

19<sup>th</sup> Annual Course

# Changing Face of Water Law



**LIVE** San Antonio • February 22-23, 2018 • Hyatt Regency Hill Country Resort

Government lawyers receive **half off** the Advanced Course!

Join us a day early for **Water Law 101** (separate registration required)



**MCLE CREDIT**  
13.5 Hours (2.5 Ethics)

**DOWNLOADABLE**  
Course Materials [↓](#)

**TexasBarCLE.com**  
800.204.2222 x1574

*Education by the Bar,  
for the Bar*

Come a day early to attend

# Water Law 101

(Separate registration required)



**LIVE San Antonio**  
February 21, 2018  
Hyatt Regency Hill Country Resort

## MCLE CREDIT

**3 Hours (.75 Ethics)**

**MCLE Course No: 928013038**

Applies to the Texas Bar College and to the Texas Board of Legal Specialization in Administrative, Oil, Gas and Mineral, and Real Estate Law.

## Wednesday

3 hours including .75 ethics

2:30 **Registration**

2:55 **Welcoming Remarks**

**Course Directors**

Rhonda S. Jolley, *San Antonio*  
Branscomb

Deborah Trejo, *Austin*  
Kemp Smith

3:00 **This Is Jeopardy: Who's Who and What's What in Water**

.75 hr (.25 ethics)

Emily Willms Rogers, *Austin*  
Bickerstaff Heath Delgado Acosta

3:45 **Groundwater Law** .5 hr (.25 ethics)

Edmond R. McCarthy, Jr., *Austin*  
McCarthy & McCarthy

4:15 **Surface Water Law** .5 hr

Gregory Graml, *Austin*  
Lower Colorado River Authority

4:45 **Networking Break - Snack Provided**

5:00 **Administrative Law** .75 hr (.25 ethics)

Tom Bohl, *Seguin*  
Guadalupe-Blanco River Authority

5:45 **An Insider's Guide to Advanced Water Rights Issues** .5 hr

Carolyn Ahrens, *Austin*  
Booth, Ahrens & Werkenthin

6:15 **Adjourn**

TexasBarCLE presents the 19<sup>th</sup> Annual Course

# Changing Face of Water Law

Cosponsored by the Environmental and Natural Resources Law Section and the Real Estate, Probate and Trust Law Section of the State Bar of Texas

Register early and **save up to \$125!**

Government lawyers and lawyers licensed 5 years or less take **HALF OFF!**

(See page 4 for details.)

**LIVE San Antonio**  
February 22-23, 2018  
Hyatt Regency Hill Country Resort  
Register by **February 8** to save!

**Updated Water Law Glossary included with your registration!**

Course books for both the Advanced and 101 courses will include an updated Water Law Glossary containing the latest legislative changes.

## Thursday

7.5 hours including .75 ethics

8:00 **Registration**  
**Breakfast Sponsored by**



8:40 **Welcoming Remarks**  
**Course Directors**

Rhonda S. Jolley, *San Antonio*  
Branscomb

Deborah Trejo, *Austin*  
Kemp Smith

8:45 **Texas Legislative Update** .5 hr

Stephen A. Cooney, *Houston*  
Gray Reed & McGraw

9:15 **Water, Sewer, and How You Get It: Development for the Uninitiated** 1.25 hrs (.25 ethics)

Tom Bohl, *Seguin*  
Guadalupe-Blanco River Authority

Grady B. Jolley, *San Antonio*  
Branscomb

Julianne B. Kugle, *Houston*  
Sanford Kuhl Hagan Kugle Parker Kahn

10:30 **Networking Break**

## MCLE CREDIT

**13.5 Hours (2.5 Ethics)**

**MCLE Course No: 928013039**

Applies to the Texas Bar College and to the Texas Board of Legal Specialization in Administrative, Oil, Gas and Mineral, and Real Estate Law.



