

Dividing the Waters Conveners' Meeting

January 16, 2026

Minutes

Participants: Kate Appleby, John Thorson, Ron Robie, Debra Stephens, Maria Berkenkotter, Sherri Zendri, Stephen Brown, John Schlegelmilch, Shannon Bacon
Staff: Alf Brandt

Executive Chair's Welcome

Kate Appleby

- **DTW Archive.** Some Conveners are trying to create an archive of *Dividing the Waters* materials from NJC and Convener files. Alf Brandt has talked to UC Riverside, which now holds some *DTW* materials, about enlarging the *DTW* collection. The group is working on an inventory to create one set of materials without duplicates.

NJC Staff Report

Alf Brandt

- **New NJC President.** The new NJC President, Aviva Abramovsky, starts on Tuesday. Investiture, available online, is February 3.
- **State Webinars.** States contributing \$50K get one state-specific webinar. Nevada asked for one on State Engineer's procedural due process. New Mexico was also interested in due process and the relationship with State Engineer.
- **Washington Webinars.** WA AOC has asked for a proposal for webinars on three topics: water science, water settlements, and advanced Indian water law.
 - Conveners discussed availability of the webinars to everyone and Alf advised that some webinars may be internal judges-only webinars.
 - Kate Appleby advised that, given Walton Family Foundation's interest in avoiding water litigation, the settlement webinar would be a good way to get more support.
 - John Thorson advised that *DTW* has a wealth of resources on Indian water law, particularly Rebecca Tosey at U of AZ. He also suggested the topic of independent science panels.
 - Conveners volunteering for further discussion include Thorson, Stephens, Brown, and Robie.
 - Debra Stephens suggested the possibility that Washington may want to do another Tribal-Judicial Summit of some sort. She will talk to Alf.
- **Outreach from Oregon.** Judge Matt Rowan introduced Alf to Oregon AOC counsel who wants to learn more from *Dividing the Waters*. Conveners are interested in a Convener from Oregon and asked about Rowan.

- **Fundraising.** Alf asked the Walton Family Foundation for funding of the groundwater law course to serve their interests in educating elected officials.
- **Southern Utah University (SUU)** will produce the online groundwater law course under the current contract (*i.e.*, Benson will record in person), but will have a more limited role in the online water quality course.
- ***Conversations with America.*** Alf is leading a new initiative to support judges having conversations with their neighbors about judicial independence and Rule of Law.
- **Patriot Foundation.** Ron Robie reported that three judges on his court have received public records requests for documents from ELI and NJC, coming from the Patriot Foundation, based on involvement with the NJC climate science program. Alf responded that he has been working with court counsel from several states on these requests.
- **Online Water Quality Course.** NJC will record the presenters in the water quality course, gather all the materials (e.g. images) and send the package to SUU, which will create the course, by late March or early April.
- **Online Groundwater Course.** Reed Benson expects to have a draft script to the review committee in February and record this spring, which may mean release in late spring or even early summer.

Spring 2027 Conference Planning

Conveners

- **Facility.** Conveners directed Alf to proceed with seeing about the University of Arizona law school hosting the 2027 conference, preferably in April. Discussed differences between ASU and University of Arizona.
- **Theme.** Conveners discussed possible themes, but went back to previous conversations to agree on groundwater offering the theme.
- **Possible Speaker.** Steve Nash (archaeologist/study of tree rings) at University of Arizona on hydrology in ancient history.

First Quarter Webinar Planning

Conveners

- Alf had identified possible topics in the *Network Note* and reported that one California judge recommended the water federalism topic. Conveners agreed on pursuing the federalism topic, possibly with Bob Anderson.

Next Meeting: February 20, 2026