies and individuals to identify, monitor and manage groundwater problems, assist in the development of groundwater supplies and conduct baseline water quality studies with the Twin Platte Natural Resources District. He has been with the Conservation and Survey Division since 1976.

Harriet M. Hageman focuses on water and natural resources issues. She has experience working for the State of Wyoming on endangered species issues, National Forest management matters and water resources management. She is a member of the Board of Directors for the Wyoming Water Association.

Michael Klein has been engaged in the general practice of law in Holdrege with his firm since 1977. His practice includes the representation of clients concerning water and water rights.

James R. Montgomery emphasizes municipal water supply planning and implementation, interstate water apportionment and federal reserved water rights. He served the State of Wyoming for more than 20 years as Special Assistant Attorney General for interstate water matters.

Michael S. Mostek has been practicing law in Nebraska since 1985. He specializes in environmental and natural resources law. He has served as Chair of the Nebraska Bar Association's Natural Resources and Environmental Law Section.

Kirk Nelson has been with his organization since 1974. In his current position, he is the direct supervisor of several division managers and coordinates activities with the Director and the Board of Commissioners. He has served as Chair of the Rainwater Basin Joint Venture for the North American Waterfowl Management Plan.

Daniel Smith was hired as Assistant Manager for the Middle Republican NRD in March 1979 and became the Manager in August 1999. He previously served in the United States Air Force as a copilot on B-52s for five years.

Steve Smith is a registered lobbyist. He directs a nonprofit organization dedicated to water policy research and education. His organization is a long-time advocate of augmentation of water supplies.

Robert V. Trout practices water rights, environmental, municipal and construction law, government contracts, eminent domain and litigation. He co-authored *Acquiring, Using and Protecting Water in Colorado* (2004).

conference information

Continuing Education Credit

MCLE: CLE INTERNATIONAL is an accredited provider in all jurisdictions with mandatory continuing legal education requirements.

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Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or home study order to (800) 873-7130, fax the registration form to (303) 321-6320, email your registration to registrat@cle.com, or register online at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

Tuition: \$595: Same as Last Year!

The tuition fee of \$595 per person (\$495 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks.

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CLE INTERNATIONAL also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This package may qualify for home study credit.

Cancellation

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek at (800) 873-7130 or shauna@cle.com.

CLE INTERNATIONAL Program Coordinator:
Kristyn Schenderlein, kristy@cle.com.



Nebraska Water Law

Navigating Through the Past, Present and Future

May 3-4, 2007 • The Cornhusker Marriott • Lincoln

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Supply, Regulation, Conservation

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2007 Case Update

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