

TRANSBOUNDARY WATERS: Crossing
Cultural Boundaries for Sustainable Solutions

◇◇◇◇◇

CONFERENCE PARTICIPANTS

◇◇◇◇◇

August 31 – September 3, 2004
Hyatt Regency Tamaya Resort and Spa
Santa Ana Pueblo, New Mexico

The University of New Mexico School of Law

Utton Center

Marilyn O' Leary

Marilyn O'Leary is Director of the Utton Transboundary Resources Center at the UNM School of Law and is responsible for carrying out its mission. As Director she continues in the spirit of the work of the late Professor Al Utton, and approaches transboundary disputes using preventive diplomacy supported by multidisciplinary teams and the most up-to-date scientific applications available. She came to the Utton Center after practicing water, utility and environmental law in the private sector. She continues to publish and make presentations on these subject areas and recently taught an International Water Law class at UNM. Prior to practicing law she served as counsel, Executive Director, Commissioner and finally Chair, of the New Mexico Public Utility Commission.

Susan Kelly

Susan Kelly is Associate Director of the Utton Transboundary Resources Center and works on projects related to the Center's mission of helping stakeholders who share a water resource manage the resource instead of litigating over it. She was formerly the Water Rights Manager for the City of Albuquerque. She works with all of the major water institutions in New Mexico. Susan is working with the Middle Rio Grande Endangered Species Act Collaborative Program to assist in developing reservoir storage scenarios for modeling which may help reduce the need for supplemental water. She is a 1981 graduate of the UNM School of Law and also a member of the American Institute of Certified Planners.

Participants

Leonard Armijo

Leonard Armijo is currently serving his second term as Governor of the Pueblo of Santa Ana. He also served as Governor in 1997.

David Benavides

David Benavides is Director of the Land and Water Rights Project for New Mexico Legal Aid, a position he has held for 14 years. Upon graduating from law school in 1990 he was awarded a Skadden, Arps Public Interest Law Fellowship to begin his work on land and water rights in northern New Mexico. His work involves representing low-income persons and communities in gaining legal recognition for their water rights and their historic water-use customs. Working primarily with acequias, he also advocates for the rights of acequias in various judicial and administrative proceedings, and to have a greater voice in local water planning and water management decisions. He lives outside of Santa Fe, New Mexico.

Michael Benson

Michael Benson works for the Navajo Nation in economic development and, for the past 12 years, in Navajo Water Resources Management. Prior to working for the Navajo Nation he was in the private sector specializing in public relations, Navajo reservation business consulting and publishing.

Consuelo Bokum

Consuelo Bokum is the project director for the New Mexico Water Project, 1000 Friends of New Mexico. She has been working on water policy issues since 1991 when she co-authored *Living Within Our Means: A Water Management Policy for New Mexico in the 21st Century*. She subsequently researched and wrote "Implementing the Public Welfare Requirements in New Mexico's Water Code" for the Natural Resources Journal, a law review published by the University of New Mexico School of Law. Most recently she co-authored *Taking Charge of Our Water Destiny: A Water Management Policy for New Mexico in the 21st Century*. She is currently a member of the Jemez y Sangre Regional Water Planning Council and the Governor's Blue Ribbon Water Task Force. She is President of the Board of Directors of the New Mexico Water Dialogue. She served on the New Mexico Interstate Stream Commission's committee that developed the Regional Water Planning Handbook.

Jesse Boyd

Jesse Boyd is an associate with Montgomery & Andrews, P.A. in Santa Fe, New Mexico. Jesse received a certificate in Natural Resources Law along with his J.D. from the University of New Mexico School of Law in May,

2003. In the years before law school, Mr. Boyd owned a successful environmental consulting business in Los Angeles, California.

George Britton

George Britton is Deputy City Manager of Modesto, California. He heads up the Economic Development Team which deals with development, redevelopment, economic development, planning, engineering, utilities, infrastructure, and operations and maintenance. He was formerly Deputy City Manager of Phoenix, Arizona.

Laurence Brown

Laurence Brown is the Tribal Government Relations manager at Sandia National Laboratories. He has experience in congressional, state, and tribal government-government interactions with Sandia Labs. Current responsibilities include state and tribal government interactions in various research and development programs that include water. He has a technical background with degrees in chemical and materials engineering and is a member of the Navajo Nation.

Michael E. Campana

Michael Campana is the Albert J. and Mary Jane Black Professor of Hydrogeology and director of the Water Resources Program at the University of New Mexico. He has designed/implemented undergraduate and graduate curricula in water resources, hydrology, and environmental science. His research includes water resources in developing countries, transboundary water resources issues, and the effects of climate change on water allocation/availability. His international work is primarily in Honduras, Panama, and the south Caucasus, where he directs a 6-country NATO-funded project. He was a Fulbright Scholar to Belize and a Visiting Scientist at the IAEA in Vienna. He is founder and President/Treasurer of the Ann Campana Judge Foundation, a 501(c)(3) foundation that funds and undertakes projects related to water, health, and sanitation in developing countries

Peter Chestnut

Peter Chestnut serves as General and Water Counsel for Pueblo Indian Tribal Governments. He represents Pueblo interests in the leading case of State of New Mexico v. Aamodt in Federal Court, and the Rio San Jose Adjudication in State Court. He also served as Chairman of the Indian Law Section of the State Bar of New Mexico, and edited the New Mexico Tribal Court Book, 1991 and 2001 editions. He also provided legal and liaison services for Pueblo observers in the Jemez y Sangre Regional Water Planning effort. In addition, he met with the Governor's Blue Ribbon Water Task Force concerning Pueblo Indian water rights, and has spoken at numerous continuing legal education programs.

Paul S. Chinana

Paul Chinana, currently Governor of the Pueblo of Jemez, also served as Governor in 1983 and 1995. He also served as 2nd Lt. Governor in 1977 and has been a Tribal Councilman since 1983. He retired after 28 years from Los Alamos National Laboratories, where he worked with contractors for technical support. He is a member of the Jemez Tribal Water Negotiation Team.

