

## SUSTAINING FLOWS COUNCIL

# EDUCATION SESSIONS: WATER LAW & ADJUDICATION

Learn about water law and adjudication in the Verde watershed

## SCHEDULE

### Surface Water and Groundwater 101

Session 1: December 11, 2023

11:30am - 1:00pm

[Register Here](#)

### Tribal Water Law and Adjudication

Session 2: December 12, 2023

11:30am - 1:00pm

[Register Here](#)

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## SESSION 1

### Surface Water 101

*Luke Erickson (Hiser Joy, PLC)*

- What is surface water?
- Where is the subflow zone?
- Water rights, and permits

### Groundwater 101

*Jennifer Diffley (Culp & Kelly, LLP)*

- How is groundwater different?
- What rules govern groundwater?
- Active Management Areas
- Assured and adequate water supply

## SESSION 2

### Tribal Water Law

*Susan Montgomery (Montgomery & Interpreter, PLC)*

- Federal reserve rights
- Tribal water rights and settlements
- Why these matter in the Verde

### Adjudication Overview

*Carla Consoli (May Potenza Baran & Gillespie)*

- Current status of adjudication
- What to expect

### Adjudication and ADWR

*Rachel Cook and Laura Madson Brown (Arizona Department of Water Resources)*

- What is an SOC?
- How to access information from ADWR

# SPEAKERS

## LUKE ERICKSON

Luke specializes in water law, environmental law, and environmental health and safety at Hiser Joy in Phoenix, Arizona. He advises and assists individuals, municipalities, agriculture, and businesses secure water rights and support claims to water in the Arizona General Stream Adjudication. Luke has experience representing clients engaged in water rights and environmental contamination litigation and has appeared before the Special Water Master in Maricopa County Superior Court. Luke holds a B.S. and M.S. in Environmental and Resource Management with an emphasis in water policy and management from Arizona State University and a J.D. from the University of Arizona. He also clerked for former Special Water Master Susan Harris.

## SUSAN MONTGOMERY

Susan Montgomery is a founding partner of the Phoenix based Law Firm, Montgomery & Interpreter, PLC. For more than two decades, Susan has provided legal representation and strategic policy advice to Tribal governments, Tribal enterprises, and private business on Federal Indian law, water law, cultural resource protection, and environmental law. Susan represents federally recognized Indian Tribes in Arizona's ongoing water rights litigation, known as the "General Stream Adjudication." She also provides advice to Tribal governments on a wide array of water policy and management decisions that focus on the need to support Tribal water security in Arizona. Susan is also the Board Treasurer of the Water Infrastructure Finance Authority of Arizona and a Member of the State Bar of Arizona, the State Bar of South Dakota, and the Tribal Court for the Yavapai-Apache Nation.

## JENNIFER DIFFLEY

Jennifer is a partner at the law and policy firm Culp & Kelly, focusing on natural resources management and water law and policy. She supports public, private, and nonprofit clients in understanding and navigating legal and policy issues around water scarcity, groundwater use and management, watershed planning, and sustainable development. Jennifer has over 15 years of experience in utilities, government, and administrative law, and in social science, environmental science, and environmental education.

## CARLA CONSOLI

Carla is a shareholder with the law firm May Potenza Baran & Gillespie. With more than 30 years' experience, she serves leaders in the mining, energy, real estate, manufacturing, and investment industries. Her expertise helps clients understand and navigate the environmental, water, cultural, endangered species and natural resource laws affecting their business. Carla's work includes permitting new and existing facilities, environmental due diligence, securing water rights, natural resource evaluations, remedial activities, endangered species and habitat compliance, and agency negotiation. She has strong relationships with regulators at local, state, and federal levels.

## RACHEL COOK

Rachel is an Adjudication Division Supervisor and has been with ADWR for over 5 years. Her first few years were spent working with the Surface Water Permitting Section. She has a B.S. in Environmental and Water Resource Economics and previously worked with a variety of nonprofit and government agencies before joining ADWR.

## LAURA MADSON BROWN

Laura is an Adjudication Division Supervisor and started with ADWR in April 2023. She has a B.S. in Public Affairs and Environmental Science Management, and a J.D. from Arizona Summit Law School. She has held a variety of natural resource related positions in her career.