

# Agenda

## Complying with Water Quality Laws and Regulations *S. Albright*

- State and federal water quality regulations
- Stormwater regulations      Sewerage regulations
- Industrial and agricultural programs
- Public water supply      Water wells

## Understanding Texas Groundwater Rights *K. Fancher*

- Ownership of groundwater      Regulation of groundwater rights
- Obtaining groundwater rights      Application and permitting process
- Current issues in groundwater rights

## Ethical Issues in Water Law and Regulation *S. Albright*

- Ethical issues in water use      Ethical issues in development
- Ethical issues in water transactions

## Water Utility Regulation *K. Fancher*

- Types of water utilities      Regulation of utility service areas
- Application and permitting process for service areas
- Utility construction design standards and approvals
- Current issues in utility service area regulation

## State and Regional Water Management and Planning *C. Flatten*

- Surface water resources      Groundwater resources
- Regional water planning      Recent developments
- Future projections and challenges

## Waters of the US Regulation under the CWA *J. Bradbury*

- Changes to the WOTUS rule and definitions
- Litigation over the WOTUS rule and applicability
- Implications of WOTUS rule applicability or repeal
- Texas v. New Mexico dispute over rights to surface and groundwaters
- The Rio Grande Compact and what it means for Texas, New Mexico and the U.S.
- Implications for Texas policy on groundwater regulation

## Energy Production: Potential Water *R. Beecham*

### Supply and Quality Issues

- Water use in natural gas and oil production
- Regulations applicable to mines and wells
- Water use in renewable energy production
- Water need, supply options and challenges
- Potential risks to groundwater and surface water
- Pending enforcement cases

## Texas Water Laws and Regulations

Arlington, TX - Wednesday, November 14, 2018

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## Learning Objectives

### You'll be able to:

**Identify** statutory and regulatory limits on the exercise of water rights.

**Explore** potential water supply and quality issues surrounding energy production.

**Examine** changes to the WOTUS rule and definitions.

**Discuss** ownership of groundwater and the process for obtaining groundwater rights.

**Consider** regulations governing Texas water utilities.



# Texas Water Laws and Regulations

Arlington, TX - Wednesday, November 14, 2018



**Learn** how to comply with water quality laws and regulations

**Examine** issues related to groundwater ownership and rights

**Understand** ethical issues in water law and regulation

**Explore** water utility regulation

**Discuss** state and regional water management and planning

### Continuing Education Credits

#### Attorneys

- 8.0 Texas CLE Hours, Including
- 1.0 Ethics Hour and
- 7.0 Certification Hours in:
- Administrative Law,
- Oil, Gas and Mineral Law,
- Real Estate Law

#### Professional Engineers & Geoscientists

- 8.0 PDHs, Including
- 1.0 Ethics Hour

#### Paralegals

- 8.0 Real Estate Law Hours
- 7.0 Oil, Gas and Mineral Law Hours



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**Stefanie Albright** *Lloyd Gosselink Rochelle & Townsend, P.C., in Austin*  
Ms. Albright is a member of the Water and Districts Practice Groups. Her client work focuses primarily on general counsel services to water utilities, including the governance, organization and operation of regional utilities, water districts, and other local government entities. She also assists clients with various permitting, compliance, and enforcement issues related to water quality matters. Originally from Lake Jackson, Texas, Ms. Albright received her undergraduate degree from Southwestern University and earned her doctor of jurisprudence degree from the University of Houston Law Center. Previously, Ms. Albright served as a lead staff member in the Texas House of Representatives.

**Kristen Fancher** *Fancher Legal, PLLC, in Frisco*  
Ms. Fancher’s work includes assisting clients with various water, environmental, regulatory, administrative, and election law issues. She represents a wide array of government entities, corporations, and landowners on regulatory compliance, water resource and supply planning, endangered species, water utility service, permitting, litigation, transactional, board governance, and enforcement matters. Ms. Fancher served as a judicial intern for The Honorable Robert A. Junell with the U.S. District Court for the Western District of Texas. She currently serves as the co-chair of the Environmental and Natural Resources Law Section of the State Bar of Texas Law School Committee, which is charged with placing law school students in internships with the state agencies that focus on environmental law. Ms. Fancher is a frequent speaker at water and administrative law conferences across Texas. She is a sixth generation Texan.

