



ROCKY MOUNTAIN
MINERAL LAW FOUNDATION

Virtual 67TH Annual Rocky Mountain Mineral Law Institute

July 19 - 26, 2021

Join us from wherever you are on July 19-26, 2021, for the 67th Annual Rocky Mountain Mineral Law Institute, being held virtually again this year due to ongoing risks associated with the pandemic. We will hold a complete Annual Institute program, with 33 presentations by over 60 distinguished and emerging speakers, planned by our 12-person program committee with the help of hundreds of volunteers who submitted topics or attended planning meetings. The Annual Institute will include a General Session followed by separate sections on Oil & Gas, Mining, Public Lands, Water, Environmental, International Law, Corporate Counsel, and Landman's Issues. Although we are sad we will not be meeting in person, registrants may also attend one or more of several online networking events to renew old friendships and build new relationships in the natural resources, energy, and environmental law community.

The 67th Annual Institute will be **FREE** to Foundation members and includes up to 32 CLE credits (26.5 hours in 60-minute states) including 1 hour of ethics. Scholarly papers will accompany most of the presentations. If you are not a member, please join to take advantage of this incredible member benefit. The institute will be spread out over more than a week so that none of the presentations will overlap, and participants will be able to attend all presentations of interest.

Complimentary registration for members. Only \$149 for nonmembers and \$89 for government/nonprofits. Nonmembers from outside the U.S. can attend just the International Section and International Networking Event for only \$39.



**Free
for
Members!**

Virtual 67th Annual Institute

All times in the program are Mountain Daylight Time

MONDAY, JULY 19, 2021

General Session and Network Receptions

9:00 am - 9:15 am: Introductions and Special Recognitions

9:15 am - 10:15 am: America's Public Lands – A Look Back and Ahead

JOHN D. LESHY, Emeritus Harry D. Sunderland and Distinguished Professor of Real Property Law, UC Hastings College of the Law, San Francisco, CA

10:15 am - 11:15 am: The Importance of the State-Owned and Private Oil Sector for Successfully Implementing the Energy Transition

LEONARDO SEMPERTEGUI, General Legal Counsel, Organization of the Petroleum Exporting Countries, Vienna, Austria

ANDREW SLAUGHTER, Adjunct Faculty, Bauer College of Business, University of Houston, Houston, TX

TXIAIN FERGUSSON, General Counsel, OCGI Climate Investments, London, England

FRÉDÉRIC G. SOURGENS, Senator Robert J. Dole Distinguished Professor of Law, Washburn University School of Law, Topeka, KS

11:15 am - Noon: BREAK

Noon - 1:00 pm: The Proliferation and Implications of Climate Litigation

DAVID B. SPENCE, Baker Botts Chair in Law, University of Texas at Austin School of Law, Austin, TX

MARIA L. BANDA, Associate Attorney, Gibson, Dunn & Crutcher LLP, Washington, DC

2:00 pm - 3:00 pm: VIRTUAL NETWORKING RECEPTIONS

- Portia's Reception for Women in Natural Resources and Energy
- Natural Resources Law Teachers Reception
- Corporate Counsel Reception (must be in-house to attend)

3:30 pm - 4:30 pm: VIRTUAL NETWORKING RECEPTIONS

- Oil and Gas Practitioners Reception
- Public Lands and Mining Practitioners Reception
- Environmental and Water Practitioners Reception

TUESDAY MORNING, JULY 20, 2021

OIL AND GAS SECTION

9:00 am - 9:30 am: Oil and Gas Law Update – Texas and the West

ANN COX TRIPP, Associate, Hinkle Shanor LLP, Roswell, NM

9:30 am - 10:00 am: Oil and Gas Law Update – Louisiana and the East

KATHERINE M. GAFNER, Partner, K&L Gates, Pittsburgh, PA

10:00 am - 10:50 am: Production in Paying Quantities in These Times – How Much Stress Can Your Lease Withstand?