Carlos R. Cisneros

Carlos Cisneros is a State Senator for District 6 in Northern New Mexico, Chairman of the Conservation Committee and Vice Chair of the Water and Natural Resources Committee (interim).

Susan Cottingham

Susan Cottingham has been staff director for the Montana Reserved Water Rights Compact Commission since 1991. During this time she has directed the negotiation of five complex Indian water rights settlements as well as three other compacts for federal reserved water rights for the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service. She has served as an advisor to the States of Alaska and Washington on tribal relations and water adjudication. She has been a speaker at numerous conferences/symposia around the West and has been a guest lecturer at several law schools. She is a member of the Ad Hoc Group on Indian Water Settlements, a national coalition. Susan previously served as historical/legal researcher for the Commission for five years. She was director of the Environmental Information Center from 1982-1984. Before moving to Montana in 1982, she served as Planning Director for the town of Crested Butte, Colorado, during which time she did extensive research on environmental laws and land use planning.

John D'Antonio

John D'Antonio was appointed in January 2003 by Governor Bill Richardson as the New Mexico State Engineer. He also serves as Secretary of the Interstate Stream Commission. He is a registered professional engineer in New Mexico and Colorado with experience in hydraulic design, acequia rehabilitation, water resource management, and water policy development.

Jim Davenport

Jim Davenport served as Assistant Attorney General for the State of Washington, Associate Counsel for the Environment and Public Works Committee of the United States Senate, Special Deputy Attorney General to the State of Nevada regarding siting of high-level nuclear waste repositories and Senior Deputy Attorney General Counsel to the Colorado River Commission of Nevada and its water division, of which he is now Chief. He has taught Environmental Law and Policy as a member of the adjunct faculty of the Department of Environmental Studies of the Greenspun School of Urban Affairs, University of Nevada Las Vegas. He is a contributing author to *Powell on Real Property* and *Cavitch on Business Organizations* (both Matthew Bender (Lexis)) on various subjects including water rights, clean water, international law of the sea, clean air, land use and zoning, Superfund, solid waste, hazardous waste, radioactive materials regulation and disposal, energy and administrative law. His public practice has included water law, public lands management, public works, eminent domain, contracts negotiations and administration, personnel administration, nuclear facilities licensing and statutory compliance. His private practice has included environmental compliance, defense of eminent domain, permitting, commercial leasing, real estate transactions and financing and hospital administration. His clerkships included the United States Attorney for the District of Oregon, the Attorney General of the State of Washington, and the Judiciary Committee of the Oregon State Legislature.

Laura Rose Day

Laura Rose Day is Director of the Penobscot Partners (the Penobscot Indian Nation, Atlantic Salmon Federation, American Rivers, The Natural Resources Council of Maine, Maine Audubon, and Trout Unlimited). She is trained in wildlife ecology and environmental and energy law. Laura's career has focused on the public's interest in waterways, notably the Great Lakes and the rivers of Maine. She has served as counsel to U.S. Environmental Protection Agency in Region 5 (Chicago), Manager of the National Wildlife Federation's Lake Superior and Biodiversity Project, and as the Watershed Project Director for the Natural Resources Council of Maine. She and her family live in Hallowell, Maine near the Kennebec River.

John Echohawk

John Echohawk is the Executive Director of the Native American Rights Fund (NARF.) NARF, which was founded in 1970, considers Indian water rights to be one of the most important Native American rights issues and has been involved in eight of the 18 Indian water rights cases that have resulted in settlements. They currently represent the Nez Perce tribe of Idaho, the Klamath Tribes of Oregon and the Tule River Tribe of California on water rights issues. They have worked with the Department of the Interior, the Western Governors Association, the Western States Water Council, the Conference of Western Attorneys General, the Western Business Roundtable, the National Congress of American Indians and the Joint Federal Tribal Water Funding Task Force to promote favorable Indian water rights settlement policies.

Johanna Emm

Johanna Emm is the Water Quality Coordinator for the Yerington Paiute Tribe in Yerington, Nevada. She is responsible for conducting sampling/monitoring the ground and surface waters for impacts associated with a nearby abandoned open-pit copper mine. The Tribe has requested the USEPA Region 9 Administrator consider listing the Anaconda Mine Site on the National Priorities List (Superfund) but the State of Nevada opposes listing the site.

Dede Feldman

Dede Feldman is a former environmental reporter and teacher who was elected to the New Mexico State Senate in 1996. She has been a member of the Interim Water and Natural Resources Committee for seven years, and is the sponsor of the Aquifer Storage and Recovery Act (1999) and the New Mexico State Water Plan (2003).

Mary Helen Follingstad

Mary Helen Follingstad manages the State of New Mexico's Regional Water Planning program for the New Mexico Interstate Stream Commission. She spent 14 years working as a community planner for Santa Fe County and has

been a member of the American Institute of Certified Planners since 1989. She has been a member of the Santa Fe Historic Design Review Board, the Santa Fe Urban Policy Board and the board of directors for the Old Santa Fe Association. Follingstad was recently appointed to the Santa Fe Extraterritorial Zoning Commission.

Jeffrey L. Fornaciari

Jeffrey Fornaciari is a partner in the Santa Fe office of Hinkle, Hensley, Shanor & Martin, L.L.P. His practice areas include commercial, natural resources, water rights and environmental law before state and federal courts and state administrative agencies. Jeff is a member of the Utton Center Advisory Board.

Vickie Gabin

Vickie Gabin is the Special Master for the U.S. District Court, DNM, in four northern New Mexico stream systems - Taos, Chama, Santa Cruz/Truchas, and Jemez, and in Western New Mexico for the Zuni River.

