

Agenda

Understanding Oregon Surface Water and Groundwater Rights *E. Howard*

- Ownership of surface water: public waters and the prior appropriation doctrine
- Regulation of surface water rights
- Obtaining surface water rights
- Application and permitting process
- Amending surface water rights
- Current issues in surface water rights
- Ownership of groundwater
- Regulation of groundwater rights
- Obtaining groundwater rights
- Application and water well permitting process
- Current issues in groundwater rights

Conjunctive Groundwater-Surface Water Management and Well Drilling Issues *S. Liljefelt*

- Conjunctive management of groundwater and surface water
- Effects of conjunctive management on permitting, transfers, and mitigation
- Well construction standards and relation to conjunctive management
- Well drilling legislative updates

Managing Finite Water Resources *C. Tebbutt*

- Historic usage and current trends
- Maintaining water quality and quantity
- State and regional water quality regulation
- Regional water management and planning
- Planning for climate resilience
- Watershed planning

Water Utility Regulation *I. Sanger/J. Goatcher/R. Beitzel*

- Types of water utilities
- Regulation of utility service areas
- Application and permitting process for service areas
- Utility construction design standards and approvals
- Current issues in utility service area regulation

Agricultural Water Use *B. Sheets*

- Wells for agricultural use
- Irrigation law
- Water quality and agricultural runoff
- Groundwater impacts

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Oregon Water Rights and Regulations

Live, Interactive Webinar - Wednesday, October 13, 2021

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Learning Objectives

You'll be able to:

- Discuss** ownership of surface water in Oregon, including public waters and the prior appropriation doctrine.
- Understand** the effects of conjunctive management of groundwater and surface water on permitting, transfers, and mitigation.
- Explore** watershed planning, water quality regulation and planning for climate resilience.
- Examine** current issues in water utility regulation.
- Discuss** irrigation law, agricultural runoff, and groundwater impacts.



HalfMoon Education Live Webinars

Oregon Water Rights and Regulations

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- Understand** Oregon surface and groundwater rights
- Review** water utility regulation
- Explore** water well drilling laws and regulations
- Discuss** regional water management and planning
- Examine** agricultural water use

Continuing Education Credits

- Professional Engineers & Geologists**
6.5 PDHs
- Floodplain Managers**
6.5 ASFPM CECS
- Oregon Attorneys**
6.75 CLE Hours



Faculty

Elizabeth E. Howard is a shareholder at Schwabe Williamson & Wyatt PC. She helps agriculture, forest product and energy businesses navigate burdensome regulations, negotiate favorable resolutions with agencies, defend against injunctions and cancellations, resolve enforcement actions and obtain permits. She is particularly experienced in the areas of water rights, water quality, endangered and threatened species, grazing and public lands. Ms. Howard has a strong industry focus on agriculture, and advocates on behalf of state organizations that represent ranches, farms and dairies.

Sarah R. Liljefelt is a partner and the managing attorney at Schroeder Law Offices' Portland, Oregon office. She joined Schroeder Law Offices in 2009 and graduated from Lewis & Clark Law School with an Environmental & Natural Resources certificate. Ms. Liljefelt represents water users in the West, focusing her practice on water rights review, evaluation, due diligence, permitting, transfer, forfeiture and cancellation, water-related real property and public lands issues and disputes, administrative contested cases, and state and federal litigation. She is licensed to practice law in Oregon, California, and Utah. Ms. Liljefelt is the chair of the Oregon Cattlemen's Association's Water Resources Committee, the former chair of the Oregon State Bar's Environmental & Natural Resources Section's executive committee, and serves on the Bar's Agricultural Law Section executive committee. She enjoys cooking, kayaking, and camping with her family, and competitively races outrigger canoes with the Mountain Home Canoe Club.