PATRICK S. OTTINGER, Founding Partner, Ottinger Hebert, L.L.C., Lafayette, LA, and Adjunct Professor of Law, Paul M. Hebert Law Center, Louisiana State University, Baton Rouge, LA

10:50 am - 11:00 am: BREAK

11:00 am - 11:50 am: Water in the Desert – Alternative Means for Raising Capital for Cash Starved Exploration and Production Companies

LAWRENCE A. HALL, Partner, Baker Botts L.L.P., Dallas, TX

GERALD A. MORTON, Special Counsel, Baker Botts L.L.P., Houston, TX

JEFFREY A. ZLOTKY, Partner and General Counsel, NGP Energy Capital Management, LLC, Dallas, TX



TUESDAY AFTERNOON, JULY 20, 2021

OIL AND GAS SECTION (cont.)

11:50 am - 12:30 pm: BREAK

12:30 pm - 1:20 pm: **The Modern Day Gold Rush: The Race for Helium and Why You Should Care**

AMY E. SENESHEN, Managing Partner, Welborn Sullivan Meck & Tooley, P.C., Denver, CO

DAVID SENESHEN, President, Geochemical Insight, Denver, CO

1:20 pm - 2:10 pm: **Affiliate Transactions in Royalty Litigation – Don't Judge a Lessee by Its Relatives**

NICOLLE SNYDER BAGNELL, Partner, Reed Smith LLP, Pittsburgh, PA

MARK C. RODRIGUEZ, Partner, Beck Redden LLP, Houston, TX

2:10 pm - 2:30 pm: BREAK

2:30 pm - 3:20 pm: **Exculpatory Clauses for Operators – When Do They Apply and What Do They Mean?**

BYRON C. KEELING, Principal, Keeling & Fredrickson, P.C., Houston, TX

3:20 pm: Adjourn for the Day

WEDNESDAY MORNING, JULY 21, 2021

MINING SECTION

9:00 am - 9:30 am: **Annual Mining and Public Land Law Update**

JASON D. STEIERT, Associate, Parsons Behle & Latimer, Salt Lake City, UT

9:30 am - 10:20 am: **Unearthing the Impacts of Foreign Investment Restrictions on the Natural Resources Industries**

NAVIN JONEJA, Partner, Blake, Cassels & Graydon LLP, Toronto, ON

ALMIRA MORONNE, Associate, Davis Graham & Stubbs LLP, Denver, CO

SOPHIE DRAKE, Legal Counsel – Australia, Resource Capital Funds, Perth, Australia

10:20 am - 10:30 am: BREAK

10:30 am - 11:20 am: **Energy Transition and Mining – Reconciling the Growth of Renewable Energy with the Need for New Mineral Development**

ALEXANDRA B. KLASS, Distinguished McKnight University Professor, University of Minnesota Law School, Minneapolis, MN

ALLISON J. MITCHELL, Staff Attorney, Fond du Lac Band of Lake Superior Chippewa Legal Affairs Office, Cloquet, MN

11:20 am - 12:10 pm: **BLM's Use of FLPMA and CERCLA to Complete Investigation, Reclamation, and Remediation Work on Abandoned and Inactive Mines on Federal Lands**

BRADLEY J. GLASS, Shareholder, Gallagher & Kennedy, P.A., Phoenix, AZ

NATHALIE DOHERTY, Attorney-Advisor, Office of the Solicitor, U.S. Department of the Interior, Portland, OR

12:10 pm - 12:45 pm: BREAK

Young Natural Resources Professionals Wine Tasting
Reception Wednesday, July 21st from 5:15pm – 7:00pm MDT
This event is limited to the first 50 individuals who sign up.

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WEDNESDAY AFTERNOON, JULY 21, 2021

PUBLIC LANDS SECTION

12:45 pm - 1:35 pm: Executive Action to Implement Federal Policy for Public Lands – History, Limitations, and Longevity

AMANDA SHAFER BERMAN, Partner, Crowell & Moring LLP, Washington, DC
LYNN PHAN, Associate, Crowell & Moring LLP, Washington, DC

1:35 pm - 2:25 pm: Tribal Sovereignty – Recent Developments and Implications for Mineral and Energy Development in “Indian Country” *

