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**13th Annual Conference!**

# Utah Water Law

**Cutting Edge Water Rights and Quality Issues**

**October 27-28, 2005 • Marriott Downtown • Salt Lake City**

## Who Should Attend:

- Lawyers and Legal Assistants
  - Government Officials
  - Regulators
  - Appraisers
  - Agricultural Professionals
  - Planners
  - Consultants
  - Engineers
  - Water Managers
  - Landowners
  - Developers
  - Real Estate Professionals
  - Environmental Representatives
- ... and anyone involved with water in Utah!

Dear Colleague,

We are pleased to invite you to the 13th Annual Conference on Utah Water Law. The topics are particularly timely with the issues under consideration by the Utah Legislature's Water Issues Task Force. An outstanding faculty of well-qualified governmental regulators, technical consultants, and experienced legal practitioners are assembled to address cutting edge water rights and water quality issues.



**John H. Mabey, Jr., Esq.**  
Program Co-Chair

We look forward to seeing you there.

Sincerely,

**John H. Mabey, Jr., Esq.**  
Program Co-Chair  
Mabey & Wright

**H. Michael Keller, Esq.**  
Program Co-Chair  
Van Cott, Bagley, Cornwall & McCarthy



**H. Michael Keller, Esq.**  
Program Co-Chair



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 Conference Schedule and Speaker Biographies Inside



**Thursday, October 27****Friday, October 28**

8:15 Registration and Continental Breakfast	9:00 <b>Overview of Day Two</b> <i>H. Michael Keller, Esq., Program Co-Chair</i> Van Cott, Bagley, Cornwall & McCarthy, Salt Lake City
8:45 <b>Introduction and Overview</b> <i>John H. Mabey, Jr., Esq., Program Co-Chair</i> Mabey & Wright, Salt Lake City	9:15 <b>Water Quality Update</b> Where We Stand Today <i>Lisa A. Kirschner, Esq.</i> Parsons Behle & Latimer, Salt Lake City
9:00 <b>Water Law Update</b> Recent Developments <i>Daniel A. Jensen, Esq.</i> Parr Waddoups Brown Gee & Loveless, Salt Lake City	10:00 Morning Break
9:45 <b>Water Rights</b> Current Issues in Utah <i>Jerry D. Olds, PE, State Engineer/Director</i> Utah Division of Water Rights, Salt Lake City	10:15 <b>Water Quality Regulation in Utah Programs and Initiatives</b> Initiation and Implementation <i>Walter L. Baker, PE, Director</i> Division of Water Quality, Salt Lake City
10:30 Morning Break	11:00 <b>Current Trends and Techniques in Cleaning up Contaminated Ground Water</b> We've Come a Long Way Since the Ubiquitous Pump and Treat <i>Kent R. Wheeler, Manager, Environmental Services</i> IHI Environmental, Salt Lake City
10:45 <b>Ground Water Management</b> Ground Water Laws, Regulatory Policies and Future Management, and Administration Decisions <i>Steven E. Clyde, Esq.</i> Clyde Snow Sessions & Swenson, Salt Lake City	11:45 Q&A Panel Members of the Faculty
11:30 Q&A Panel Members of the Faculty	12:00 Lunch Break
11:45 Lunch Break	1:15 <b>Legal Issues in Using Institutional Controls to Facilitate Ground Water Remediation</b> Avoiding Traps and Potholes <i>Bradley R. Cahoon, Esq.</i> Snell & Wilmer, Salt Lake City
1:00 <b>Allocating and Regulating Interstate Waters</b> Issues, Tools and Mechanisms <i>Michael M. Quealy, Esq.</i> Parsons Behle & Latimer, Salt Lake City	2:00 <b>Regulatory Challenges for Public Drinking Water Systems</b> The Dilemmas We Deal With <i>Russ Donoghue, Executive Director</i> Rural Water Association of Utah, Alpine
1:45 <b>Administration of Water Rights in Utah</b> The Nuts and Bolts <i>Wendy Bowden Crowther, Esq.</i> Clyde Snow Sessions & Swenson, Salt Lake City	2:45 <b>Initiative-Based Watershed Protection</b> How to Protect Water Quality in Large Watersheds Through Education <i>Florence Reynolds, Water Quality and Treatment Administrator</i> Department of Public Utilities, Salt Lake City
2:30 <b>Water Rights Enforcement</b> Laying Down the Law <i>Heather B. Shilton, Esq.</i> Utah Attorney General's Office, Salt Lake City	3:30 <b>Ethics</b> Considerations for the Environmental Professional <i>Denise A. Dragoo, Esq.</i> Snell & Wilmer, Salt Lake City
3:15 Afternoon Break	4:30 Q&A Panel Member of Faculty
3:30 <b>Provo River Project 101</b> An Explanation and Overview <i>Scott H. Martin, Esq.</i> Snow, Christensen & Martineau, Salt Lake City	4:45 Evaluations and Adjourn
4:15 <b>Private Water Companies in Utah</b> Driving a 19th Century Vehicle into the 21st Century <i>Warren H. Peterson, Esq.</i> Waddingham & Peterson, Delta	
5:00 Adjourn	

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Dates!

