



A resource for judges resolving water conflicts

Alf W. Brandt
Executive Director



THE NATIONAL
JUDICIAL COLLEGE

Hon. Benes Z. Aldana (Ret.)
President

Register Today!

Fundamentals of Water Law & Science

The National Judicial College

Reno, NV

May 17 – 18, 2018

Conference Fee: \$149 / Lodging Provided!

Course Description

This 2-day foundational course will equip water law adjudicators with the skills needed to effectively handle general stream and water-related cases. The course will cover different kinds of water conflicts with sessions on law, science, management, and relationships. Using interactive modalities, participants will track the water adjudication process from the initial prehearing conference to decision writing.

After this course you will be able to:

1. Effectively manage a complex water law case;
2. Evaluate scientific and economic evidence with confidence;
3. Draft a sustainable water law judgment.

A few weeks before the course, *Dividing the Waters* will offer a webinar to familiarize participants with water law terminology and concepts in advance of the course.

Who Should Attend? Any judicial officer who hears water law cases.

Logistical Information

Start and End Times: The program commences on Thursday, May 17 at 8:00 a.m. and concludes on Friday, May 18 at 3:30 p.m.

Conference Fee: \$149 covers provided meals and course materials.

Meals: Breakfast, lunch and all-day break service will be provided for both days of the course.

Lodging is Provided!! Thanks to generous funding from the Water Justice Fund, lodging for two nights at the conference hotel (TBD) is covered for participants.

Scholarship Assistance: If you require assistance for the cost of your airline ticket or mileage, you may apply for a scholarship during the registration process.

Online Registration is Now Open!



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Fundamentals of Water Law & Science **The National Judicial College (Reno) – May 17-18, 2018**

Thursday, May 17

- 8:00 am Welcome and Introductions
- 8:30 am Fundamentals of Water Law – A Comparative Study
- Prior Appropriation Doctrine and Riparian Rights
 - Groundwater Laws Across the West
- 11:00 am Small Group Facilitated Discussions – organized by state
- Discussion Analyzes Hypothetical Situation
- 1:30 pm Water Adjudication Practice: The Many Ways That Water Litigation Arises
- *Getting Started Topics*: Review of Administrative Decisions; Ensuring All Interests Are Represented; *Self-Represented* Litigants; Organizing the Common Interests/Issues
- 3:30 pm Water Adjudication Practice: Working Through the Issues
- *Case Management Topics*: Organizing the Interests in Groups; Logistics; Special Masters; Referrals to State Agencies/Courts; Preparing Your Water Decision for Appeal; Administrative Review/Deference

Friday, May 18

- 8:00 am Fundamentals of Water Science
- *Topics*: Hydrology Fundamentals; Groundwater Flow & Transport; Instream Flow & Fishery Biology; Addressing Climate Change; How Scientists Work in Water Management & Litigation; Uncertainty; Data and Monitoring
- 10:00 am Adjudicating Science in Water Litigation
- *Topics*: Managing the Science; What Science to Expect (Small vs. Big Cases); Use of Experts (Court Appointments, Committees and Battle); Administrative Review and Reliance on Agency Science; Professional Standards/Ethics
- 12:30 pm Federal-State Relationships – Judges, Agencies, Stakeholders
- *Topics*: McCarran Act Adjudications; Legal Deference to States; State Agencies Implementing Federal Law;
- 2:30 pm Judicial-Executive Branch Relationships
- *Topics*: Executive Branch water experts (parties or court assistants), Idaho Experience; Administrative Agencies as Adjudicators;
- 3:30 pm Adjourn