

# Quantifying Water Rights in Utah

## SEMINAR SCHEDULE

### MORNING SESSION

- 8:00 A.M. REGISTRATION
- CONDUCTING SEMINAR:  
**Don A. Barnett,**  
Barnett Intermountain Water Consulting
- 8:30 A.M. WELCOME:  
**Don A. Barnett** and **Carly B. Burton,**  
Utah Water Users Association
- 8:40 A.M. *Supplemental Water Rights and  
Other Items from the State Engineer*  
**Kent L. Jones,** Utah State Engineer, or  
**Lee H. Sim,** Assistant Utah State Engineer
- 9:40 A.M. *Water Right Exactions:  
Direction from the Impact Fee Statute*  
**Mark H. Anderson,** Nielsen & Senior
- 10:40 A.M. BREAK: Sponsored by  
*Barnett Intermountain Water Consulting*
- 11:00 A.M. *Division and Use of Colorado River Waters*  
**Dennis Strong,** Director  
Utah Division of Water Resources
- 12:00 P.M. LUNCHEON: Provided by Seminar

- 12:30 P.M. *The Snake Valley Saga*  
**Michael R. Styler,** Director  
Utah Department of Natural Resources

### AFTERNOON SESSION

- CONDUCTING:  
**L. Ward Wagstaff,**  
Utah Attorney General's Office
- 1:30 P.M. *Civility*  
**D. Brent Rose,** Clyde Snow
- 2:30 P.M. *Court Cases of Interest*  
**David B. Hartvigsen,** Smith Hartvigsen
- BREAK
- 3:00 P.M. *New and Proposed Legislation*  
**Shawn E. Draney,**  
Snow, Christensen & Martineau
- 3:30 P.M. *Where from Here?*  
**Norman K. Johnson,**  
Utah Attorney General's Office
- 4:00 P.M. WRAP UP:  
**L. Ward Wagstaff**

## SEMINAR OVERVIEW

IN ORDER TO ADMINISTER a water right, one needs to be able to first define or quantify the amount of water associated with the given water right. As water rights are then moved or transferred, the quantified water right needs to be compared with the quantification of the anticipated water usage. Hence, those in the water business are always trying to quantify water right sources and uses. This year's seminar will focus on issues associated with the quantification of water rights.

The supplemental nature of water rights is often complicated and confusing. For several years, the State Engineer's office has sought a mechanism for quantifying the individual beneficial use amount of a given water right in a group of other water rights. At the seminar, the State Engineer will discuss the new rule and its implementation.

Some cities and water districts in the state have ample water rights to meet present and future needs. Those that are short often have some type of water right trade-in policy or water right impact fee (exaction). How such policies are quantified, justified and implemented will be a topic of discussion at this year's seminar.

The quantification of Utah's entitlement to the Colorado River is difficult and may change with time. How that changing quantification is allocated to Utah users is likewise difficult. Utah's Director of the Division of Water Resources

will discuss the issues associated with the division and use of Utah's apportionment of the Colorado River.

The quantification and apportionment of groundwater may be even more difficult. For several years now, representatives from Utah and Nevada have been in discussions regarding the division of ground waters in the Snake Valley. Utah's Director of the Department of Natural Resources will provide an update on these interstate discussions.

Changes in the Utah State Bar's CLE requirements now require that one ethics credit be on Civility. A presentation on this subject will be a part of this year's seminar and, given the nature of some water disputes, may well be needed.

As in past years, this seminar will also include an update on recent court cases and new or potential legislation of interest to the water community. Presenters on these subjects will update seminar participants on the most recent actions and status.

As we conclude this year's seminar, we'll have the opportunity to reflect on some potential future directions in water quantification and administration. The 2010 Water Law & Policy Seminar has a faculty of professionals who are currently involved with water law and water management, and participants will find the presentations both timely and provocative.

*See Page 2 for Registration and Lodging Information*