Charlie Tebbutt, of the Law Offices of Charlie Tebbutt, is primarily an environmental lawyer who assists communities, organizations, tribes, unions and individuals across the United States in protecting themselves and their members from industrial pollution and chemical injury. Through litigation, negotiation, and grassroots campaign building, the firm helps clients enforce our nation's environmental laws and hold polluters and regulatory agencies accountable. During his career at the Western Environmental Law Center, the Atlantic States Legal Foundation, and in private practice, Mr. Tebbutt has brought citizen suit and toxic tort cases concerning pollution and chemical exposure against dozens of Fortune 500 companies in more than 30 states enforcing a broad spectrum of environmental laws. The firm has experience with many environmental statutes, including the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), Clean Air Act (CAA), National Environmental Policy Act (NEPA), Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), Freedom of Information Act (FOIA), Comprehensive Environmental Response Compensation and Liability

Act (CERCLA), Emergency Planning and Community Right To Know Act (EPCRA), and Resource Conservation and Recovery Act (RCRA). Representative cases include actions against coal industry, oil spills, large CAFOs, railroads and improper state and federal rules. The team has won landmark cases against large CAFOs (see *CARE and CFS v. Cow Palace*), improper government actions (see *Nat'l Cotton Council v. U.S. EPA*), and the coal industry (see *Sierra Club v. BNSF Railway*). The team also represents victims of toxic chemical exposure and works on climate change and other cutting edge environmental issues.

Irion A. Sanger's legal and consulting practice at Sanger Law PC focuses on energy, administrative, and public utility law. He represents energy trade associations, municipalities, electric cooperatives, irrigation districts, end-use industrial and commercial consumers, investor-owned natural gas and water utilities, and renewable and cogeneration electricity producers. Mr. Sanger advises hydro, biomass, geothermal, wind, solar, cogeneration, and other electricity generators on a wide variety of transactional matters, including negotiating power purchase agreements, interconnection agreements, wholesale power sales, resource development and sales, and other matters. Mr. Sanger represents clients in energy and utility matters before state and federal courts, state public utility commissions, the Federal Energy Regulatory Commission, and the Bonneville Power Administration. Mr. Sanger is also an adjunct instructor at Lewis & Clark Law School, and in Portland Community College's Paralegal Program.

Jill D. Goatcher is an Assistant Attorney General at the Oregon Department of Justice.

Russ Beitzel is a Utility Analyst at the Oregon Public Utility Commission.

Brian R. Sheets is the owner of BRS Legal, LLC, an Ontario-based law firm that focuses on water law, natural resources, and land use law in Oregon and Idaho. Brian has represented clients with a wide set of issues ranging from municipal water supply concerns to wildlife management policy, and individuals with diverse land use issues in negotiation and litigation roles. He focuses on water-related legal challenges for agricultural and residential water users across Oregon and has expanded into Idaho in 2020. He is a graduate of Lewis & Clark Law School (2013) with a certificate in Environmental and Natural Resources Law and served as the Managing Editor of *Lewis & Clark Law Review*. In his spare time, Mr. Sheets represents a national non-profit Falconry advocacy organization, pro-bono as associate counsel, which compliments his practice as a licensed falconer.

Webinar Information

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The Oregon State Bar for MCLE has approved this course for 6.75 CLE hours.

The Association of State Floodplain Managers has approved this event for 6.5 CECS for certified floodplain managers.

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Introduction to HEC-HMS Modeling

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- Mon, Sept 13, 2021 | 10:00 am - 12:00 pm CDT

Avoiding Ethical Pitfalls Along the Road to Sustainable Construction

- Tues, Sept 14, 2021 | 9:00 - 10:00 am CDT

Land Description Systems

- Tues, Sept 14, 2021 | 11:00 am - 2:15 pm CDT

- Wed, Sept 15, 2021 | 11:00 am - 2:15 pm CDT

Seismic Design and Construction

- Tues, Sept 14, 2021 | 11:00 am - 3:00 pm CDT

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Stormwater Best Management Practices

- Mon, Sept 20, 2021 | 8:30 am - 5:00 pm CDT

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