



Russell McGlothlin

Counsel

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Russell (“Russ”) McGlothlin is an experienced water resources attorney who has spent decades advising clients on water use and management matters in California and the western United States. His expertise includes compliance with the Sustainable Groundwater Management Act (SGMA), water rights permitting and compliance, water transfer agreements, groundwater banking, water quality, regulated water utilities, mutual water companies, and reclamation issues. He represents private companies, large agricultural producers and investors, municipalities, special districts, and landowners with transactional negotiations, litigation, and administrative agency proceedings.

Highly active in the development of the Sustainable Groundwater Management Act, as well as laws designed to reform judicial procedures related to groundwater basin disputes, Russ has an exceptional understanding of high stakes groundwater management issues in California.

A frequent writer and speaker on water topics, Russ’ writings include several law journal articles and two chapters of *California Ground Management*, which is published by the Groundwater Resources Association.

Experience

Water Management and Transactions

- Counsel to one of California's largest agricultural growers in its compliance efforts with the Sustainable Groundwater Management Act.

Admissions

Bar Admissions

California

Education

University of Michigan, J.D., *with honors*, 2000

University of Oregon, B.A., *with honors*, 1994

- Counsel to large golf course owner in desert groundwater basin negotiating groundwater pumping rights and other matters to comply with SGMA.
- Counsel to a large group of agricultural landowners that are parties to the first groundwater basin adjudication in California following the enactment of SGMA.
- Legal counsel to California's largest avocado grower for water rights matters.
- Represented a group of local agencies in Ventura County in connection with the negotiation and drafting of a joint powers agreement to form a Ground Sustainability Agency pursuant to the Sustainable Groundwater Management Act.
- Advised a broad group of agricultural stakeholders in the Salinas Valley on the development of a Groundwater Sustainability Agency that included significant participation by the agricultural groundwater users within the valley.
- Drafted a joint powers agreement and supervised the creation of a joint powers authority consisting of six cities on the Monterey Peninsula.
- Counsel to an association of agricultural groundwater producers from the Santa Paula Groundwater Basin in Ventura County. The scope of representation included the negotiation of amendments to a basin adjudication judgment assigning basin water rights and other issues related to the use and management of resources covered by the judgment.
- Counsel to a publicly-traded agricultural firm with properties throughout the western United States, including legal advice to the firm on the perfection and protection of its water rights, market access, and matters related to water infrastructure development.
- Counsel for a national home builder in connection with water supply issues for a 5,000 home residential and commercial development in southern California.
- Outside general counsel to a large agricultural mutual water company based in Ventura County.
- Water and land use counsel in connection with the acquisition of a 1,800-acre ranch in Santa Barbara County, as well as related post-acquisition water issues.

Water Litigation

- Secured reversal of two separate, but related, trial court decisions denying motions to amend judgments governing the West Coast and Central groundwater basins, which provide local water supplies to the millions of people living and working in the Greater Los Angeles area.
- Represented one of California's largest shareholder-owned public water suppliers in complex litigation to adjudicate and control the water resources in the Santa Maria groundwater basin. After eight years of litigation, which included more than 1,000 different parties, the matter was resolved by a settlement among the vast majority of the parties, which created certainty over vital water rights and water management for the basin.

Professional Activities

Author

Books

- Co-Author, "California Groundwater Management," Groundwater Resources Association of California, Second Edition, 2005

Law Review Articles

- Co-Author, “The Golden Rule* of Water Management,” *Golden Gate University Environmental Law Journal*, Symposium Edition, Volume 9, Number 1, Fall 2015
- Co-Author, “No Fictions Required: Assessing the Public Trust Doctrine in Pursuit of Balanced Water Management,” *University of Denver Water Law Review*, Fall 2013

Other Publications

- “Brace yourself: a flood of water lawsuits is coming,” *Water Power Magazine*, August 2020
- “Will Your Basin Adjudicate, and if so, How Will That Relate to Basin Management under SGMA?,” *Western Grower & Shipper* (2017)
- “How SGMA Will Affect Agricultural Groundwater Users and Key Considerations for Developing an Implementation Strategy,” *Western Grower & Shipper* (2017)
- “Water Rights Require Balance of Interest,” *Pacific Coast Business Times* (2016)
- “The Golden Rule* of Water Management,” *Golden Gate University Environmental Law Journal*, Symposium Edition, Volume 9, Number 1 (2015)
- Groundwater Rights: The Elephant in the Room, Author, *Western Growers Association Magazine*, March 3, 2014