- 10:45 **Texas Water Development Board Update: Show Me the Money** .5 hr  
Peter M. Lake, *Austin*  
Texas Water Development Board
- 11:15 **Hydrology for Lawyers by Lawyers** .75 hr  
Edmond R. McCarthy, Jr., *Austin*  
McCarthy & McCarthy
- 12:00 **Break – Lunch Provided**
- 12:15 **Luncheon Presentation: The Edwards Aquifer Authority, An Odyssey: A 20-Year Retrospective** .75 hr  
Darcy Frownfelter, *San Antonio*  
Kemp Smith
- 1:00 **Break**
- 1:15 **Challenging DFCs and Water Planning Decisions: Is Resistance Futile?** .75 hr  
Gregory M. Ellis, *League City*  
Attorney at Law  
Marvin W. Jones, *Amarillo*  
Sprouse Shrader Smith
- 2:00 **Groundwater Rights: Running the Permitting Gauntlet** 1 hr (.25 ethics)  
Shauna N. Fitzsimmons, *Austin*  
SledgeLaw Group  
Russell S. Johnson, *Austin*  
McGinnis & Lochridge  
Rhonda S. Jolley, *San Antonio*  
Branscomb
- 3:00 **TCEQ Enforcement: What to Do When TCEQ Comes Calling?** .75 hr (.25 ethics)  
Mark McPherson, *Dallas*  
McPherson Law Firm, PC  
James W. Sallans, *Austin*  
Attorney at Law
- 3:45 **Break**
- 4:00 **Landowner's Relationship to Rivers, Lakes, and Bays** .75 hr  
Nicholas Orman, *Austin*  
Texas General Land Office  
Kerry M. Spears, *Austin*  
Texas Parks and Wildlife
- 4:45 **Water In and Out of Streams: Reuse and Return Flows** .5 hr  
Trey Nesloney, *Austin*  
Booth, Ahrens & Werkenthin



## Friday

6 hours including 1.75 ethics

8:15 **Coffee & Pastries Provided**

8:40 **Announcements**

8:45 **Case Law Update** .75 hr (.25 ethics)  
Priscilla M. Hubenak, *Austin*  
Office of the Texas Attorney General

9:30 **Public Utility Commission: What's Happening Now?** .5 hr  
David Klein, *Austin*  
Lloyd Gosselink Rochelle & Townsend

10:00 **Water Conservation in Smaller Communities: Best Practices** .5 hr  
Karen Guz, *San Antonio*  
San Antonio Water System

10:30 **Networking Break**

10:45 **Critters: Why Do Mussels Matter?** .5 hr  
Shaun Donovan, *San Antonio*  
San Antonio River Authority

11:15 **So You Want to Keep Your Groundwater? Reservation of Groundwater in Real Estate Drafting** .5 hr  
Frank Z. Ruttenberg, *San Antonio*  
Haynes and Boone

11:45 **Mediating Water Disputes: The Good, The Bad, and The Ugly** .5 hr ethics  
Tom Collins, *Austin*  
Mediator - Arbitrator

12:15 **Break – Lunch Provided**

12:30 **Luncheon Presentation: Assessing Water Markets and Rights** .75 hr  
Clay J. Landry, *Boise, ID*  
WestWater Research, Inc.

1:15 **Break**

1:30 **Valuing Groundwater: A Tricky Business** .5 hr  
Gabriel Collins, *Houston*  
Rice University  
Baker Institute for Public Policy

2:00 **After the Frack: Ownership and Reuse of Oil & Gas Produced Water** .5 hr  
Peter E. Hosey, *San Antonio*  
Jackson Walker

2:30 **Between Flint and a Hard Place: Legal Ethics in Water Service** 1 hr ethics  
Augustus Campbell, *Houston*  
West Houston Association  
Alia Vinson, *Houston*  
Allen Boone Humphries Robinson

3:30 **Adjourn**

5:15 **Adjourn to Networking Social**  
*Sponsored by*

**ABHR**

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ATTORNEYS AT LAW

**Thank You to Our Sponsors**

## Ways to Save on This Course!

### Register by the February 8 Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for preregistrants until the start of the first topic.

### GO GREEN and Save \$25

Select the PDF download ONLY for a discount.

**Environmental and Natural Resources Law Section Members Save \$25 & Real Estate, Probate and Trust Law Section Members Save \$50** (\$25 of it provided by REPTL)

Not a member? To join, visit your My Bar Page and join online, or download a membership form from [TexasBar.com/sections](http://TexasBar.com/sections) to pay by mail. Please do not send section membership payment with your registration fee.

### Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle at 512-263-2802 or [laura.angle@texasbar.com](mailto:laura.angle@texasbar.com)

### HALF OFF for Government Lawyers and Attorneys Licensed in Texas 5 Years or Less!

You read that right! See the registration form.

## Scholarship Information

TexasBarCLE offers scholarships for live courses, video replays, online classes, and webcasts. To apply or learn more, call 800-204-2222, x1490, Mon-Fri 8am-5pm CT. Please apply at least two weeks prior to any live/video replay course or at least one week prior to any webcast or online class.

