

# Agenda

## Identifying, Classifying and Locating Easements

L. Blake

- What *is* and *is not* an easement
- Reviewing state law on easements
- Creating easements: easements by necessity, easements by use, written easements
- Identifying critical distinctions between easements in gross, easements appurtenant and prescriptive easements
- Maintaining easements
- Knowing when and how to terminate easements
- Obstructing use of easements and determining remedies for obstruction

## Understanding Water Rights

L. Granier  
E. Champa

- History and development of Nevada water law relating to persons and the public
- Determining access to surface waters
- Determining rights to groundwater
- Complying with regulations restricting access to and use of surface and groundwater
- Alterations and encroachments

## Understanding Utility Easements and Rights of Way

C. Tanner

- Current law on utility rights of way
  - Federal laws and regulations
  - State laws and regulations
- Types of utilities affected
  - Electric, water, natural gas, telecommunications, satellite communications
- Basis for and definition of the easement
- Encroachments and interferences
- Maintenance
- Environmental issues
- Condemnation law
- Current issues involving utility easements

## Eminent Domain Law

C. Forster

- Understanding eminent domain powers
  - Source of eminent domain powers
  - History of the exercise of eminent domain powers
  - Types of eminent domain “takings”
- Just compensation: valuing “taken” property
- Privatization of eminent domain and other current issues

## Participating in the Condemnation Process

S. Silva

- Condemnation process for government use
- Hearing and right of appeal
- Valuing the property taken
- Condemnation process for utility and other quasi-public use

## California and Nevada Easements, Rights-of-Way, and Eminent Domain

Live, Interactive Webinar - Friday, July 23, 2021

NON-PROFIT  
U.S. POSTAGE PAID  
EAU CLAIRE, WI  
PERMIT NO. 2016

HalfMoon Education Inc.  
PO Box 278  
Altoona, WI 54720-0278



# Learning Objectives

### You'll be able to:

**Identify, classify** and **locate** easements.

**Explore** Nevada water rights, and determine who has the right to use ground water and surface water.

**Understand** utility easements and rights of way.

**Learn** about types of eminent domain takings, and discuss how to value “taken” property.

**Examine** the condemnation process for government and utility use.

## HalfMoon Education Online Learning

# California and Nevada Easements, Rights-of-Way, and Eminent Domain

Live, Interactive Webinar - Friday, July 23, 2021



**Identify** critical distinctions between easements in gross, easements in appurtenant and prescriptive easements

**Learn** about the history and development of Nevada water law

**Examine** current issues involving utility easements

**Understand** the source and history of eminent domain powers

**Discuss** the condemnation process for utility and other quasi-public use

## Continuing Education Credits

### California Attorneys

6.0 CLE Hours

### Nevada Attorneys

CLE Approval Pending

### Professional Engineers & Land Surveyors

California Non-Mandatory Continuing Ed.  
6.0 Nevada PDHs



HalfMoon Education Inc.  
WWW.HALFMOONSEMINARS.ORG

# Faculty

**Landon Blake** *Mapping Department Manager, Hawkins and Associates Engineering, Inc.*  
Mr. Blake has practiced land surveying throughout central California and western Nevada. He is licensed in both states and is also a certified federal surveyor. He specializes in surveys to support large public works infrastructure projects. He also serves as an expert witness in disputes involving boundary survey or land title issues. He currently works as the Mapping Department manager for Hawkins and Associates in Modesto, California. In his previous positions he worked as the Mapping Department manager for O'Dell Engineering and the assistant surveyor manager for KSN in Stockton, California. Mr. Blake serves as a volunteer on the Land Surveyor Technical Advisory Committee to the California Board for Professional Engineers, Land Surveyors and Geologists. He is currently the president of the California Land Surveyors Association Central Valley Chapter and the vice president of the American Council of Engineering Companies Central California Chapter.

**Laura Granier** *Partner at Holland & Hart, LLP*  
Ms. Granier represents clients before numerous regulatory agencies including the Bureau of Land Management, United States Forest Service, Public Utilities Commission of Nevada, the Nevada Division of Water Resources, and the Nevada Division of Environmental Protection. She has served as lead counsel in numerous regulatory proceedings. She also assists clients through the permitting process for projects on public and forest system lands. Ms. Granier has served as lead counsel in numerous court cases involving agency decisions and rule-making managing large client groups and complex issues. She has frequently and successfully handled cases involving key industry issues, complex matters and high stakes litigation. She has successfully defended agency decisions authorizing resource projects on public lands. Ms. Granier also works closely with clients in the areas of municipal law and government affairs, water rights acquisitions and permitting, and related policy issues.

**Evan Champa** *Attorney at Holland & Hart, LLP*  
Mr. Champa assists clients with acquiring, selling, leasing, and developing real property and projects. He guides clients at every phase of a real estate transaction, from investigating ownership rights and title, through closing. He helps clients troubleshoot issues that arise

during negotiation, construction, and development. His scientific background allows him to analyze, interpret, and explain complex geologic and hydrogeological conditions to help clients proactively identify and address water issues that can impact ownership transfers, permitting, and development of land and water projects. When disputes arise, Mr. Champa can assist with adjudicatory and administrative proceedings, including any subsequent litigation. Before he became a lawyer, Mr. Champa worked as a consulting hydrogeologist as well as an exploration geologist in the mining industry. Before joining Holland & Hart, he practiced at two Reno area law firms with an emphasis on water law and real property.

