

RESUME

M. CATHERINE CONDON

Attorney at Law

McELROY, MEYER, WALKER & CONDON, P.C.

1007 Pearl Street, Suite 220

Boulder, Colorado 80302

(303) 442-2021

ccondon@mmwclaw.com

LEGAL EXPERIENCE

I am a partner with the law firm of McElroy, Meyer, Walker & Condon, P.C., (formerly Greene, Meyer & McElroy, P.C.). My practice is limited to the representation of Indian tribes and their members, concentrating primarily on the litigation and negotiation of natural resource disputes and regulatory issues.

I am presently working with Scott McElroy in our firm's representation of the Southern Ute Indian Tribe in its efforts to obtain a long-term water supply in order to satisfy its senior water rights claims. In addition, I have been actively representing the Tribe in its participation in the San Juan River Basin Recovery Implementation Program ("Program"). The Program acts as the reasonable and prudent alternative ("RPA") for the Animas-La Plata Project ("ALP") which is part of the Tribe's water rights settlement. The RPA was required by the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, to permit construction of ALP to proceed. The Program has two purposes: to conserve populations of the two endangered fish and to proceed with water development. I also represent the Tribe with respect to studying and developing a plan of augmentation for the replacement of water depletions associated with coalbed methane development within the San Juan River basin. This work includes substantial involvement in rulemaking proceedings before the Colorado State Engineer. In addition, I represent the Tribe with respect to other issues surrounding state water rights, ditch easements and carrying rights.

In addition, I am presently working with Scott McElroy in our firm's representation of the Cahuilla Band of Indians in its efforts to obtain a quantification of its federal reserved rights to the surface waters and groundwater underlying the Cahuilla Reservation with the Anza-Cahuilla Sub-basin in an amount sufficient to meet the present and future needs of the Cahuilla Band on the Cahuilla Reservation.

I also work for the Navajo Nation regarding various aspects of the Navajo-Hopi land dispute. I represented the Navajo Nation regarding its takings claims against the United States. This litigation arose out of a directive issued by then Commissioner of Indian Affairs Robert Bennett in 1966 and involved 1.5 million acres of land within the Navajo Reservation.

I worked extensively for the Menominee Tribe to restore the sturgeon population in the Wolf River, which required participation in the relicensing of a dam that currently inhibits sturgeon migration upstream. Other issues of concern in this relicensing proceeding involved protection of archaeological sites, protection for fish loss, and flood mitigation measures. This hydroelectric facility is located within the Menominee Reservation and, therefore, the Secretary of the Interior's authority under § 4(e) of the Federal Power Act, 16 U.S.C. § 797(e), applies. I worked closely with the Department of the Interior, the United States Fish & Wildlife Service and the Bureau of Indian Affairs in developing the Secretary's mandatory § 4(e) conditions. I negotiated a settlement of this matter and am currently involved in ensuring that the licensee complies with the settlement. I also previously worked for the Tribe in its efforts to prevent mining adjacent to its Reservation. I demonstrated how the Crandon Mine project would violate the National Environmental Policy Act, the Clean Water Act, the Wild and Scenic Rivers Act, as well as the United States' trust responsibility to the Menominee Tribe to ensure that its resources are protected from degradation or destruction. In addition, I assisted the Tribe in submitting its initial Treatment as a State application and establishing water quality standards. I also was actively involved in the Menominee Tribe's treaty-reserved, off-reservation hunting and fishing rights suit against the State of Wisconsin.

PRESENT EMPLOYMENT

October 1991 - Present

McElroy, Meyer, Walker & Condon, P.C.
(formerly Greene, Meyer & McElroy, P.C.)
Boulder, Colorado

EMPLOYMENT HISTORY

Summer 1989 - Spring 1991

Law Clerk - Brotzman & Buchholz
Boulder, Colorado

March 1987 - August 1988

Paralegal - Leo Wotan, Jr.
Loveland, Colorado

February 1980 - March 1987

Paralegal - Arnold, Ross & Singer
Sterling, Colorado

EDUCATIONAL HISTORY

University of Colorado School of Law
Boulder, Colorado
Degree: Juris Doctor
Graduation: May 1991

Colorado State University
Fort Collins, Colorado
Degree: Bachelor of Science
Judicial Administration
Graduation: December 1979

Northeastern Junior College
Sterling, Colorado
Paralegal Certification