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September 26-27, Baton Rouge  
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September 29-30, Los Angeles

Eminent Domain  
October 17-18, Detroit  
Negotiating Leases  
October 20-21, Dallas

Florida Wetlands  
November 3-4, Tampa  
Endangered Species Act  
November 17-18, Tucson

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## Utah Water Law

# meet your faculty

### Program Co-Chairs

**H. Michael Keller** practices environmental and natural resources law focusing on environmental compliance, permitting, enforcement matters for real estate developers, natural resource companies, and other clients. He also takes part in the drafting and negotiating of state environmental regulations and statutes.

**John H. Mabey, Jr.**, specializes in Utah water law. He represents public water suppliers, mutual water companies, mining and other industrial companies and various business and development interests. He previously served 13 years as a Utah Assistant Attorney General, where he represented the Utah State Engineer.

**Walter L. Baker** is the Director of the Utah Division of Water Quality. The Division is responsible for protecting and improving the quality of lakes, streams and groundwater by addressing the discharge of pollutants from both point and non-point sources.

**Bradley R. Cahoon** practices litigation, administrative and regulatory law and government relations in the areas of environmental, water, zoning and land use, natural resources and utility law.

**Steven E. Clyde** is a shareholder and managing director of his firm. Throughout his 30 years of practice, he has specialized in the practice of natural resources law, including oil and gas, public land law, and mining law with a primary emphasis in water law.

**Wendy Bowden Crowther** practices primarily in the areas of natural resources and environmental law with an emphasis on water law. She has represented municipalities, water districts, irrigation companies, and individual water right holders.

**Russ Donoghue** has been with the Rural Water Association since 1981, and the Executive Director since 1996. He works with small and large water and wastewater systems throughout the State of Utah on drinking and wastewater issues and concerns, as well as managerial and legislative matters.

**Denise A. Dragoo** practices before the Utah State Engineer, the Utah Board of Oil, Gas & Mining, the U.S. Department of Interior Board of Land Appeals and other state and federal administrative agencies. She is the Utah State Bar's Trustee to the Rocky Mountain Mineral Law Foundation.

**Daniel A. Jensen** represents developers, ranchers, municipalities, service districts, businesses, irrigation companies, ski resorts, lenders, utilities, manufacturers and individuals with regard to, among other things, acquisition and transfer and modification of water rights.

**Lisa A. Kirschner** is a shareholder in the environmental, energy and natural resources department of her firm, where she concentrates on environmental matters. Her practice addresses, among other issues, matters related to water quality, wetland and drinking water rulemaking.

**Scott H. Martin** has been with his firm since 1997, and represents primarily water users associations and municipalities in water-related issues. Additionally, he has worked to defend third-party insureds, first-party insurers, product manufacturers, and asbestos related entities.

**Jerry D. Olds** began working for the Division of Water Rights in 1972 and was appointed State Engineer in February of 2002. A few of his accomplishments during his career include assisting with the automating of Utah's water rights records, negotiating federal and Indian reserved water rights claims, and conducting numerous water resource investigations statewide.

**Warren H. Peterson** is the managing shareholder of his firm. He represents water companies, districts, and other water providers and agricultural producers. He has served on the Utah Board of Water Resources since 1995 and is a member of the Utah Water Development Commission.

**Michael M. Quealy** practices in the environmental, energy and natural resources department of his firm, concentrating primarily in the area of water law. He is involved in governmental permitting and licensing of water projects, the appropriation and transfer of water and due diligence analysis and adjudication of water rights.

**Florence Reynolds** has been with her company since 1988 and in her current position since 1991. In that position, she is responsible for over 185 square miles of watershed, water treatment plant operations for three treatment facilities, water/wastewater laboratory, cross connection control and storm water quality.

**Heather B. Shilton** has been with the Utah Attorney General's Office since 1998. She currently represents the Utah Division of Water Rights in enforcement actions and appeals, is general counsel to the Utah Division of Parks and Recreation and the Parks Board.

**Kent R. Wheeler** is Manager of Environmental Services and Senior Hydrogeologist. His responsibilities include providing environmental-related consulting services encompassing a wide range of projects from soil, groundwater, and hazardous waste investigations to evaluating Superfund Liability associated with property transactions.

# conference information

### Continuing Education Credit

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### About CLE International

**CLE INTERNATIONAL**, a leading provider of continuing professional education, has been presenting high-quality professional education programs nationwide since 1983.

### Reserve Your Room Early

The Conference will be held at the Marriott Downtown, 75 South West Temple, Salt Lake City, UT 84101. Make your reservation early to secure your space and get the best rate. Please call Community World Travel at (888) 724-0500 or visit [www.communityworldtravel.com](http://www.communityworldtravel.com).

### Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to [registrar@cle.com](mailto:registrar@cle.com) or register online at [www.cle.com](http://www.cle.com). Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (800) 873-7130 if you require any special accommodations.

### Sponsorship Information

Sponsorships and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at (800) 873-7130 or [sarah@cle.com](mailto:sarah@cle.com).

**CLE International Program Attorney:**  
**Laura Terliser Mehew, [laura@cle.com](mailto:laura@cle.com).**

### Course Materials

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### Tuition

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Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.

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**Answers to Your Questions and Concerns**

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**Water Law Update • Current Water Rights Issues in Utah**  
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**Regulatory Challenges for Public Drinking Water Systems**  
**Initiative-Based Watershed Protection ... and more!**



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