### Active Texas State, County, and Federal Judges, Administrative Law Judges, Hearing Examiners, and Judge's Staff Attorneys may attend for free, provided:

- (1) the course directly relates to the judge's/tribunal's jurisdiction,
- (2) the judge is a full-time judge or retired under a judicial retirement system and
- (3) space is available for all paying registrants. This privilege does not extend to prosecutors, receivers, trustees, other court staff, or persons serving part-time in a judicial capacity. Actual attendance is required to receive course materials.

### Parking Information

is subject to change and does not guarantee available space.

**If You Need Special Accommodations to Attend or Have a Food Allergy,** please contact us as soon as possible at 800-204-2222 x1751.

### Registered but Can't Attend? Still Earn MCLE Credit

and receive course materials by taking the course online later, in which case you'll automatically be sent the course materials. If you wish a refund instead, mail or fax (512-427-4443) your request so that we receive it at least one business day before the program.

### FREE TO OUR REGISTRANTS! Online Videos and MP3s of the Topics

will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

### Interested in Sponsoring or Exhibiting at this Course or Others?

Contact Julie Marshall at 512-427-1797 or [julie.marshall@texasbar.com](mailto:julie.marshall@texasbar.com).

### Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for the public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

## Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.

### LIVE San Antonio

Hyatt Regency Hill Country Resort  
9800 Hyatt Resort Drive  
San Antonio, TX 78251  
(210) 647-1234  
\$209 single/double  
**Deadline: January 24**



Make your reservation online at:

[www.TexasBarCLE.com?a=WaterLaw](http://www.TexasBarCLE.com?a=WaterLaw)

**Parking Info:** Self-parking is complimentary.

The reserved block of rooms may fill up before the deadline. Act Now!

### Course Directors

Rhonda S. Jolley..... San Antonio  
Deborah Trejo .....Austin

### Planning Committee

Carolyn Ahrens.....Austin  
Colette Barron-Bradsby.....Austin  
Thomas Bohl.....Seguin  
Leonard H. Dougal.....Austin  
Gregory Ellis.....League City  
Greg Graml.....Austin  
Priscilla M. Hubenak.....Austin  
Marvin W. Jones.....Amarillo  
Edmond R. McCarthy, Jr. ....Austin  
J. Mark McPherson .....Dallas  
H. Trey Nesloney III.....Austin  
Emily Willms Rogers.....Austin  
Cynthia Woelk.....Austin

### TexasBarCLE Planning Team

Kandi Botello ..... Program Planner  
Jillison Hicks..... Sr. Program Coordinator  
Deserea Serna..... Written Materials Coordinator  
Kathy Kasper ..... Meeting Planner

### Environmental & Natural Resources Law Section of the State Bar of Texas

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Stephen McMillen..... Chair-Elect  
Susan M. Maxwell.....Vice-Chair  
David Klein .....Treasurer  
Nathan Block .....Secretary  
Arnoldo Medina, Jr. ....Immediate Past Chair

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Hon. Xavier Rodriguez .....Chair, CLE Committee  
Gary Nickelson..... Chair, Board PDP Committee  
Hedy Bower.....Director, TexasBarCLE

# REGISTRATION FORM

## WAYS TO REGISTER

### ONLINE

TexasBarCLE.com  
credit card only

### PHONE

800-204-2222, x1574  
during business hours  
credit card only

### FAX

512-427-4443  
credit card only

### MAIL

State Bar of Texas  
LB# 972298  
P.O. Box 972298  
Dallas, TX 75397-2298  
check or credit card

### REGISTERING FIVE OR MORE?

E-mail Laura Angle at  
laura.angle@texasbar.com  
for group discount  
information.

Government lawyers and lawyers licensed 5 years or less may attend the Advanced Course for **HALF OFF!**

## Changing Face of Water Law & Water Law 101

### 1 Changing Face of Water Law [8020]

**LIVE San Antonio February 22-23, 2018**

☐ Regular Registrant..... \$745

**Take \$50 OFF:** Register by February 8

☐ Government Lawyer, **HALF OFF**..... \$372.50\*

☐ Licensed 5 years or less, **HALF OFF**..... \$372.50\*

Your registration includes:

- Sponsored hot breakfast on Thursday morning
- Lunch provided both days
- Thursday evening welcoming social
- Complimentary Wi-Fi in the meeting room
- Complimentary self-parking
- Course materials provided as a PDF download and printed book, or select the PDF download only for a discount!