**Carolyn Tanner** *Attorney at Tanner Law & Strategy Group, LTD*  
Ms. Tanner practices in the areas of energy and natural resource law, environmental law, and real property and land use. She earned her B.A. degree in History from Occidental College in 1990 and her J.D. degree from the University of Denver, Sturm College of Law in 1994.

**Courtney Forster** *Attorney at Gunderson Law Firm*  
Ms. Forster is admitted to the state bars of Nevada and California, along with all federal courts in both states. She has represented a wide variety of clients from Nevada, California, and across the country. Ms. Forster has appeared in both state and federal courts, including at the appellate level, across Nevada and California. She has represented clients in several jury and non-jury trials, arbitrations, and mediations. Ms. Forster is the author of numerous published articles on topics that affect individuals and business alike, including personal liability shields and construction defect reform, and she has presented educational seminars to non-lawyer professional organizations.

**Steve Silva** *Partner at Blanchard Krasner & French*  
Mr. Silva focuses his practice on problem solving. He regularly practices in civil litigation including eminent domain, real estate litigation, and contested probate litigation, with a heavy emphasis in appellate litigation, trial practice, and governmental interface. He has a strong alternative dispute resolution focus in disputed cases. Mr. Silva also provides advice and guidance to government entities, regulated entities, and businesses.

# Webinar Information

|                                        |                                          |
|----------------------------------------|------------------------------------------|
| Log into Webinar<br>8:00 - 8:30 am PDT | Break<br>11:45 am - 12:45 pm PDT         |
| Morning Session<br>8:30 - 11:45 am PDT | Afternoon Session<br>12:45 - 4:15 pm PDT |

**Tuition**  
**\$289** for individual registration  
**\$199** for three or more registrants from the same company at the same time.  
**Included with your registration:** PDF seminar manual.

**How to Register**

- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Webinars are presented via GoToWebinar. Instructions and login information will be provided in an email sent close to the date of the webinar. For more information, please visit our FAQ section of our website, or visit [www.gotowebinar.com](http://www.gotowebinar.com).

**Continuing Education Credit Information**  
This webinar is open to the public and offers 6.0 CLE hours to California attorneys. HalfMoon Education is an approved CLE provider in California (Provider No. 8370).  
HalfMoon Education has applied to the Nevada Board of CLE for course approval for attorneys. Credit is pending.  
This course offers 6.0 non-mandatory continuing education hours to California professional engineers and land surveyors. It offers 6.0 PDHs to Nevada professional engineers and land surveyors. Preapproval is not mandatory in Nevada.

Completion certificates will be awarded to participants who complete this event, respond to all prompts, and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

**Cancellations:** Cancel at least 48 hours before the start of the webinar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another webinar or the self-study package. You may also authorize another person to take your place.

# Additional Learning

- Turf Grass and Sustainable Alternative Ground Covers**  
- Tues, June 29, 2021 | 7:30 am - 3:00 pm CDT
- Sustainable Site Design**  
- Wed, June 30, 2021 | 8:30 am - 3:50 pm CDT
- Stormwater Best Management Practices**  
- Thurs, July 1, 2021 | 8:30 am - 5:00 pm CDT
- Erosion and Sediment Control**  
- Tues, July 13, 2021 | 8:30 am - 5:00 pm CDT
- Street Maintenance and Traffic Operations**  
- Thurs, July 15, 2021 | 11:00 am - 2:30 pm CDT  
- Fri, July 16, 2021 | 11:00 am - 2:30 pm CDT

**Can't Attend?**  
**Order the Webinar as a Self-Study Package!**  
Recordings of this webinar are available for purchase. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

# Registration

## California and Nevada Easements, Rights-of-Way, and Eminent Domain

Online, Friday, July 23, 2021

| How to Register                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Registrant Information</b><br>Name: _____<br>Company/Firm: _____<br>Address: _____<br>City: _____ State: _____ Zip: _____<br>Occupation: _____<br>Email: _____<br>Phone: _____<br><br><b>Additional Registrants:</b><br>Name: _____<br>Occupation: _____<br>Email: _____<br>Phone: _____<br>Name: _____<br>Occupation: _____<br>Email: _____<br>Phone: _____<br><br>Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.<br><br>( )  I need special accommodations. Please contact me. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Tuition</b><br>( ) <b>I will be attending the live webinar.</b> Single Registrant - <b>\$289.00</b> . Three or more registrants from the same company registering at the same time - <b>\$199.00</b> each.<br>( ) <b>I am not attending.</b> Please send me the webinar recording:<br><input type="checkbox"/> Streamable MP4 Video/PDF Manual for <b>\$299.00</b> .<br><input type="checkbox"/> USB Video/PDF Manual for <b>\$299.00</b> . |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Checks:</b> Make payable to HalfMoon Education Inc.<br><b>Credit Card:</b> <i>Mastercard, Visa, American Express, or Discover</i><br>Credit Card Number: _____<br>Expiration Date: _____ CVV2 Code: _____<br>Cardholder Name: _____<br>Billing Address: _____<br>City: _____ State: _____ Zip: _____<br>Signature: _____<br>Email: _____                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |