

COLORADO WATER LAW

Who Has the Authority?

February 21, 2014 • Westin • Beaver Creek



Location & Accommodations

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The Westin Riverfront Resort & Spa at Beaver Creek Mountain is located in the heart of the Vail Valley, featuring direct access to Beaver Creek skiing and the 27,000-square foot rejuvenating Spa Anjali, as well as the signature restaurant, Maya. The Resort has earned numerous awards since it opened, including being honored by *Conde Nast Traveler* as the #1 Western Resort for 2012.

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Dear Colleague:

Don't miss CLE International's 12th Annual Conference on Colorado Water Law, bringing you direct access to the experts and the most current information on water issues affecting our state!

In just one day of topical programming, you'll gain critical knowledge on water policy and practice.

Featuring Speakers From:

- **Colorado Attorney General's Office**
- **Colorado Division of Water Resources**
- **Colorado River Water Conservation District**
- **Ditch and Reservoir Company Alliance**
- **Lower South Platte Water Conservancy District**

...and Colorado's leading law firms!

We look forward to seeing you in Beaver Creek.

Sincerely,



Brian M. Nazarenus, Esq.
Program Co-Chair
Ryley Carlock & Applewhite
Denver

Brian M. Nazarenus represents a diverse client base of commercial, industrial, municipal, and agricultural water users throughout Colorado. Since 1987, he has focused on water rights, including the adjudication of surface and underground water rights, and the development and adjudication of plans for augmentation, water rights transfers, and exchange cases. He has evaluated, drafted, and testified about proposed legislation before the Colorado Legislature, as well as handled substantial litigation involving both trial and appellate matters.



P. Andrew Jones, Esq.
Program Co-Chair
Lawrence Jones Custer Grasmick
Johnstown

P. Andrew Jones is an experienced legal advocate. His litigation practice concentrates on water rights issues, with particular emphasis on groundwater matters and legal issues arising out of the interaction between surface and ground water systems. He has extensive experience representing water districts, individuals, and corporate clients in litigation at trial and appellate levels in cases ranging in size from individual water rights matters to complex, basin-wide, multi-party litigation.

Friday, February 21

8:00	Registration and Continental Breakfast	
8:30	Welcome and Introduction Overview of the Day	Brian M. Nazareus, Esq., Program Co-Chair Ryley Carlock & Applewhite, Denver P. Andrew Jones, Esq., Program Co-Chair Lawrence Jones Custer Grasmick, Johnstown
8:45	State Engineer's Scope of Authority Historical Review	Susan M. Ryan, Esq. Ryley Carlock & Applewhite, Denver
9:15	Division 1 Administration Issues Nuts and Bolts	David L. Nettles, PE, Division Engineer, Water Division 1 Colorado Division of Water Resources, Greeley
10:00	Networking Break	
10:15	Flexibility in Administration History and Trends: Point/Counterpoint	Alan E. Curtis, Esq. White & Jankowski, Denver David W. Robbins, Esq. Hill & Robbins, Denver Dick Wolfe, MS, PE, State Engineer, Director Colorado Division of Water Resources, Denver
11:15	Alternatives to Buy and Dry A Panel Presentation	Peter C. Fleming, Esq., General Counsel Colorado River Water Conservation District Glenwood Springs Joe M. Frank, PE, General Manager Lower South Platte Water Conservancy District, Sterling <i>Moderator: P. Andrew Jones, Esq., Program Co-Chair</i>
12:15	Lunch Break	
1:30	Keynote Address The Colorado Flood of 2013 Legal, Legislative and Practical Challenges with Recovery	Dick Wolfe, MS, PE, State Engineer, Director Colorado Division of Water Resources, Denver
2:15	Funding for Flood Recovery Availability and Plans	John McKenzie, Executive Director Ditch and Reservoir Company Alliance, Boulder
2:45	History of Ditch-Wide Changes in Use Background and Introduction	Ryan M. Donovan, Esq. Lawrence Jones Custer Grasmick, Johnstown
3:15	Networking Break	
3:30	The Legacy Ditch Bill and Ditch-Wide Change in Use Cases Policy and Perspectives	Paul L. Benington, Esq. Senior Assistant Attorney General, Water Resources Unit Colorado Attorney General's Office, Denver Jeffrey J. Kahn, Esq. Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, Longmont David W. Robbins, Esq. <i>Moderator: Brian M. Nazareus, Esq., Program Co-Chair</i>
4:30	Ethics Conflicts of Interest	Kevin J. Kinnear, Esq. Porzak Browning & Bushong, Boulder
5:30	Evaluations and Adjourn	

Earn up to 8 Hours MCLE Credit
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PROGRAM CO-CHAIRS

Brian M. Nazarenus, Esq., Program Co-Chair
Riley Carlock & Applewhite, Denver

P. Andrew Jones, Esq., Program Co-Chair
Lawrence Jones Custer Grasmick, Johnstown

FEATURED PRESENTER

Dick Wolfe, MS, PE, State Engineer, Director
Colorado Division of Water Resources, Denver

FACULTY

Paul L. Benington has been with the Attorney General's office for eight years, and he primarily represents the State and Division Engineers and the Colorado Water Conservation Board in water matters across the state. He has also represented the Colorado Division of Parks and Wildlife, the Department of Corrections, and the Colorado Department of Public Health and Environment.