Interviewee

- “INSIGHT: California Water Rights—A Conversation About Litigation, Solutions” *Bloomberg Law* (May 19, 2020)

Speaker

- Panelist, SGMA Status and Forecast, Groundwater Pumping Allocations, Groundwater Resources Association/California Groundwater Coalition, 2019 Groundwater Law and Legislation Forum (March 27, 2019)
- How SGMA Will Affect Municipal Groundwater Suppliers, City Attorneys’ 2018 Annual Conference and Expo (2018)
- San Bernardino County Water Conference (2018)
- Groundwater Law 101, Groundwater Law Workshop (2017)
- Sustainable Groundwater in California, Law Seminars International Conference (2016)
- The SGMA Cookbook: The Recipe for Sustainable Groundwater, Association of California Water Agencies 2016 Spring Conference (2016)
- The New California Groundwater Regulations: What You Need to Know; Water Rights in California, National Business Institute (2016)
- Water: What New Regulations May Mean for You, The Almond Conference, Almond Board of California, Sacramento, CA (December 9, 2015)
- Panelist, How Does the Public Trust Doctrine Apply to Groundwater in California, or Does it?, Association of California Water Agencies, Fall Conference, Indian Wells, CA (December 2, 2015)
- Panelist, Groundwater Sustainability Agency Formation: Solid Steps Forward for Boundary Determination, Legal Agreements and Public Participation, Groundwater Resources Association of California, Sacramento, CA (June 2, 2015)

- Moderator, Moves to Streamline Groundwater Adjudication in California, AGWT Groundwater Law Conference, American Ground Water Trust, San Francisco, CA (May 15, 2015)
- Panelist, Over tapped Aquifers: Will California Manage its Groundwater? Webinar, Environmental Law Conference, CA State Bar, Environmental Law Section, Webinar (May 8, 2015)
- Panelist, Streamline Adjudication: A Roundtable Discussion, Annual Legislative Symposium, Groundwater Resources Association of CA, Sacramento, CA (April 29, 2015)
- Panelist, Global and California Water Crisis, 5th Annual Induction Ceremony and Conference, International Green Industry Hall of Fame, Bren School of Environmental Science & Management, University of California Santa Barbara (April 16, 2015)
- Presenter, The Future of California Water? What agriculture needs to know and expect., UnitedAg, Ojai, CA (March 18, 2015)
- Panelist, Identifying Opportunities and Challenges in Implementation of the Sustainable Groundwater Management Act, Uncommon Dialogue, Toward Sustainable Groundwater Management in California, Stanford Woods Institute for the Environment, The Nature Conservancy, Stanford University (January 27, 2015)
- Speaker, The Sustainable Groundwater Management Act – Effective January 1, 2015 – What You Need To Know, GRACast webinar, Groundwater Resources Association of California (December 10, 2014)
- Panelist, Groundwater Dispute Resolutions: Overview of Groundwater Adjudications and Past Allocations in California and Other States, Groundwater Dispute Resolution Workshop, Stanford Law School (November 5-6, 2014)
- Speaker, Water Rights & Water Quality: Interrelationships & Implications, Lorman Live Webinar (October 30, 2014)
- Panelist, Overtapped Aquifers: Will California Manage its Groundwater?, Environmental Law Conference, CA State Bar, Environmental Law Section, Yosemite, CA (October 19, 2014)
- Panelist, The Sustainable Groundwater Management Act: How Did We Get Here and Where Are We Going?, GRA, 23rd Annual Conference and Meeting, Sacramento, CA (October 15, 2014)
- Panelist, Central and West Basin Litigation: History, Lessons Learned and Recent Judgment Amendments in the Central Basin, California Water Law, CLE International (June 12-13, 2014)
- Panelist, Desalination and Groundwater / A 'New Water' Cocktail
- Panelist, Groundwater Law, American Ground Water Trust Conference, Los Angeles, CA (May 20-21, 2014)
- Panelist, Cutting Edge Groundwater Issues, Mid Pacific Region Water Users Conference (January 22, 2014)

Community Involvement

- Partnership Council Member, Community Environmental Council
- Seminar Instructor and Liaison to the Bren School of Environmental Science & Management, U.C. Santa Barbara
- Member, Bren School of Environmental Science & Management's Council of Legal Advisors

Honors & Awards

- Who's Who in Professional Services, *Pacific Coast Business Times* (2015, 2018)
- Who's Who in Clean Tech & Sustainability, *Pacific Coast Business Times* (2015)
- Top 40 Under 40, *Pacific Coast Business Times*