Mathew Gachupin

Mathew Gachupin was appointed to the position of 1st Lt. Governor for the Pueblo of Jemez in 2004. He is a forest service employee and assists with the natural resources programs. In 2005 he will return to the Jemez District Resources Program as a technician.

Paula Garcia

Paula Garcia is Executive Director of the New Mexico Acequia Association, a statewide organization of acequias that promotes socially-just community development by protecting the historic water rights of the acequias and by strengthening local self-governance and self-determination. She is a member of the NM Water Trust Board and the NM State Land Trust Advisory Board. Raised in northern New Mexico she and her family operate a small-scale ranching and forestry business.

Wayne M. Garcia

Wayne Garcia, who is a member of the Yerington Paiute Tribe and also part Hopi/Laguna-Pueblo Indian, has been serving in the capacity of Tribal Chairman for the Yerington Paiute Tribe since being elected in December of 2003. Prior to serving as the Tribal Chairman, he served as a Tribal Council member for the past 10 years. During that time he has served as Vice-Chairman and Tribal Treasurer for the Tribe. Having achieved the distinguished honor of leading the Yerington Paiute Tribe into the future of economic development and growth, he is also currently working with the Nevada Division of Environmental Protection, Bureau of Land Management, and United States Environmental Protection Agency in addressing the cleanup of the Yerington Anaconda Mine Site.

Eileen Gauna

Eileen Gauna teaches environmental law and property law at Southwestern University School of Law, Los Angeles, California. She clerked for Justice Mary Walters of the New Mexico Supreme Court and subsequently practiced law in Albuquerque prior to joining the faculty at Southwestern. She is currently a consultant to the New Mexico Environment Department for its initiative on Environmental Justice. Her publications include *Rechtshaffen AND Gauna, Environmental Justice: Law, Policy And Regulation* (2002), numerous law review articles on various aspects of environmental justice, including issues relating to information disclosure, water resources, farmworkers, the Environmental Protection Agency, the Clean Air Act, citizen suits, and public participation in environmental decision-making. She serves on two environmental justice committees for the American Bar Association and is the immediate past Chair of the Environmental Law Section of the American Association of Law Schools. She completed her tenure on the National Environmental Justice Advisory Council and the Title VI Implementation Federal Advisory Committee to the U.S. EPA. She has spoken at workshops, conferences and symposia on environmental law and environmental justice.

Kara Gillon

Kara Gillon is Water Counsel with Defenders of Wildlife, an advocacy group with over 400,000 members and supporters, dedicated to protecting plants and animals in their natural ecosystems. In this capacity she is a key member of their Lower Colorado River Basin Ecosystem Campaign. She is also a member of the Alliance for the Rio Grande Heritage and represents the Alliance on the Middle Rio Grande ESA Collaborative Program. She also works on water, endangered species, public lands and other issues in the Sonora Desert and U.S.-Mexico borderlands.

Ray Gilmore

Ray Gilmore currently serves as chairman of the Navajo Nation Water Rights Commission. He served as a Trial Judge with the Navajo National Judicial Branch and as Branch Chief of the Navajo National Business Preference Program. He has also served as a member of the Navajo Nation Council, Chairman of Navajo Agricultural Products Industry, the Navajo Film and Media Commission and the Navajo Tribal Utility Authority Management Board, as well as being a member of the Navajo/Hopi Negotiating Team.

Callie Gnatkowski

Callie Gnatkowski is the field representative for Senator Pete Domenici on land and water issues.

Lisa Gover

Lisa Gover currently serves as Program Director for the National Tribal Environmental Council's Superfund Research Program that is funded through a Cooperative Agreement with the Environmental Protection Agency, Office of Solid Waste and Emergency Response. Her program research focuses on contaminated sites and federal facilities' impacts on tribal government resources, Alaska issues, and international trans-boundary environmental impacts. She coordinates work group activities with tribal government environmental officials to prepare recommendations for improving EPA's response with regard to tribal government environmental protection and resource management issues and priorities. Her specialized work experience includes working with tribal, federal, state, local and international agencies concerning tribal government issues involving environmental protection and resource management, international environmental and human rights issues, water rights, tribal government gaming, welfare reform, and other issues.

Rhea Graham

Rhea Graham is the new Water Resources Manager for the Pueblo of Sandia, a position she also held from 1997 to 2000. She worked for the New Mexico Interstate Stream Commission from 2000 to 2004 and was appointed their first Director of Planning and Communications by Governor Bill Richardson. She was appointed the 19th Director of the U.S. Bureau of Mines during the Clinton administration, and is a member of the National Research Council's Board on Earth Sciences and Resources. She is a registered geologist and engineering geologist in Oregon.

Sterling Grogan

Sterling Grogan is the Biologist and Planner for the Middle Rio Grande Conservancy District. As an ecologist with more than 30 years of experience in land and water management, his duties include management of the 150-mile-long middle Rio Grande riparian bosque, participation in multi-party collaborative programs for protection of endangered species and regional water planning, co-management of Rio Grande Valley State Park, and preservation of agriculture in the middle Rio Grande valley. He is a specialist in the rehabilitation of severely disturbed ecosystems. From 1974 to 1997 he managed ecosystem rehabilitation and environmental policy at coal and copper mines in New Mexico, Chile, and Kentucky, consulted on landscape ecology for the World Conservation Union and others in Costa Rica, Mexico, Venezuela, and the U.S., and delivered invited papers in Spanish and English at scientific meetings in Costa Rica, Israel, and Mexico. He served as Chair of the Albuquerque/Bernalillo County Air Quality Control Board and is currently a member of the New Mexico Chihuahua Border Commission as well as the boards of the Quivira Coalition and the Rio Grande Nature Center State Park. He is a private pilot, speaks fluent Spanish and Portuguese, and served as a Peace Corps volunteer in Brazil and an Army interpreter/translator in Viet Nam.

