

WATER, OIL AND GAS

Nuts and Bolts of Oil and Gas Leases, Surface Use Agreements, and Water Rights for Non-Oil and Gas Attorneys

CO-SPONSORED BY:

- Getches-Wilkinson Center for Natural Resources, Energy and the Environment, University of Colorado Law School
- Rocky Mountain Land Use Institute, Sturm College of Law, University of Denver
- Natural Resources & Energy Section of the Colorado Bar Association

SPECIAL THANKS to the Office for University Outreach, CU – Boulder, for their support!

LIVE PROGRAM and LIVE WEBCAST:
SEPTEMBER 26, 2013

Live program will be at the CBA-CLE Classroom • 1900 Grant Street, Suite 300, Denver, CO

This is the third program in a 3-part series focusing on critical water, oil and gas issues in Colorado.

PROGRAM TOPICS INCLUDE:

- Oil and Gas Leases
- Surface Use Agreements (SUAs)
- Government's Role in Authorizing Locations for Oil and Gas Development
- Technical Aspects of Nontributary and Produced Nontributary Ground Water
- Produced Nontributary Ground Water from the Perspective of Industry
- Nontributary Ground Water as a Landowner Asset

WHO SHOULD ATTEND:

- Practitioners with Energy and Water Industry Clients
- Energy and Water Law Practitioners
- Energy Industry Professionals
- Engineers
- Environmental Professionals
- Federal, State and City Government Officials
- Landowners
- Water Brokers
- Anyone Who Needs to Know About Water, Oil and Gas!

TUITION ASSISTANCE IS AVAILABLE ...
for qualified applicants who wish to attend and have limited resources.
For information, email bhollingsworth@cobar.org

VIDEO REPLAYS: **OCTOBER 18, 2013** • Denver, Colorado Springs, and Grand Junction

REGISTER FOR THIS PROGRAM ONLINE! Go to www.cobar.org

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This program is the third one in a series focusing on critical water, oil and gas issues in Colorado. Each program is designed as a stand-alone program. This third program will provide those who don't practice in the area with essential information regarding oil and gas leases, surface use agreements, government's role in authorizing locations for oil and gas development; the ins and outs of nontributary and produced nontributary ground water and nontributary ground water as a landowner asset.

This series of programs gathers top legal, water, and energy/technical experts to share their extensive experience and expertise with you. The first program provided an overview of the pertinent law and issues generated when the water, oil and gas industries interact; addressed water quality concerns and the sourcing of water from municipalities and beyond for hydraulic fracturing and drilling. The second program in the series focused on the technology behind recycling produced water and hydraulic fracturing flowback liquid; water recycling and use and reuse by Colorado's oil and gas industry; water recycling incentives in other states; mandatory recycling and legal constraints and opportunities in Colorado regarding water reuse. If you decide you would like the materials from a program you did not attend, they are available in a variety of formats. Please see the Homestudy Order Form in this brochure or get in touch with CBA/CLE at (888) 860-0624; (303) 860-0608.

Don't miss this third program in the series and the opportunity to get up to speed on the nuts and bolts of oil and gas leases, surface use agreements, government regulation and nontributary ground water as a landowner asset.

New Program Series! REGISTER TODAY!

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CLE CREDITS: Submitted for 6 General Credits

PROGRAM AGENDA

8:30 - 9:00 am Registration and Continental Breakfast

9:00 - 9:10 am Introduction, Welcome and Recap of Previous Programs: Water, Oil and Gas 101 and Water Recycling and Reuse of Water
Sarah Klahn, Esq., and Matthew Sura, Esq.

9:10 am - 12:10 pm FOCUS ON LAND

(with 15-minute break)

Oil and Gas Leases and Surface Use Agreements (SUAs)

- **Lease Agreements**

- (1) Determining if your client has mineral rights
- (2) Analyzing a lease offer
- (3) Interacting with industry landmen
- (4) Important provisions for landowners to understand in the typical lease
- (5) Landowner issues and industry concerns: bridging gaps and drafting protective provisions

- **Surface Use Agreements (SUAs)**

- (1) Split estates and the Accommodation Doctrine
- (2) Common issues for surface owners
- (3) Important provisions for landowners to consider including in an SUA

- **Regulation of Oil and Gas Development**

- (1) The role of government in authorizing locations
 - a. Colorado Oil and Gas Conservation Commission (COGCC) permitting, operational regulation, and enforcement
 - b. Zoning and land use authority of local governments
 - c. Update on local government hydraulic fracturing moratoria and bans

Presented by: Phillip Barber, Esq., (Oil and gas attorney with emphasis in representation of local governments)

Howard Boigon, Esq., (Oil and gas Industry attorney with emphasis in representation of industry clients)

Matthew Sura, Esq., (Oil and gas attorney with emphasis in representation of landowners and communities)

12:10 - 1:30 pm Lunch Break (on your own)

1:30 - 3:30 pm FOCUS ON WATER

Water Rights

- **Technical Aspects of Nontributary and Produced Nontributary Ground Water**

- (1) Formations
- (2) Locations
- (3) Depths
- (4) Amounts

Presented by: Christopher Sanchez, P.G., Bishop-Brogden Associates, Inc.

