



## Joseph B. Dischinger

**Director**

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Joe's practice focuses on issues related to water rights and environmental law, including litigation and transactional work in both fields. For more than thirty-five years, Joe works with businesses, private landowners, and governments throughout Colorado to handle water right evaluation, acquisition, protection, and transfer matters. His experience spans all areas of Colorado water law including applications for conditional and absolute water rights, changes of water rights, direct flow and storage water rights, exchanges, and augmentation plans. When needed, Joe handles related litigation in water law disputes including easements and rights-of-way, powers and management of ditch companies, and abandonment of water rights. Among other clients, Joe is general counsel for the Farmers Reservoir and Irrigation Company.

For more than two decades, Joe has also advised clients in environmental matters. He regularly counsels companies, real estate developers, and environmental cleanup firms on environmental compliance, permitting, and risk allocation. His focus in these matters is to find practical solutions to routine and complex environmental problems. Joe works to help clients comply with environmental requirements, negotiate intergovernmental agreements, and maintain good relationships with regulators.

He has experience with nearly all federal and state environmental laws, including the Clean Water Act (CWA), the Endangered Species Act, the National Environmental Policy Act (NEPA), the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the Price-Anderson Amendments Act, and laws and regulations relating to the transportation of nuclear and hazardous materials. Joe ensures clients are compliant, while remediating contaminated properties, representing regulated parties in enforcement defense, and helping to assess, manage, and allocate risk from environmental conditions in real estate and corporate transactions. He has also handled litigation involving CERCLA, NEPA, CWA, the Federal Highway Act, and claims for environmental indemnification.

### Education

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University of Virginia School of Law, J.D., 1982

University of Virginia, B.A., 1978

## Bar Admissions

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Colorado

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. Tax Court

## Practice Areas

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Corporate

Environmental Litigation

Litigation

Real Estate

Utilities Litigation

Water Rights Litigation

## Sectors

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Alternative Energy

Water

## Professional Affiliations

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- American Bar Association
  - Environment, Energy and Resources Section
- Colorado Bar Association
  - Environmental Law Section, chairman, 2008 - 2009
  - Vice president, 2009 - 2010
  - Water and Environmental Law Sections
  - Water Law Section, secretary and treasurer, 2005 – 2007
- Colorado Foundation for Water Education
- Colorado Hazardous Waste Management Society
  - Treasurer, 2012 - present
- Colorado Supreme Court Committee on Gender and Justice
  - Executive Committee, 1996-2004
  - Service to the Public Subcommittee, chairman, 1996 - 2004
- Colorado Supreme Court Task Force on Family-Friendly Courts
  - Co-chair, 1999 – 2000
- Colorado Water Congress
- Denver Bar Association
  - President, 2003 - 2004

- Environmental Law Institute
- Thompson G. Marsh American Inns of Court
  - President, 2000 - 2001

## Community Involvement

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- Court Child Care Center
  - Board of Directors, 1997 - present
  - Founder and Chairman, 1997 - 2000; 2020 - present
  - Vice Chairman, 2011 - 2020

## Recognition

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- Colorado Bar Foundation
  - Fellow emeritus, 1998 - present
- Colorado Early Childhood Professional Coalition
  - Recipient of “Colorado Children’s Champions” Award, 2004
- Colorado Super Lawyers
  - Energy and Natural Resources
- Denver Bar Association
  - “Volunteer Lawyer of the Year” Award, 1998
- Honoree of “Joe Dischinger Day” in the City and County of Denver, proclaimed by Mayor Wellington Webb on March 29, 1999
- Law Week Colorado
  - Barrister's Best Water Law Lawyer, 2020
- Marquis Who's Who, 2022
- Martindale-Hubbell AV Preeminent rated
- Rocky Mountain Children’s Law Center
  - “Champions for Children” Award, 1998

## Presentations

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- “Planning and In-House Capability of Larger Ditch Companies,” Ditch and Reservoir Company Alliance’s 12th Annual Convention (February 26, 2014)
- “Horizontal Drilling and Hydraulic Fracturing,” Fairfield and Woods Attorney Panel (May 17, 2012)