David J. Guy

David Guy has served as the Northern California Water Association's Executive Director since January 1999. In this position he works closely with the U.S. Congress, the state legislature and state and federal agencies to further NCWA's mission – to promote the economic, social and environmental viability of Northern California by enhancing and preserving the water rights and supplies of its members. In 2001, David was appointed to serve on the California Bay-Delta Public Advisory Committee. He is admitted to practice law in the states of California and Colorado and before the U.S. Supreme Court and the Ninth Circuit Court of Appeals.

Albert A. Hale

Albert Hale is the former President of the Navajo Nation. He served as the President from 1995 to 1998. He also served as an Assistant Attorney General for the Navajo Nation and special Counsel to the Navajo Nation Council. A former President of the Navajo Nation Bar Association, he is now in private practice in St. Michaels, Arizona. He

represents Navajo and non-Navajo clients in federal, state and various tribal courts. His clientele include Navajo Engineering and Construction Authority, an enterprise of the Navajo Nation, the Fort Defiance Housing Corporation, and the Bishop Paiute Tribe of Bishop California, regarding the Tribe's land and water rights claims, and companies doing business on the Navajo Nation. He is the former Chairman of the Navajo Nation Water Rights Commission, a commission established by the Navajo Nation Council to oversee and coordinate the Navajo Nation's water rights litigation and negotiation efforts. He is an enrolled member of the Navajo Nation, born and raised in Klagnetoh, Arizona. He is a member of the New Mexico Bar Association and the Navajo Nation Bar Association. He has been practicing law for over 23 years, mostly in private practice.

Steve Harris

Steve Harris is the Executive Secretary of Rio Grande Restoration. After a brief career in journalism, Harris became a river guide on California's Stanislaus, Tuolumne and Klamath Rivers in 1974. He founded Far-Flung Adventures, a river outfitter-guide company, in 1977, on the Rio Grande in Big Bend National Park. He spends an average of 40 nights per year on rivers of North America, including numerous explorations in Mexico, New Mexico, Arizona, Colorado, and Utah. He migrated to New Mexico in 1979, becoming a full-time resident in 1994 and founded a non-profit streamflow advocacy group, Rio Grande Restoration that same year. Steve participates actively in regional and state water planning forums and is a member of the Middle Rio Grande ESA Collaborative Program's Water Acquisition and Management subcommittee. A single father of three, he now speaks and writes from his riverside home in rural Taos County on river issues, including water policy, ecological restoration, river and flood rescue/mitigation and adventure travel.

Kyle Harwood

Kyle Harwood has served as an environmental health scientist (Bernalillo County), a clerk to the Federal District Court (Aamodt Litigation), an international water policy consultant (Tasmania, Australia) and has represented municipalities, schools and individuals in private practice. He is now an Assistant Santa Fe City Attorney with primary responsibility in land and water issues.

Elaine Hebard

After practicing law for ten years, and traveling for three, Elaine Hebard returned to school, focusing on regional planning based upon natural resources. Her emphasis was on binational watershed management in a region between New Mexico and Chihuahua, where she has worked on a variety of projects, including fostering a binational groundwater dialogue between Columbus, New Mexico and Palomas, Chihuahua. Representative articles in *"Transboundary Water Management Planning"* (Transboundary Resource Report, Fall 1994) and *"A focus on Binational Watershed with a View toward Fostering a Cross Border Dialogue"* (Natural Resources Journal). She has been an active participant in regional water planning in the Middle Rio Grande and was the Water Assembly's liaison to the Rio Jemez and Rio Puerco subregional water planning effort.

James Hena

James Hena is a former governor of the Pueblo of Tesuque and former chairman of the All Indian Pueblo Council. He has been involved in tribal government since 1957 and has been active in the Aamodt litigation since it was filed over 35 years ago.

Daniel C. Hurlbutt, Jr.

Dan Hurlbutt was designated Presiding Judge when, in June 1987, the Idaho Supreme Court issued an Order Appointing District Judge and Determining Venue of Petition for General Adjudication of Water Rights in the Snake River Basin. In November 1987 he lodged a Commencement Order establishing the beginning of what is now known as the SRBA. Judge Hurlbutt is retired but continues to fill in on the bench as a senior judge.

John W. Jackson

John Jackson is a member of the Pyramid Lake Paiute Tribe and current Vice Chairman. He has spent over 25 years of service with the Pyramid Lake Paiute Tribe in the fields of contracts, administration, environmental protection, fisheries restoration, and watershed protection. He sits on many advisory panels as a representative for the Pyramid Lake Paiute Tribe. His current position as the Director of Water Resources has him acting as the primary liaison for the Pyramid Lake Paiute Tribe concerning water issues. The primary focus as Director is the implementation of Public Law 101-618, the Truckee River, Carson River, Pyramid Lake Settlement Act. This Act authorizes the settlement of water rights litigation and operating agreements between the Federal Government, the State of

California, the State of Nevada, and the Pyramid Lake Paiute Tribe on the Truckee River.

Tom Kinney

Tom Kinney has been practicing law since 1994, representing municipal, industrial, agricultural, development and individual clients in Colorado and New Mexico concerning water rights adjudications and water quality regulations. He worked as a hydrologist from 1985 to 1991 for the Wyoming State Engineer on the settlement phase of litigation involving federal, state and tribal water rights, and with the city of Albuquerque on the application of geographic information issues. From 1980 to 1981 Tom worked as a geologist for the Army Corps of Engineers on a large power and flood control reservoir.

Estevan López

Estevan López is the Director of the Interstate Stream Commission, appointed by Governor Bill Richardson in January 2003. He is a registered professional engineer and serves as the Deputy State Engineer. He has served both as County Manager and Utility Director for Santa Fe County. A native of Peñasco, he serves on four New Mexico acequia committees and, serves as president of the Peñasco Mutual Domestic Water Consumers Association.

Fidel Lorenzo

Fidel Lorenzo is the Director /Liaison of the Haaku Water Office. The Haaku Water Office serves as the lead entity for the Pueblo in all water matters including litigation. He has a very successful track record in setting things in motion with EPA and other organizations on water matters.