SARAH ROUBIDOUX LAWSON, Of Counsel, Schwabe Williamson & Wyatt, Seattle, WA

2:25 pm - 2:40 pm: BREAK

2:40 pm - 3:30 pm: Public Lands, the Courts, and the Mining Law of 1872

JIM BUTLER, Partner, Parsons Behle & Latimer, Reno, NV
ROY W. FULLER, Attorney-Advisor, Office of the Solicitor, U.S. Department of the Interior, Washington, DC

3:30 pm: Adjourn for the Day

THURSDAY MORNING, JULY 22, 2021

CORPORATE COUNSEL SECTION

9:30 am - 10:20 am: Challenges to Enforcing Confidentiality Agreements in the Global Economy

AMY ABDON, Director, Fennemore Craig P.C., Phoenix, AZ
ROB RISLEY, Senior Counsel (Retired), Freeport-McMoRan Exploration Corporation, Phoenix, AZ
LUIS SARABIA, Partner, Davies Ward Phillips & Vineberg LLP, Toronto, ON

10:20 am - 11:10 am: Building and Implementing an Effective Anticorruption Compliance Management Program

KATHRYN CAMERON ATKINSON, Chair, Miller & Chevalier, Washington, DC
ANDREW WISE, Chair, Litigation Department, Miller & Chevalier, Washington, DC

11:10 am - 11:20 am: BREAK

11:20 am - 12:10 pm: Navigating Global ESG Legal Risks & Evolving Fiduciary Duties for Resource Companies

YOUSUF P. AFTAB, Director, Atelier Aftab (A2), New York, NY
JONATHAN DRIMMER, Partner, Paul Hastings LLP, Washington, DC

12:10 pm - 12:45 pm: BREAK

THURSDAY AFTERNOON, JULY 22, 2021

LANDMAN'S SECTION

12:45 pm - 1:45 pm: Let's Make a Deal – Negotiating and Drafting Leases from Lessee and Lessor Perspectives – An Ethical Mock Negotiation

KELLI TIEKEN KENNEY, Partner, McElroy, Sullivan, Miller & Weber LLP, Austin, TX
JOHN B. MCFARLAND, Shareholder, Graves Dougherty Hearon & Moody P.C., Austin, TX
PAUL G. YALE, Partner, Gray, Reed & McGraw LLP, Houston, TX

1:45 pm - 2:35 pm: Effective Planning and Drillsite Preparation – A Landman's Roadmap

SARAH BLACK, Senior Landman, Range Resources, Canonsburg, PA
BRESEE CARLSON, Partner, Kuiper Law Firm, Lakewood, CO
ELIZABETH A. RYAN, Senior Counsel, New Mexico Operations, ConocoPhillips, Midland, TX

2:35 pm - 2:50 pm: BREAK

2:50 pm - 3:40 pm: Show Me the Money! Resolving Common Partner Payment Issues

JAMIE L. JOST, Shareholder, Jost Energy Law PC, Denver, CO
AMY MOWRY, Of Counsel, Jost Energy Law PC, Denver, CO

3:40 pm: Adjourn for the Day

*The Foundation acknowledges that tribal lands are not public lands. The decision to include this presentation in the Public Lands section was based on its interest to expected attendees.



FRIDAY MORNING, JULY 23, 2021

ENVIRONMENTAL SECTION

9:00 am - 9:30 am: Annual Environmental Law Update

HEIDI K. RUCKRIEGLE, Senior Associate, WilmerHale, Denver, CO

9:30 am - 10:20 am: The Pendulum Swings – Analyzing the Biden Administration's New Priorities and Energy Sector Impacts

JANICE M. SCHNEIDER, Partner, Latham & Watkins LLP, Washington, DC

10:20 am - 10:30 am: BREAK

10:30 am - 11:20 am: Backseat Driver No More! The Expanding Role of State and Local Government in Reducing Methane Emissions

JENNIFER L. BIEVER, Director, Williams Weese Pepple & Ferguson, Denver, CO

CARLOS R. ROMO, Director, Williams Weese Pepple & Ferguson, Denver, CO

11:20 am - 12:10 pm: Environmental Justice – What It Is, Whom It Seeks to Help, and How to Address It

