

Agenda

Introduction to Utah Water Law

J. Gittins

Prior appropriation doctrine
Basic legal principles of Utah water law
Elements of a water right
Abandonment and forfeiture

Securing and Preserving Title to Water Rights

J. Gittins

Conveyance by deed, assignment and appurtenance
Reports of conveyance
Water right deed addendum
Water right title insurance

The Change Application Process

B. Bingham

Change applications and exchange applications
Protesting applications
Administrative hearings and appeals

General Adjudications

B. Jensen

Overview of general adjudication process
Resolving objections in district court
Status of pending general adjudications in Utah

Easements for Canals, Ditches and Pipelines

N. Bracken

Establishment of easements for water facilities
Protection of easements
Relocation of easements

Water Conservation

C. Hasenyager

Importance of water conservation
Utah Water Strategy Project
Regional water conservation goals

Water Banking

E. Lewis

Why water banking?
Water banking legislation
Status of water banking program in Utah

How to Protect Your Water Rights

J.C. Smith

Beneficial use vs. waste
Inventorying and monitoring water rights
Forfeiture, abandonment and impairment
Nonuse applications

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Utah Water

Laws and Regulations

Live, Interactive Webinar - Wednesday, April 7, 2021



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Learning Objectives

You'll be able to:

Learn about Utah water law and the prior appropriation doctrine.

Discuss methods for securing and preserving title to water rights.

Learn about change applications and exchange applications.

Examine the status of pending general adjudications in Utah.

Explore easements for canals, ditches and pipelines.

Learn about the Utah Water Strategy Project.

Discuss water banking legislation.

Learn how to inventory and monitor water rights.



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Utah Water Laws and Regulations

Live, Interactive Webinar - Wednesday, April 7, 2021



Examine basic, legal principles of Utah water law

Discuss title to water rights and water right title insurance

Explore the process for change applications

Understand the general adjudication process

Learn about protecting and relocating easements for water facilities

Identify goals for regional water conservation

Examine the status of the water banking program in Utah

Learn how to protect your water rights

Continuing Education Credits

Utah Attorneys
6.0 CLE Hours

Utah Professional Engineers
6.0 PDHs



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Faculty

Jeffrey R. Gittins *Partner, Smith Hartvigsen, PLLC in Salt Lake City, UT*
Mr. Gittins was raised on a dairy farm in Cache Valley and graduated from Utah State University with a dual degree in Agribusiness and Business. He received his law degree from Brigham Young University Law School and is now a partner at the law firm of Smith Hartvigsen PLLC, where he focuses his practice on water law. He assists governmental entities, corporations, and private individuals in all aspects of water law, including water rights transactions, water rights analysis and water rights litigation.

Blake Bingham *Assistant State Engineer over the Applications and Records Section at the Utah Division of Water Rights, Salt Lake City, UT*
Mr. Bingham joined the State Engineer’s Office in July 2011 as a program manager - and subsequently assistant state engineer, responsible for directing the statewide adjudication efforts before shifting to his current position in May of 2020. Mr. Bingham earned his B.S. degree in Civil Engineering from the College of Engineering at Utah State University in 2003 and is a registered professional engineer in the State of Utah.

Ben Jensen *Assistant Utah Attorney General representing the Utah State Engineer in Water Right General Adjudications throughout Utah*
Mr. Jensen holds a B.S. degree in Watershed and Earth Systems from Utah State University and was previously an employee in the Utah State Engineer’s Office working on Water Right General Adjudications. He attended law school in Salem, Oregon, graduating *cum laude* from Willamette University in 2012.

Nathan S. Bracken *Partner, Smith Hartvigsen, PLLC in Salt Lake City, UT*
Mr. Bracken has experience in water rights, water quality, energy, public policy, and government relations. Previously, he served as the assistant director and general counsel for the Western States Water Council, where he represented state engineers and water quality administrators from Utah and 17 other western states. A trained mediator and facilitator,

he has led multi-stakeholder initiatives that have influenced federal legislation and policies involving the Clean Water Act, groundwater and tribal and federal reserved water rights.

Candice Hasenyager *Deputy Director of the Utah Division of Water Resources, Salt Lake City, UT*
Ms. Hasenyager oversees the day-to-day operations including the Planning and Development branch, and the Water Conservation and Education section, and she is the Division’s legislative liaison. She has worked on water resource and planning projects for the last 13 years. Over her career, Ms. Hasenyager has been involved in surface water modeling, hydrology studies and municipal water demand projections. She graduated from the University of Utah with a bachelor of science and master of science degrees in Civil Engineering.

Emily E. Lewis *Director and Shareholder, Co-Chair of Natural Resources and Water Law Practice Group with Clyde Snow in Salt Lake City, UT*
Ms. Lewis assists clients in navigating complex water problems. For her traditional law practice she represents a variety of clients from individual water right owners to large providers like water conservancy districts and municipalities. She is also rapidly building a well-regarded “water solutions practice” bringing a unique blend of water expertise to professional partnerships and project-based work. For more information, follow her weekly podcast – “Ripple Effect: Putting Water in Context.”

J. Craig Smith *Founding Member, Smith Hartvigsen in Salt Lake City, UT*
Mr. Smith has more than three decades of experience as an attorney, in which he has successfully handled a number of complex water disputes, land use dispute, takings claims, and other issues. Some of his notable accomplishments include securing the water rights for a city through an act of Congress and successfully entitling and securing water rights for a multimillion-dollar resort in southern Utah.

Webinar Information

Log into Webinar 8:30 - 9:00 am MDT	Break 11:55 am - 12:25 pm MDT
Morning Session 9:00 - 11:55 am MDT	Afternoon Session 12:25 - 3:50 pm MDT

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This webinar offers 6.0 PDHs to Utah professional engineers. Educators and courses are not subject to preapproval in Utah.

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- Thurs., Mar. 11, 2021 | 8:30 am - 4:30 pm CST

Pumping and Piping Systems
- Thurs., Mar. 11, 2021 | 11:00 am - 2:15 pm CST
- Fri., Mar. 12, 2021 | 11:00 am - 2:15 pm CST

How to Build a Sustainable Future
- Thurs, Mar. 11, 2021 | 11:00 am - 2:15 pm CST

SketchUp for Building Professionals
- Thurs., Mar. 11, 2021 | 11:00 am - 2:45 pm CST
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Retaining Wall Design and Global Stability Analysis
- Mon., Mar. 15, 2021 | 9:00 am - 5:00 pm CDT

Introduction to Green Infrastructure
- Wed., Mar. 17, 2021 | 11:00 am - 2:30 pm CDT
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Registration

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