J. Leonard Loretto

Leonard Loretto is currently employed as the Director of Public Works for the Pueblo of Jemez. He is a former Governor and serves as a Jemez Tribal Council member.

Marcia Macomber

Marcia Macomber is the Director of Program Development for the Universities Partnership for Transboundary Waters, an international consortium of universities that collaborate on research, education and outreach activities to bring interdisciplinary and international perspectives on transboundary waters conflict and cooperation. She is also the coordinator for Western United States transboundary water research and education programs. Prior to working for the Universities Partnership at Oregon State University in 2001, she served as an International Development Associate with the University of Michigan Population, Environmental Change, and Security (PECS) Initiative, and worked on international transboundary environmental issues with the U.S Embassy's Regional Environmental Hub in Amman, Jordan as well as in Tijuana, Mexico on a 2001 bi-national workshop entitled "The Future of the U.S. Mexico Border: Population, Development and Water." She has also worked on local level environmental issues with the Oregon commercial ground-fish fishery, and with subsistence farmers in West Africa.

James Roger Madalena

Roger Madalena is a member of the House of Representatives for District 65 in the New Mexico State Legislature. In addition, he serves as the Executive Director for Five Sandoval Indian Pueblos Inc., and currently chairs the Tribal Water Negotiation Team.

Francis McGovern

Francis McGovern is a member of the Duke University School of Law faculty. He was among the first in the nation to write about and to use alternative dispute resolution (ADR) techniques to avoid or to improve the litigation process. As a court-appointed special master, or neutral expert, he has developed solutions in most of the significant mass claim litigation in the U.S. He has been motivated in all of his undertakings, practical, conceptual and educational, by the public's decreased faith in traditional governmental systems and procedures for resolving disputes. He wants these systems, like the courts, and procedures, including litigation, to work better. And to him that means operating both more efficiently and in a manner that leaves participants feeling satisfied about the process and results.

Robert E. Mooney, Sr.

Robert Mooney was appointed to the water committee of the Pueblo of Laguna a year ago and is currently Chair of that committee.

Jerome C. Muys

Jerry Muys is the President of Muys & Associates, P.C. in Washington, DC. He practices public land, water resource, and environmental law and has lectured and written extensively in those fields. He is the past Chair of the ABA's Section of Energy, Environment and Resources Law and of the Water Law Committee of the International Bar Association's section of Energy and Resources Law. He has taught federal land and natural resources law at the University of Virginia Law School (1977-1995) and water law at George Washington University Law School (1991-1996). His experience in water resource matters includes: (1) litigation involving state, federal, Indian, private and environmental claims respecting western water resources allocation and development, including federal hydropower licensing; (2) Congressional and administrative consideration of federal-state-Indian relations; and (3) negotiations with the Bureau of Reclamation.

Michael C. Nelson

Judge Michael Nelson (retired) is presently the settlement judge/mediator in New Mexico ex rel. State Engineer v. Aamodt, et al. in the Federal District Court of New Mexico, an adjudication of the Rio Pojoaque-Rio Tesuque Basin. Before his retirement in October of 2003, Judge Nelson was the Presiding Judge of the Superior Court of Apache County, Arizona, and served as the Settlement Judge in the Little Colorado Stream Adjudication and Gila River Adjudication, both in Arizona. Judge Nelson has published a number of articles on or related to Indian water rights, Indian tribal law and tribal-state relations, including detailed analysis of the Winters Doctrine and its establishment of federal reserved water rights. He was the Chairman of the Arizona State Tribal and Federal Judges Forum, Chairman of the Arizona Supreme Court's Committee on Judicial Education and Training, Chairman of the Navajo Nation Judicial Conduct Commission, and is a member of the Board of Directors of Southern Arizona Legal Aid. Before his appointment by Governor Mofford to the bench in 1989, he served as Special Staff Assistant and Legal Counsel to Peterson Zah, Chairman of the Navajo Tribal Council.

Cathy Newby

Cathy Newby is the Native American Administrator for PNM's Government Affairs Department. She is charged with developing relationships with tribal leaders and expanding PNM's community outreach to New Mexico's 22 tribes who are valued PNM customers. A Navajo from Tohatchi, New Mexico, Cathy has 15 years of utility/tribal government related experience.

Maria O'Brien

Maria O'Brien is a shareholder with Modrall Sperling, Roehl, Harris, & Sisk, P.A. and a member of the Firm's Natural Resources Department. She represents clients from both the public and private sector on natural resource matters primarily in the water resource arena. She represents clients before the New Mexico State Engineer, the New Mexico Public Regulation Commission, and in state and federal court. Her practice includes representation of clients in the permitting of water projects, water adjudications, water planning and the acquisition and protection of the water resource. Prior to joining Modrall Sperling she served as law clerk to the Honorable James A. Parker, United States District Court, District of New Mexico.

Brian Parry

Brian Parry is the current Native American Affairs Program Manager for the Upper Colorado Region of the Bureau of Reclamation. He has held this position for the past six years. For the previous ten years, he negotiated and drafted power sales and transmission contracts for the Western Area Power Administration, an office in the Department of Energy. He has been a Tribal Council Member for the Northwestern Band of Shoshone and a member of the Utah State Board of Education's Indian Education Committee.

Jacob Pecos

Jacob Pecos is the Director of the Department of Natural Resources and Conservation of Pueblo de Cochiti. As Technical Representative for Pueblo de Cochiti and the Six Pueblos Coalition for Water Rights he has developed and managed several agreements. He acquired funds from the U.S. Environmental Protection Agency to build capacity in Environmental Baseline studies, waste diversion and utilities, and funds from the U.S. Army Corps of Engineers to perform ongoing environmental economic and cultural studies related to Cochiti Reservoir. A grant from the U.S. Department of Energy to determine impacts from Los Alamos National Laboratory is ongoing.