Alan E. Curtis represents municipal, agricultural, industrial, commercial and private water rights holders in a variety of water matters before Colorado courts and state and federal agencies. He has extensive experience in complex water rights litigation.

Ryan M. Donovan practices in the areas of water rights, quality, and policy. His clients include mutual ditch companies, ground water management districts, and water conservancy districts.

Peter C. Fleming became General Counsel for the Colorado River Water Conservation District in 2002. Prior to moving to Glenwood Springs to work for the River District, he was a member of Carlson, Hammond & Paddock in Denver.

Joe M. Frank has been with the Lower South Platte Water Conservancy District for 10 years and has served as manager since May, 2004. The District serves over 400,000 acres in Morgan, Washington, Logan and Sedgwick Counties in Northeastern Colorado. He represents the District on the South Platte Basin Roundtable as Vice-Chair.

Jeffrey J. Kahn specializes in water related matters, including litigation, water quality and transactions, and assists clients in solving complex water supply issues. His clients include municipal water providers, special districts, water conservancy districts, ditch and reservoir companies and developers.

Kevin J. Kinnear practices in the areas of water law and real estate. He is a member and former co-chair of the Natural Resources and Environment Section of the Boulder Bar Association, and a member and former chair of the Water Law Section of the Colorado Bar Association.

John McKenzie has been involved with production agriculture, marketing, policy and water issues for more than 40 years and lives on the farm in Boulder County that has been in his family since 1893. He was a founding board member of the Ditch and Reservoir Company Alliance and currently serves as its executive director.

David L. Nettles and his staff administer water rights for water users, measure water flow and maintain gauging stations, ensure interstate compact and agreement compliance, inspect dams to determine safe water storage levels, and maintain water records within the South Platte River, Republican River and Laramie River basins.

David W. Robbins has vast experience including representing the State of Colorado in the US Supreme Court and successfully defending its first in stream flow protection law; serving as general or special counsel for several water conservation districts; chairing the Colorado Water Conservation Board and Colorado River Salinity Control Forum; and service on the Colorado Water Congress board.

Susan M. Ryan represents municipalities, water and sanitation districts, and industrial water users in a variety of matters before federal and Colorado courts and state agencies. Ms. Ryan has extensive experience in complex water rights litigation.

4 EASY WAYS
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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 pm MST on the Friday prior to the Conference. Substitutions may be made at any time.

Tuition – same price as last year!

- ☐ \$595 per person
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☐ \$495 each for government, 501(c)(3) organizations, full-time judges, law students and paralegals
☐ \$395 each for two or more government, 501(c)(3) organizations, full-time judges, law students and paralegals

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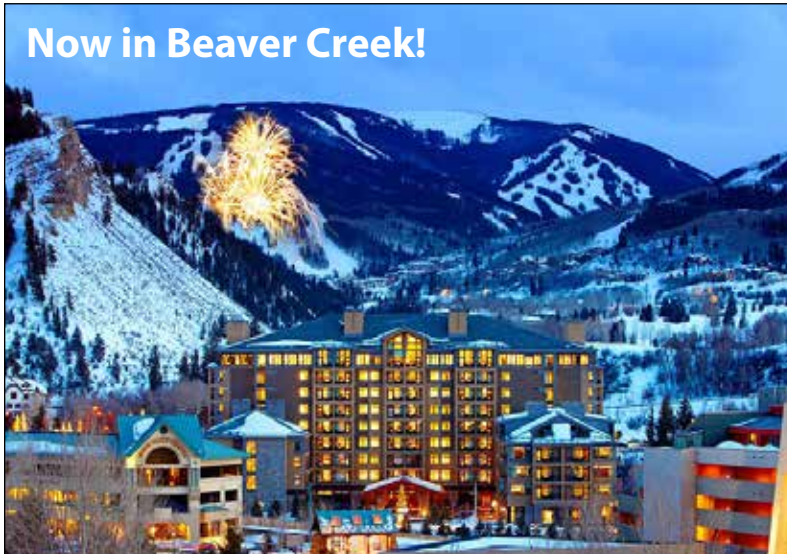
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12th Annual Conference – Live

Policy & Practice
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Keynote Address
The Colorado Flood of 2013

**Legal, Legislative and Practical Challenges
with Recovery**



Dick Wolfe, MS, PE, State Engineer, Director
Colorado Division of Water Resources, Denver

Dick Wolfe was appointed State Engineer and Director of the Colorado Division of Water Resources on November 26, 2007. As State Engineer, he is responsible for the direction and management of the Colorado Division of Water Resources, which has a staff of 297 employees and an annual budget of approximately \$23 million. The Division is responsible for distribution and administration of water in accordance with statutes and interstate compacts; the implementation of a statewide dam safety program; the permitting of the use of ground water and construction of wells; the collection and dissemination of data on water use and streamflow; and conducting various studies concerning water resources and the availability of water supplies. The State Engineer is Colorado's commissioner on five interstate compacts and is responsible for assuring compliance with these compacts. The State Engineer is also the Executive Director of the Colorado Ground Water Commission and is the Secretary of the Board of Examiners for Water Well and Pump Installation Contractors.

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