CLIFFORD J. VILLA, Associate Professor of Law, University of New Mexico School of Law, Albuquerque, NM

12:10 pm - 12:45 pm: BREAK

FRIDAY AFTERNOON, JULY 23, 2021

WATER SECTION

12:45 pm - 1:35 pm: Land Use and Water Rights – Lessons from Washington State – Managing Water Resources in a Time of Climate Change

MICHELLE BRYAN, Professor of Law, Alexander Blewett III School of Law, University of Montana, Missoula, MT

MARY VERNER, Water Resources Program Manager, Washington State Department of Ecology, Lacey, WA

KATHLEEN CALLISON, Law Offices of Kathleen Callison, Tumwater, WA

JOSH BALDI, Water and Land Resources Division Director, King County Department of Natural Resources and Parks, Seattle, WA

1:35 pm - 2:25 pm: Transboundary Pollution Regimes and Canadian Mining Impacts on U.S. Waters

ERIN SEXTON, Senior Scientist, Flathead Biological Station, University of Montana, Polson, MT

KENTA TSUDA, Staff Attorney, Conservation Law Foundation, Boston, MA

2:25 pm - 2:40 pm: BREAK

2:40 pm - 3:30 pm: 401 Certification – The State of the Law

ALLYN L. STERN, Of Counsel, Beveridge & Diamond PC, Seattle, WA

ERIC L. CHRISTENSEN, Of Counsel, Beveridge & Diamond PC, Seattle, WA

3:30 pm: Adjourn for the Day

MONDAY MORNING, JULY 26, 2021

INTERNATIONAL SECTION AND NETWORKING RECEPTION

9:30 am - 10:20 am: Far and Away – Overcoming Infrastructure and Development Challenges Involving Resource Projects in Remote Areas

JULIE ABOUCHAR, Partner, Willms & Shier Environmental Lawyers LLP, Toronto, ON

MARÍA LUISA PORTO FOX, Corporate Legal Manager, Cenit Transporte y Logística de Hidrocarburos S.A.S., Bogotá, Colombia

10:20 am - 11:10 am: Record-Breaking International Arbitration Awards – Is International Arbitration an Effective Remedy?

NATALIE L. REID, Partner, Debevoise & Plimpton LLP, New York, NY

BERGLIND HALLDORSDDOTTIR BIRKLAND, Associate, Debevoise & Plimpton LLP, New York, NY

11:10 am - 11:30 am: BREAK

11:30 am - 12:20 pm: Protecting Mining Investments Against Government Interference – An Investment Treaty Perspective

MARTÍN AÑEZ REA, Consultant, Lechêne, Iñiguez & Partners, Madrid, Spain

PETR POLÁŠEK, Partner, White & Case LLP, Washington, DC

1:00 pm - 2:00 pm: VIRTUAL INTERNATIONAL NETWORKING RECEPTION

PROGRAM COMMITTEE

Program Chair:

CONNIE L. ROGERS, Terra Law Group, LLC, Golden, CO

Corporate Counsel Chair:

TIMOTHY R. CANON, PDC Energy, Denver, CO

Environmental Chair:

DAVID L. SCHWAN, ConocoPhillips, Houston, TX

International Co-Chairs:

CHARLES KAZAZ, Blake, Cassels & Graydon LLP, Montréal, QC

DIANA SANCLEMENTE, Sanclemente Fernandez Abogados S.A., Bogotá, Colombia

Landman's Chair:

JESSICA M. LARAMIE, Western Colorado University, Gunnison, CO

Mining Co-Chairs:

JEFF N. FAILLERS, Erwin Thompson Faillers, Reno, NV

VIRGINIA K. SCHWEITZER, Fasken, Ottawa, ON

Oil & Gas Co-Chairs:

KEVIN C. ABBOTT, University of Pittsburgh School of Law, Pittsburgh, PA

ANDREW J. CLOUTIER, Hinkle Shanor LLP, Roswell, NM

Public Lands Chair:

NORA R. PINCUS, Boart Longyear, Salt Lake City, UT

Water Chair:

MICHELLE BRYAN, University of Montana School of Law, Missoula, MT

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