Peter M. Pino

Peter Pino currently serves as Governor of the Pueblo of Zia. He has also served in many other tribal positions. He

chairs Education Fund, Inc. a subsidiary of the Council of Energy Resource Tribes, is Vice Chairman of Board of Commissioners, NM Office of Indian Affairs and has been appointed by NM Governor Bill Richardson to the State of New Mexico Game and Fish Committee.

Stanley Pollack

Stanley Pollack represents the Navajo Nation on all water rights matters including five general stream adjudications in Arizona and New Mexico. He is pursuing litigation and/or negotiated water rights for the Navajo Nation in Arizona, New Mexico, and Utah in both the Upper and Lower Colorado River basins. He is involved in the conception, authorization and implementation of numerous water development projects. He has extensive experience concerning the Endangered Species Act.

Dale Pontius

Dale Pontius is a natural resources attorney currently with the Department of Interior Office of the Solicitor and formerly Associate Solicitor for Land and Water. He served as Staff Counsel to Congressman Morris K. Udall's Subcommittee on Energy and the Environment and later as Executive Assistant to Governor Bruce Babbitt of Arizona during the time when the Arizona Groundwater Management Code was adopted. He was Conservation Director, and later Southwest Regional Director, for American Rivers, working on water issues involving the Colorado River Delta and the Rio Grande. He has served as consultant to the Western Water Policy Review Commission and drafted a report on the critical issues in the Colorado River Basin.

Alex A. Puglisi

Alex Puglisi is currently the Environment Director for the Pueblo of Sandia. As Director of the Pueblo's Environment Department, he manages programs dealing with the Pueblo's water resources, water quality, solid waste, bosque restoration, endangered species, Geographic Information Systems, and other natural resource concerns. He has been involved in water issues in New Mexico for 23 years with extensive work experience in both water quality and water rights. He has previously held positions with the U.S. Fish and Wildlife service, the City of Albuquerque Water Resources Department, the New Mexico Environment Department, Los Alamos National Laboratories, the State of California Water Resources Control Board, and the White Mountain Apache Tribe.

John Redlinger

John Redlinger has recently been promoted to Special Projects Officer for the Regional Office. His previous position was that of Deputy Area Manager of the Boulder Canyon Operations Office, which provides the Water Master support (i.e., legal, contracts, and reservoir operations and water supply analysis) to the Regional Director. He is a registered professional engineer who has worked for Reclamation on Colorado River basin projects and issues for 28 years. His primary background has been in water operations and planning as a project/study team leader. The projects include: Surplus/Shortage Criteria, Water Supply Studies for Southern Nevada, Yuma Desalting Plant Operations, San Luis Rey/All American Canal studies, Colorado River off stream storage studies, Lower Colorado Water Supply well field project.

Darrell Riekenberg

Darrell Riekenberg is the District Counsel for the Albuquerque District, U.S Army Corps of Engineers. He manages Corps of Engineers District legal office responsible for handling issues related to civil work, interagency, and military construction projects, the operations of Corps reservoirs, and other federal activities in New Mexico, southeastern Colorado, and western Texas. His major duties and responsibilities include working with other federal agencies, states, Indian pueblos, and non-federal entities on environmental and water resource issues including reservoir operations and compliance with interstate water compacts.

Jose A. Rivera

Jose Rivera is a professor at the University of New Mexico where he teaches graduate courses in public administration, community and regional planning and water resources. His research interests include common property resources, traditional irrigation organizations, and mutual assistance societies. He is the co-author of *Rural Environmental Planning for Sustainable Communities* (Island Press, 1991) and author of *Acequia Culture: Water Land and Community in the Southwest* (UNM Press, 1998).

Hilario Rubio

Hilario Rubio served as Planning and Zoning Director for San Miguel County from 1984 to 1993 and 1997 to 1999.

From 1989 to 1991 he served as President of the Mora/San Miguel Water Plan Committee. From 1993 to 1996, he worked as Planning Coordinator for New Mexico Region II Housing Authority. Currently he is Acequia Liaison Officer for the Office of the State Engineer assisting participants with the adjudication of water rights in Northern New Mexico and helping acequia associations with governance, distribution and other issues. He is currently President of the Las Vegas Land Board of Trustees.

DL Sanders

DL Sanders is Chief Counsel to the New Mexico State Engineer and Director of the Litigation and Adjudication Program. He has responsibility for the prosecution of all New Mexico water rights adjudications and provides legal counsel to the State Engineer on all matters related to his duties to supervise the administration of water rights in New Mexico. After 14 years, he looks forward to implementing the State Engineer's new direction from passive administration to one of active water resource administration of the physical resource through the establishment of water districts and the appointment of water masters. A new era of litigation is about to unfold.

Gilbert M. Sandoval

Gil Sandoval is a lifelong resident of Jemez Springs, New Mexico, a fifth generation descendent of Spanish settlers. He attended Colorado A&M in Fort Collins and worked in a professional capacity for the Santa Fe National Forest for 35 years. He has been involved in the Jemez Basin adjudication of water rights since 1983 as Chairman of the Jemez River Basin Water Users' Coalition.

Michael Schoessler

Michael Schoessler has worked for the Office of the Solicitor in the Department of the Interior in Washington, D.C.; Minneapolis, Minnesota; and in Albuquerque, New Mexico. He works primarily on issues involving Indian water rights and ESA issues, including: (1) ESA and Indian water rights issues in the Middle Rio Grande; (2) ESA and Indian water rights issues in the San Juan River Basin, including his duties as the Federal Team Chair of the Department of the Interior's Federal Negotiation Team; (3) the Aamodt litigation and settlement efforts in the Rio Pojoaque/Rio Tesuque Basin; (4) ESA issues on the Pecos River; and (5) ESA issues on the Gila and San Pedro Rivers in Arizona.

