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2nd Annual Conference!

# Wyoming Water Law

Tough Issues in this Time of Drought

March 25-26, 2004 • Little America Hotel • Cheyenne

## Who Should Attend:

- Lawyers and Legal Assistants
- Government Employees and Officials
- Regulators
- Agricultural Professionals
- Planners
- Consultants
- Engineers
- Water Managers
- Landowners
- Developers
- Real Estate Professionals
- Environmental Employees

...and anyone else involved  
in the regulation, use,  
acquisition and  
development of water  
rights in Wyoming!



Visit our website at [cle.com](http://www.cle.com) for a complete listing  
of MCLE requirements in all states. You will also find  
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listing of available homestudy courses.

Dear Colleagues:

The management of water resources impacts our lives on a daily basis. Technical legal skills and creativity are needed to address water issues in today's complex regulatory environment. Given the existing and new competing demands on our water resources, this Conference is designed to benefit a broad array of professionals.

CLE International has assembled a group of experienced water professionals and lawyers for the 2nd Annual Wyoming Water Law Conference. Any person involved with this all-important resource will benefit from the speakers' experiences and insights.

We look forward to seeing you there.

Sincerely,

Handwritten signature of Kara Brighton in black ink.

**Kara Brighton, Esq.**  
Program Co-Chair  
Hageman & Brighton

Handwritten signature of Harriet M. Hageman in black ink.

**Harriet M. Hageman, Esq.**  
Program Co-Chair  
Hageman & Brighton

Handwritten signature of Thomas J. Davidson in black ink.

**Thomas J. Davidson, Esq.**  
Program Co-Chair  
Dorsey & Whitney, Denver

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Conference Schedule Inside

Thursday, March 25	Friday, March 26
8:30 Registration	8:45 <b>Overview of Day One and Introduction to Day Two</b> <i>Thomas J. Davidson, Esq., Program Co-Chair</i> Dorsey & Whitney, Denver
9:00 <b>Introduction and Overview</b> The Big Picture in Water Law <i>Harriet M. Hageman, Esq., Program Co-Chair, and Kara Brighton, Esq., Program Co-Chair</i> Hageman & Brighton, Cheyenne	9:00 <b>Featured Presentation Point/Counterpoint</b> Debating the Recent Tribal Water Projects Funding <i>Senator Bill Vasey</i> Senate District #11, Rawlins <i>Thomas J. Davidson, Esq., Program Co-Chair</i>
9:15 <b>Water Law Issues Before the Legislature</b> An Update of What's Passed and What's to Come <i>Gordon W. "Jeff" Fassett, P.E., President</i> Fassett Consulting, Cheyenne	10:30 Morning Break
10:00 Morning Break	10:45 <b>Litigating Water Rights</b> Strategies and Techniques for Successful Litigation <i>Rex E. Johnson, Esq.</i> Sherard, Sherard & Johnson, Wheatland
10:15 <b>Keynote Speaker Financing Water Projects in Wyoming</b> A Description of the Evolution of Statutory Financing of Water Development <i>Cynthia Lummis, Wyoming State Treasurer</i> Office of the Wyoming State Treasurer, Cheyenne	11:30 <b>Water and Politics</b> The Relationship Between Water and Politics from a 2002 Candidate for Governor <i>Raymond B. Hunkins, Esq.</i> Jones, Jones, Vines & Hunkins, Wheatland
11:00 <b>Temporary Water Use Statutes</b> Tales from the Trenches <i>Patrick T. Tyrell, P.E., Wyoming State Engineer</i> Wyoming State Engineer's Office, Cheyenne	12:15 Lunch Break
11:45 Lunch Break	1:45 <b>Adaptive Management</b> Using Adaptive Management on the Large River Basins <i>Dale Strickland, Vice President and Senior Ecologist</i> Western EcoSystems Technology, Cheyenne
1:15 <b>Ground Water Use and Regulation in Wyoming, Nebraska and Colorado</b> A Comparison of the Statutes, Uses and Administrative Regulation of Ground Water Resources in Wyoming and Its Neighboring States <i>Harriet M. Hageman, Esq., Program Co-Chair</i> <i>Kara Brighton, Esq., Program Co-Chair</i> <i>James R. "Jay" Montgomery, Esq.</i> Moses Wittemyer Harrison & Woodruff, Boulder	2:30 <b>Change of Use and Other Petitions Before the BOC</b> Navigating Wyoming's State Statutes <i>Brian C. Shuck, Esq.</i> Law Office of Brian C. Shuck, Cheyenne
2:45 Afternoon Break	3:15 <b>The Endangered Species Program</b> What's Going on at the Central Platte? <i>Mike Besson, P.E., Director</i> Wyoming Water Development Commission, Cheyenne
3:00 <b>Coalbed Methane Production and Water Quality</b> A Fine Balance <i>Keith Burron, Esq.</i> Associated Legal Group, Cheyenne	4:00 <b>Ethics</b> Recent Developments in the Code of Ethics <i>Mary B. Guthrie, Executive Director</i> Wyoming State Bar, Cheyenne
4:00 <b>National Developments in Federal Environmental Law</b> Recent Developments That Affect the Water Law Practitioner <i>Reed D. Benson, Esq., Water Law Professor</i> University of Wyoming College of Law, Laramie	5:00 Q&A Panel <i>Members of the Faculty</i>
5:00 Q&A Panel <i>Members of the Faculty</i>	5:15 Adjourn
<p><b>Upcoming Conferences</b></p> <p>Colorado Water Law SuperConference March 11-12, Denver</p> <p>Eminent Domain March 18-19, Las Vegas</p>	<p>Construction Law March 29-30, Denver</p> <p>California Water Law SuperConference April 1-2, San Francisco</p> <p>Career Options for Lawyers April 2, Denver</p> <p>NEPA April 16, Austin</p>
For more information about these and other programs, visit our website at <a href="http://www.de.com">www.de.com</a>	

## Wyoming Water Law

# meet your faculty

<p><b>Program Chairs</b></p> <p><b>Kara Brighton</b> concentrates her practice on water and natural resource issues. She has worked for the State of Wyoming on issues related to <i>Nebraska v Wyoming</i>. She currently represents the Wheatland Irrigation District and, prior to this, she assisted with the North Platte litigation settlement negotiations and implementation of the Settlement Agreement.</p> <p><b>Harriet M. Hageman</b> previously worked for the State of Wyoming on endangered species, National Forest management and water resources management matters. She has provided counsel on issues relating to <i>Nebraska v Wyoming</i> and she is a Board Member of the Wyoming Water Association.</p> <p><b>Thomas J. Davidson</b> recently joined the Denver office of his international firm. He has extensive experience as a litigator in both state and federal environmental law issues affecting Wyoming and the Rocky Mountain states. Prior to joining his firm, he served as Deputy Attorney General, Division of Water and Natural Resources, for the State of Wyoming.</p>	<p><b>Senator Bill Vasey, Featured Presenter</b>, is a Democrat representing Senate District #11. He is a Member of the Agriculture, Public Lands and Water Resources Committee as well as the Select Water Committee and the Select Committee on Tribal Relations. He is also a Member of the Wyoming Energy Commission.</p>	<p><b>Raymond B. Hunkins</b> has been practicing in Wyoming for over 3 decades. In addition to his environmental law practice, he and his firm give special emphasis to commercial contract consultation as well as commercial litigation in both federal and state courts. He also has an active consulting practice involving construction litigation.</p>
<p><b>Cynthia Lummis, Keynote Speaker</b>, was elected Wyoming State Treasurer in 1998. Prior to this, she served for 14 years in the Wyoming House and Senate, concentrating on natural resource and taxation issues. After completing her tenure in 1994, she chaired Governor-elect Geringer's transition team. She worked in the Governor's office on natural resource issues for 2 years. She has served as the interim Director of the Office of State Lands and Investments and was recently elected Chairwoman of the Western State Treasurers' Association.</p>	<p><b>Reed D. Benson</b> has worked in both governmental and private practice as a water attorney. He currently teaches water law as well as other subjects at his University. Prior to that, he spent nine years with WaterWatch of Oregon, a non-profit group working on water resource issues.</p>	<p><b>Rex E. Johnson</b> concentrates his practice on water related issues. His perspective is unique because he is personally involved in a family-owned farm and ranching operation that depends heavily on both surface and groundwater.</p>
	<p><b>Mike Besson</b> serves as the Vice-Chairman for the Governance Committee of the Cooperative Agreement for Platte River Research. He has been appointed to represent Wyoming on endangered species issues in the Platte River Basin.</p>	<p><b>Brian C. Shuck</b> formerly served as counsel to the Wyoming State Engineer's Office. He has represented Wyoming on various intrastate and interstate stream issues, FERC re-licensing issues, tribal issues, and as co-counsel on the Big Horn River Adjudication. He also assists clients with real estate, water rights, environmental, federal land and federal Indian law issues.</p>
	<p><b>Keith Burron</b> emphasizes water, environmental and natural resources law. Previously, he was a Senior Assistant Attorney General for the State of Wyoming. In this position, he represented the Department of Environmental Quality and the State Engineer.</p>	<p><b>Dale Strickland</b> has over 24 years of experience in ecological research and wildlife management. He serves as the Executive Director of the Platte River Endangered Species Partnership. He and his staff currently are overseeing the implementation of several pilot projects designed to test protocols and provide baseline information for use in evaluating the biological response of the Program's four target species and their habitat.</p>
	<p><b>Gordon W. "Jeff" Fassett</b> opened his firm after his tenure as the second longest serving State Engineer in Wyoming's history. He was appointed by President George W. Bush as the federal representative and Chairman of the Red River Compact Commission.</p>	<p><b>Patrick T. Tyrell</b> handles issues such as filing of water rights for industrial and municipal users, municipal and basin-wide water planning studies and studies related to instream flow matters. He is a past board member and President of the Wyoming Water Association.</p>
	<p><b>Mary B. Guthrie</b> is the Executive Director of the Wyoming State Bar. Before this position, she clerked for the Honorable James E. Barrett and worked for the Wyoming Attorney General's office where she successfully represented the state before the U.S. Supreme Court.</p>	<p><b>CLE International Program Attorney:</b> Anita Cowley, <a href="mailto:anita@cle.com">anita@cle.com</a></p>
	<p><b>James R. "Jay" Montgomery</b> has practiced law in Colorado with his firm for over 2 decades. He has served as Special Assistant Attorney General for the State of Wyoming for interstate water matters since 1983. His practice focuses on water rights and water-related environmental law.</p>	

# conference information

<p><b>Continuing Education Credit</b> MCLE: This course has been approved for 13 hours of MCLE of credit by the State of Wyoming, including one hour of legal ethics.</p> <p><b>Engineering:</b> This course meets the requirements for 13 hours of engineering credit.</p> <p>CLE INTERNATIONAL is an approved sponsor in all jurisdictions with mandatory continuing legal education requirements.</p> <p>For accreditation in other jurisdictions, please call CLE INTERNATIONAL at (303) 377-6600.</p> <p><b>Registration</b> 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 form to (303) 321-6320, register online at <a href="http://www.cle.com">www.cle.com</a> or e-mail your registration to <a href="mailto:registrar@cle.com">registrar@cle.com</a>. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call CLE INTERNATIONAL at (303) 377-6600 if you require any special accommodations.</p>	<p><b>Conference Location and Accommodations</b> The Conference will be held at the Little America Hotel, 2800 West Lincoln Way, Cheyenne, WY 82009. A block of rooms has been set aside for Conference attendees until December 31. For room reservations and special rates, please call Community World Travel at (888) 724-0500.</p> <p><b>Sponsorship Information</b> Sponsorship and exhibition opportunities are still available. For more information, please contact Melissa Dafni, Marketing Assistant, at 303-377-6600 or <a href="mailto:melissa@cle.com">melissa@cle.com</a>.</p> <p><b>Tuition</b> The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks. CLE INTERNATIONAL offers special rates for nonprofit organizations, full-time judges, government employees and law students.</p> <p><b>Save When Two or More Register</b> Save \$200 or more with our multiple registrant discount! Tuition is only \$495 per person for two or more from the same firm.</p>	<p><b>Course Materials</b> Each registrant will receive a set of materials prepared by the speakers specifically for this Conference, which will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p><b>Homestudy Package</b> If you cannot attend, CLE INTERNATIONAL also offers a complete audiocassette transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This meets the requirements for up to 5 hours of self study-credit.</p> <p><b>Cancellation</b> 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.</p> <p><b>About CLE International</b> CLE INTERNATIONAL, a leading provider of continuing education, has been presenting high-quality professional education programs nationwide since 1983.</p>
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Ask Questions. Get Answers.

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**Featured Presentation:**

**Senator Bill Vasey**  
*and*

**Thomas J. Davidson, Esq.**  
Past Wyoming  
Deputy Attorney General



**Keynote Speaker:**  
**Cynthia Lummis**  
Wyoming State Treasurer



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