### Water Law 101 [8021]

**LIVE San Antonio February 21, 2018**

☐ Regular Registrant ..... \$175\*

☐ REPTL Section Member, **\$25 OFF** ..... \$150\*  
(discount provided by REPTL)

☐ Licensed 5 years or less, **\$50 OFF**..... \$125\*

I may attend complimentary because I am a (see p. 4):

☐ Qualifying judge ☐ Judge's staff attorney

\*No discounts in section 3 may be taken.

### 2 I want my **Advanced Course** materials format to be:

☐ Hard copy book as well as a PDF download of same  
(both formats included in registration fee)

☐ PDF download ONLY so I'll **take \$25 OFF**

**101 Course** materials will be provided as a PDF download only. Register in advance and we'll send you an email to download/print the materials when they become available. (You must be a registered user of TexasBarCLE.com to use this feature. Becoming a registered user is free and only takes a moment.) **Note:** Please download the materials **before** you arrive at the course, since internet access may be limited.

### 3 I am entitled to 1 or 2 discounts on the Advanced Course:

☐ **\$50 OFF** because I am registering by the February 8 deadline.  
(If by mail, date of postmark will be determinative.)

**Membership Discounts:** I'm a member of the (choose 1 box only):

☐ Environmental and Natural Resources Law Section **\$25 OFF**

☐ Real Estate, Probate and Trust Law Section **\$50 OFF**  
((\$25 of it provided by REPTL))

☐ Texas Bar College **\$25 OFF**

☐ Paralegal Division **\$25 OFF**

For more information on joining these sections, see page 4.

### 4 I can't attend, but would like the materials.

**FREE** Shipping & Handling

☐ Advanced Course hard copy book \$155<sup>†</sup>

☐ 101 Course PDF download \$45<sup>†</sup>

To order a PDF of course materials, search Publications at TexasBarCLE.com (available 1-2 weeks after the course).

### 5 My total is \$. I am paying by:

☐ Check (enclosed) payable to the State Bar of Texas for \$ \_\_\_\_\_

☐ Visa ☐ Mastercard ☐ Amex ☐ Discover

**PLEASE PRINT LEGIBLY** Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

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**State Bar Membership No.** \_ \_ \_ \_ \_

Registrant Name \_\_\_\_\_

Firm Name/Court \_\_\_\_\_

Address for Bar-Related Mail \_\_\_\_\_

City/State Zip \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-Mail (required for registrant's PDF download option): \_\_\_\_\_

A confirmation of your registration will be sent to the e-mail address you provide.

*<sup>†</sup>Plus 8.25% sales tax on total course book sales only. Please include sales tax or attach an exemption certificate. Book orders are shipped separately 1-2 weeks after the live program. Please include payment by check or supply credit card information on this form.*

*MP3 files of topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course. For information on other course products, contact our Flash CLE service at 800-204-2222, x1575.*

### QUESTIONS?

800-204-2222, x1574 • 512-427-1574



State Bar of Texas  
P.O. Box 12487  
Austin, TX 78711-2487

19<sup>th</sup> Annual Course

# Changing Face of Water Law

LIVE San Antonio • February 22-23, 2018

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STATE BAR of TEXAS

## Environmental & Natural Resources Law Section

**MEMBERSHIP BENEFITS** when you join the Environmental & Natural Resources Law Section:

- ▶ **Environmental Law Journal**—read articles, coverage of recent developments in the law, plus news of Section activities and other events (includes access to the online archive).
- ▶ **NewspaperClips.com**—receive daily summary of environmental news from newspapers across the country.
- ▶ **From the Bench**—watch a series of practice-oriented interviews with Texas judges.

**VISIT**

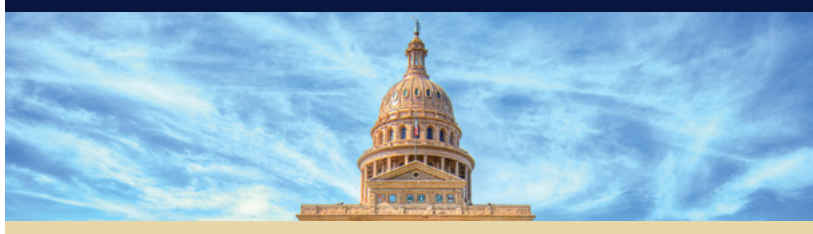
**[www.texenrls.org](http://www.texenrls.org)**

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