George William Sherk

Jerry Sherk has been in the private practice of law since 1990 after having served as a Trial Attorney with the Environmental and Natural Resources Division of the U.S. Department of Justice. He has also served as a Visiting Scholar at the University of Wyoming College of Law and as a Visiting Professor at Georgia State University. In addition to his practice, he is an adjunct Professor at the University of Denver College of Law and is an Associate at the International Water Law Research Institute at the University of Dundee in Scotland.

Brian Shields

Brian Shields is the Executive Director of Amigos Bravos. He was born and raised in Barcelona, Spain. Since 1969 he has lived in the upper Rio Grande, working as a wilderness resource guide. He was a founding member of the Board of Directors of Amigos Bravos and has served as both its President and Vice President. He served as Projects Director from 1991 through 1996, when he became Executive Director. He is of Spanish, British, and German Jewish descent. He brings the perspective of multiple cultures to his work, which is critical for an environmentalist working in New Mexico. He is fluent in Spanish, English, and French, and has - through his experiences - developed an authentic knowledge of New Mexico's rivers both culturally and geographically.

Peter Sly

Peter Sly has been involved in water and Indian law matters throughout the West. As Director of the Conference of Western Attorneys General he wrote the *Reserved Water Rights Settlement Manual*, a neutral study of the legal issues involved in resolving federal water cases. He has spoken widely on legal ethics, water rights, Indian law, and is an active participant in the ABA Water Law Section. He is currently a Visiting Professor at Colby College teaching a course on natural resource law with a special emphasis on managing watersheds.

Shirley Solomon

Shirley Solomon is co-founder of the Skagit Watershed Council, a not-for-profit with a current membership of 41 organizations ranging from the federal government to local farming and fishing groups, and with a mission to restore functioning natural systems through voluntary participation. Prior to this she worked for the Seattle-based Northwest

Renewable Resources Center on a long-term project related to tribal land management and intergovernmental coordination at the local, state and national level. As part of that work she developed the Friendship Circle model which sought to build understanding between Indian and non-Indian neighbors, elected representatives and key policy staff.

Glenn Tenorio

Glenn Tenorio is a tribal member from the Pueblo of Santa Ana who also served as the Lieutenant Governor during the Pueblo's 2003 Administration. He is currently working for the Department of Natural Resources as the Water Resources Technician and enjoys the combination of fieldwork and water resource planning in his job.

Hilary C. Tompkins

Hilary Tompkins was born in Zuni, New Mexico in 1967 and is an enrolled member of the Navajo Nation. She currently serves as deputy legal counsel to Governor Bill Richardson for the State of New Mexico. Prior to this appointment, she worked in the private sector representing pueblos and tribes in a general counsel capacity on a wide variety of issues including tribal self-governance, water and environmental law, and general civil litigation. In addition to her experience with state and tribal governments, she began her law career as an honor program trial attorney for the U.S. Department of Justice in the area of environmental enforcement. She also served as a Special Assistant U.S. Attorney for the Eastern District of New York where she served as lead counsel for a number of civil lawsuits in federal courts.

Vincent Toya

Vincent Toya is currently the Tribal Administrator for the Pueblo of Jemez. He is a former governor and serves as ex-officio on most committees and boards on behalf of the Pueblo of Jemez.

Antonio L. Trujillo

Antonio Trujillo owns and manages a farm and vineyard in the village of San Fidel, New Mexico. He is the president for the San José de La Cienega Acequia Water Association and is also Vice-chair for the Association of Community Ditches of the Rio San José in Cibola County, New Mexico. He is also a Board Member for the Acoma Boys and Girls Club. Antonio was a Franciscan priest for ten years and served as pastor for both Acoma and Laguna Pueblos.

Joe Trujillo

Joe Trujillo has worked for Senator Domenici for 25 years. He has spent 22 of those years in Washington D.C. with primary responsibilities for Indian issues, community and economic development.

John Utton

John Utton is a partner in the Albuquerque law firm of Sheehan, Sheehan & Stelzner, P.A. His practice focuses on water rights administrative law and water planning; water rights litigation and adjudications; and land use planning and development law. He represents a number of private parties in land use and water matters, including assisting developers and sub-dividers in obtaining a water supply for their projects. Additionally, he represents a number of local governments and public entities in the areas of water rights administration and adjudications, endangered species issues and zoning and subdivision issues. He has served as an adjunct faculty member at the University of New Mexico Law School where he taught seminars on advanced water law and natural resources writing. Before joining Sheehan, Sheehan & Stelzner, P.A., he worked as an Assistant New Mexico Attorney General and before that served as a law clerk to U.S. District Judge James A. Parker.

Jerald A. Valentine

Jerald Valentine is currently a New Mexico State Court District Judge. He is the Presiding Judge over the Lower Rio Grande Basin Adjudication.

Berrin Basak Vener

Berrin Basak Vener came to the United States from Turkey three years ago with a background in International Relations and management. She is a Special Projects Coordinator for the Middle Rio Grande Conservancy District.

Augustine P. Waquie

Augustine Waquie is a member of the Jemez Pueblo Tribal Council. He is a member of several committees,

including the water committee.

Anne Watkins

Anne Watkins was appointed Special Assistant to the New Mexico State Engineer by Governor Bill Richardson in January 2003. In that capacity, she serves as Director of the New Mexico Drought Task Force as legislative liaison for the agency. She also coordinates a variety of activities for the State Engineer, including planning for water project funding and water development as well as collaboration with other state agencies on drinking water, water quality, and watershed issues. Prior to her appointment, she served as Transit Director for the City of Albuquerque for eight years.

Jennifer Wellman

Jennifer Wellman is the Hydrologist and Water Resources Division Manager for the Pueblo of Santa Ana. Over the past three years she has conducted watershed monitoring and water resource planning with a technical application of hydrologic principles to projects that also require a broader understanding of social issues and policy implications.