**Charlie Flatten** *Water Policy Program Manager, Hill Country Alliance*  
Mr. Flatten’s role at the Hill Country Alliance includes water planning, policy, and management outreach – and facilitating a cooperative dialog between the region’s diverse communities. He was born in New Braunfels, grew up in Beaumont, and came to Austin in 1984 to attend the University of Texas School of Architecture. After a long career serving the vibrant local bicycle community, Mr. Flatten completed a degree in Geography and then a master’s degree in Resource Management, with a specialty in Hydrology from Texas State University. “My success in the bicycle business was

largely due to the natural assets of the Hill Country. So it’s been an easy transition from enjoying the Hill Country on a bicycle to advocating for responsible growth and the sustainability of its resources.”

**Jim Bradbury** *James D. Bradbury, PLLC, in Fort Worth*  
Mr. Bradbury’s practice focuses on land, environmental, water and regulatory matters, including the imminent water policy issues facing rural Texas. His firm has offices in Fort Worth and Austin. Mr. Bradbury advises clients on land use and permitting as well as enforcement matters before state authorities, EPA and the Department of Justice, and he handles civil litigation that arises out of environmental issues. Mr. Bradbury has a focus on the legal and policy issues facing Texas landowners and producers, working with statewide agriculture associations on legislative and regulatory matters. His firm also prepares and submits appellate amicus briefing to the Texas Supreme Court on issues of statewide importance. Mr. Bradbury also has significant experience in the environmental aspects of hydraulic fracturing production, including surface use rights, eminent domain and pipelines. He is an adjunct professor at Texas A&M Law School, teaching Ag Law, Natural Resources and a Special Projects course in Texas Eminent Domain Policy. Mr. Bradbury regularly speaks on landowner rights and water issues as they affect Texas public policy and serves on the Board of the Texas Land Trust Council and the Policy Committee of Texas Ag Land Trust working to conserve working farms and ranches.

**Roger Beecham** *Of counsel, Freeman Mills PC in Dallas*  
Mr. Beecham began his career working for a major oil and gas company. He is experienced in dealing with acquisitions, exploration and production of non-producing and producing oil and gas properties including fee lands, Indian lands, and state and federal lands. Mr. Beecham has been involved with all aspects of mineral titles, leases, leasing, seismic agreements, exploration agreements, drilling contracts, joint operating and master service agreements, participation agreements, oil and gas acquisitions, energy lending transactions, natural gas transportation agreements, gas processing agreements, and pooling and unitization agreements. He has litigated many oil and gas issues and has represented water districts in administrative matters and other issues. Mr. Beecham carries an “AV Preeminent” rating from Martindale Hubbell peer review rating service. He has spoken at many seminars and written papers concerning oil and gas matters and water issues.

# Seminar Information

**The Bob Duncan Center**  
2800 South Center Street  
Arlington, TX 76014  
(817) 465-6661

**Tuition**  
**\$279** for individual registration  
**\$259** for Three or more registrants from the same company at the same time.  
**Included with your registration:** *Complimentary continental breakfast and printed seminar manual.*

**How to Register**  
• Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)  
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**Continuing Education Credit Information**  
  
This seminar is open to the public. It has been approved by the Texas State Bar for 8.0 CLE hours, including 1.0 ethics hour, for attorneys. The Texas Board of Legal Specialization has awarded 7.0 certification hours in the areas of Administrative Law, Real Estate Law, and Oil, Gas and Mineral Law for attorneys. The TBLS awarded 7.0 CLE hours for paralegals in Real Estate Law and Oil, Gas and Mineral Law.

This seminar offers 8.0 PDHs, including 1.0 ethics hour, to Texas professional engineers and geoscientists to whom the subject matter is professionally relevant.  
  
Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

# Additional Learning

**Webinar Series**  
  
**Stormwater Management Systems**  
• **Basics of Stormwater Regulations and Requirements, Including New EPA Regulations**  
Thurs., Oct. 4, 2018, 11:00 AM - 12:00 PM CDT  
• **Working with the Regulator**  
Thurs., Oct. 4, 2018, 12:30 - 2:00 PM CDT  
• **Site Planning and Choosing Best Management Practices**  
Fri., Oct. 5, 2018, 11:00 AM - 12:00 PM CDT  
• **Long-term Stormwater Management Practices**  
Fri., Oct. 5, 2018, 12:30 - 2:00 PM CDT

For more information visit:  
[www.halfmoonseminars.org/webinars/](http://www.halfmoonseminars.org/webinars/)

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# Registration

**Texas Water Laws and Regulations**  
Arlington, TX - Wednesday, November 14, 2018

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