- **Produced Nontributary Ground Water from the Perspective of Industry**

- (1) Produced water as an asset
- (2) Avoided transportation and pipeline costs
- (3) Cost-effective treatment options

Presented by: Matthew Bruff, Esq., Chief Development Officer and General Counsel, Altela, Inc.

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1:30 - 3:30 pm

(continued)

• Nontributary Ground Water as a Landowner Asset

- (1) Ownership of nontributary ground water (including produced nontributary ground water)
- (2) Limitations on industry's use of produced nontributary ground water
- (3) Adjudication of rights to nontributary ground water
- (4) Adjudicated nontributary ground water rights and negotiations

Presented by: Alan Curtis, Esq.

3:30 pm

Adjourn

PROGRAM FACULTY

PROGRAM CO-CHAIRS

Sarah Klahn, Esq.*

White & Jankowski, LLP
Denver, CO

Matthew Sura, Esq.*

Matthew Sura, LLC
Boulder, CO

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White & Jankowski, LLP
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Christopher Sanchez, P.G.

Bishop-Brogden Associates, Inc.
Englewood, CO

** also on Faculty and/or Planning Committee*

WEBCAST INFORMATION

WEBCASTING IS GREEN!

Course materials are provided in PDF format to all webcast attendees. If you prefer to receive the materials in paper form, you must make this request at the time of registration; the materials will be shipped when available and we cannot guarantee that you will receive them prior to the program.

WEBCASTING IS EASY!

THE MINIMUM SYSTEM REQUIREMENTS:

- Your computer should have a 500 MHz or higher processor and at least 128 mb of RAM
- A connection to the Internet of at least 700 kbps is highly recommended, and most people now have connections at that speed or faster. Check your speed now (or go to <http://www.speedtest.net/>)
- Course materials are delivered in PDF format. You will need a recent version of Adobe Reader. Free Download here: <http://get.adobe.com/reader/>

- Adobe Flash Player v. 11.X or higher (Free Download here: <http://get.adobe.com/flashplayer/>)
- Tablets and iOS devices will need a web browser and a high speed wi-fi connection. Our video is encoded HTML5 compliant x264 format which will play on any contemporary device with sufficient bandwidth.
- You will also need a sound card and speakers, and a current web browser

TIPS FOR A BETTER WEBCAST EXPERIENCE:

<http://cle.cobar.org/AboutCLE/FAQs/TechnicalFAQs.aspx#webcastvod>

You will receive a confirmation and instructions to view the webcast via email upon registration.

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 when using VISA, MC or AmEx
 In Denver: (303) 860-0608
 Toll-Free: (888) 860-2531

Or FAX form to
 when using VISA, MC or AmEx
 FAX to: (303) 860-0624

Or MAIL form to
CLE in Colorado
 1900 Grant St, Suite 300
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Or Register ONLINE
 when using VISA, MC or AmEx
 Go to www.cobar.org/cle

PROGRAM ORDER FORM

STEP 1 - REGISTRATION TYPE: (Select live program, live webcast, or video replay)

- LIVE PROGRAM: September 26, 2013** - In Denver at the CBA-CLE Classroom, 1900 Grant St., Suite 300 (NR092613L)
- LIVE WEBCAST: September 26** - Must have access to high-speed internet (NR092613W)
- VIDEO REPLAY: October 18, 2013** - Please indicate video replay location:
 - Denver** (NR092613V)
 - Colorado Springs** (NR092613VCS)
 - Grand Junction** (NR092613VGJ)

STEP 2 - REGISTRATION TUITION:

- Non-member:\$279
- CBA Member:\$239
- CBA Nat. Resources & Energy Law Section Member:.....\$209
- CBA Env'tl. Law Section Member:\$209
- CBA Water Law Section Member:\$209
- University of Colorado School of Law Affiliates: \$179
- University of Denver Sturm College of Law Affiliates: ..\$179
- NEW LAWYER – CBA SECTION MEMBER: ..\$129**
- Govt. Officials or Member of a Nonprofit Agency:\$179
- Elite Season Pass Holder:FREE**

STEP 3 - SELECT DESIRED MATERIALS FORMAT (Please Select One):

- Materials on Flash Drive** (pick up at seminar)
- Printed Book** (pick up at seminar)

PROGRAM ORDER FORM TOTAL \$ _____

HOMESTUDY ORDER FORM

*To receive CLE Credit you must purchase both the course materials **AND** the recorded seminar.*

STEP 1 - SELECT DESIRED PRODUCT FORMAT:

- Video-On-Demand** (NR092613N)
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STEP 3 - COURSE MATERIALS ONLY: (Paper Only - NR092613C):

- Non-member: \$95
- CBA Member: \$75

DID YOU MISS WATER, OIL AND GAS 101 OR WATER, OIL AND GAS - RECYCLING AND REUSE? ORDER THEM HERE:

WATER, OIL AND GAS 101

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- Basic CLE Pass Holder:** (MP3 and VOD ONLY)FREE

NOTE: Shipping & handling only applies to orders you receive via mail. Materials will be mailed to you approximately 2 weeks after live program.

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Colorado Bar Association CLE

The nonprofit, educational arm of the Colorado Bar Association and the Denver Bar Association

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