Jeanette Wolfley

Jeanette Wolfley, a member of the Shoshone-Bannock Tribes, has a private law practice in Pocatello, Idaho with a primary focus on federal Indian law, natural resources protection and environmental regulation. She has worked with the Native American Rights Fund. She served as General Counsel for the Shoshone-Bannock Tribes, continues to represent them in land use and environmental matters, and is currently Special Counsel on water rights and other natural resource matters. She is an Adjunct Associate Professor at Idaho State University in the Indian Studies Program.

David Yepa

David Yepa is an enrolled member of the Pueblo of Jemez. He has practiced Indian law since 1987 in matters concerning water law, environmental issues, child abuse cases, taxation, land issues, housing, jurisdiction, protection of cultural resources and religious sites, and drafting ordinances and tribal codes for various tribal clients.

Facilitators/Coaches

Roberto Chené

Roberto Chené is a private practitioner in intercultural leadership and conflict resolution from Albuquerque, New Mexico. He has many years of practice in the fields of mental health and education. He has deep roots and extensive experience in social justice work within the Chicano-Latino community and has organized and been part of various multicultural coalitions. His work includes exploration of the leadership and relationship building capacities that are integral to creating an authentic intercultural community. He currently is consulting and training with several organizations in their commitment to become more culturally competent and inclusive. He is a former co-chair of the National Conference on Peacemaking and Conflict Resolution.

Chris (Nunn) Garcia

Chris Garcia has twice been director of the New Mexico Water Dialogue and editor of its newsletter, *Dialogue*. She has also edited the State Engineer's newsletter, the Water Line (1997-2001), co-authored the Value of Water study for the City of Albuquerque (1996), the Middle Rio Grande Conservancy District Water Policies Plan (1993), and a number of academic and research papers on water administration and water transfers. While a faculty member of UNM's Economics Department, she was among the organizing faculty of UNM's Water Resources Administration Master's Program. She was a member of the planning team and editor of the Conference Proceedings of the Utton Transboundary Resources Center's October 2002 Conference *Interstate Waters: Crossing Cultural Boundaries for Sustainable Solutions*. She recently facilitated the Bosque Landscape Alteration Workshop organized by the Utton Center at the UNM School of Law.

Sharon Hausam

Sharon Hausam is the Economic Development Planner for the Pueblo of Sandia. She was the first Executive Director of the New Mexico Water Dialogue, and has helped develop water plans for the City of Grants and Northwest New Mexico. She is pursuing a Ph.D. in Urban and Regional Planning on the topic of "Native American and non-Native Interactions in Planning Processes."

Lucy Moore

Lucy Moore, based in Santa Fe, New Mexico, is a mediator, facilitator and trainer specializing in natural resource issues. Since 1982 she has worked with federal, state, local and tribal governments, as well as public and private interests on cases involving endangered species, hazardous waste, water rights, air and water quality, forest planning, and school policies and regulations. Working with a wide variety of clients, she seeks out opportunities to serve as a mentor to others in the field. Her education includes a B.A. from Harvard, experiences living and working with traditional communities in the Southwest, and lessons learned from hundreds of challenging cases. Lucy is the author of *“Into the Canyon: Seven Years in Chinle, Arizona,”* a memoir of her time in Navajo country from 1968 – 1975.

Nicasio Romero

Nicasio Romero is the current Mayordomo of the El Ancon Acequia Association. He is a past president of the New Mexico Acequia Association and the Health Centers of Northern New Mexico. He is a past board member of the New Mexico Water Dialogue, the New Mexico Acequia Commission, the Governor’s Water Task Force and the New Mexico Community Foundation.

Blane Sanchez

Blane Sanchez was appointed by Governor Richardson in 2003 to be the first New Mexico Pueblo/Tribal member to serve on the New Mexico Interstate Stream Commission. He has served as Coordinator of the Southern Pueblos Council Water Resources Technical Advisory Group, as Water Quality Officer for the Pueblo of Sandia, as Director of the All Indian Pueblo Council Office of Environmental Protection and as a facilitator with Domenici Littlejohn, Inc. He is recognized as both Acoma and Isleta Pueblo Indian, but he lives on the Isleta reservation as a tribal member. His professional background includes experience in the area of natural resources management, implementing water quality standards with tribal governments, and as an environmental programs director with a tribal consortium.

Stephen Snyder

Stephen Snyder is a native New Mexican and an attorney, mediator and policy development consultant. Steve practiced law for twenty years in Denver, where he specialized in complex natural resources litigation, before returning to New Mexico. He is the Special Master for the Pecos and Lower Rio Grande Water Rights Adjudications. As part of his consulting practice, he presented policy development workshops on effluent dependent waters for the Western Governors Association and conducted an assessment of the Alternative Dispute Resolution efforts in the Klamath Basin for the Natural Resources Law Center of the University of Colorado Law School. He has conducted several workshops on mediation and complex case management for Dividing the Waters, an organization of Judges and Special Masters presiding over water rights adjudications in the Western United States. He provided negotiation training for the stakeholders in the Klamath Basin Water Rights Adjudication and mediation training for the court appointed mediators in the Lower Rio Grande Adjudication.

Recorders

Kathryn Benz, UNM School of Law

Paul Bossert, UNM, School of Law

Darcie Johnson, UNM School of Law

Geoff Klise, UNM Water Resources Program

Marcos Martinez, UNM School of Law

Jeanine McGann, UNM Water Resources Program

Tom Ringham, UNM School of Law

Rachel Winston, UNM School of Law

Utton Center Staff

Ruth Singer — Coordinator of Special Events

Torild Kristiansen — Administrative Assistant

The Utton Transboundary Resources Center

School of Law
The University of New Mexico
MSC 11-6070
1 University of New Mexico
Albuquerque, NM 87131-0001

Tel: 505-277-7809

Fax: 505-277-3319

Email: uttoncenter@law.unm.edu

Website: <http://uttoncenter.unm.edu>