Sarah R. Liljefelt, Partner

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Focus

Agriculture, Food & Natural Resources Environmental Real Estate Litigation

Profile

Sarah Liljefelt was born and raised in California during a time of serious drought. Her upbringing impressed on her the great importance of water resources in the face of finite supply. Having lived in the arid states of California and Utah, and now in Oregon, Sarah has witnessed first-hand the impact that water resources have on landscapes and people, and is dedicated to serving water users in the West.

While Sarah is one of few attorneys specializing in water law, her area of practice also includes real property transactions, service-regulated and rate-regulated water utilities, special districts and municipal entities, environmental compliance, public lands, administrative adjudications, judicial review of agency orders, and state and federal civil litigation and appeals.

When she's not in the office, Sarah enjoys cooking, paddling & camping. She competes on the Mountain Home Outrigger Canoe team.

Admissions

Oregon: State, 2010; Federal, 2012

California: State 2011; Federal, 2016

Utah: State, 2016; Federal, 2017 (inactive)

Ninth Circuit Court of Appeals: 2012

Tenth Circuit Court of Appeals: 2017

United States Supreme Court: 2017

Education

Lewis & Clark Law School, Portland, Oregon; J.D., Cum Laude 2010

University of Utah, Salt Lake City, Utah: Environmental Studies and Philosophy; B.S., magna cum laude

Results & Expertise

Representative Matters

- Represented a client group of ranchers to enforce a judicial water management settlement with a State agency between the clients and the Oregon Water Resources Department. This representation required commencement of a successful contempt action against the State after contested case proceedings, and defense of the clients' win on appeal, obtaining approximately $190,000 in attorney fees for the clients.
- Represented various water utilities in rate cases before the Oregon Public Utilities Commission, reaching settlement with the PUC in each case to increase rates charged by the utilities to pay for capital expenditures, personnel costs, rent office and storage rent, taxes, benefits, and more, including PUC approval of affiliated interests and utility contracts. Additionally, represented clients to buy and sell rate-regulated water utilities requiring Commission approval.
- Represented various cities in the capacity of City Attorney, representing municipalities on numerous issues including public meetings, public records, public contracting, government ethics, resolutions and ordinances, municipal water and sewer utilities and extraterritorial service, code and ordinance enforcement including zoning, prosecution of misdemeanors, and more.
- Assisted various special districts and private companies with formation in Oregon and California, including petitions to county commissions for public entities, articles of incorporation for private companies, preparation and adoptions of bylaws and rules & regulations, meeting compliance, elections, tax exemption, and more.
- Represented numerous individuals, developers, and a Native American Tribe, to provide large-scale water rights due diligence support for multi-million dollar ranch, farm, and winery acquisitions throughout Oregon and California, including public lands and grazing permit issues on properties managed by the Bureau of Land Management and United States Forest Service.
- Represented numerous clients to negotiate, draft, and record access agreements, including easements, licenses, right of ways, well sharing agreements, and more. Additionally represented various clients in legal actions for judicial declaration of access rights across private properties and public lands held by state and federal governments.
- Assisted clients with removal-fill compliance under the Clean Water Act in wetlands and waterways in order to support maintenance and development of their properties. Additionally defended numerous clients in enforcement actions brought by state and federal agencies, including actions related to removal-fill, fisheries, underground buried containers, hazardous waste, and other environmental compliance issues.
- Assisted clients and organizations to obtain legal changes through the legislature and defended

against harmful proposed bills, including written and oral testimony to various legislative committees and outreach to legislators. Additionally served on various state agency rulemaking advisory committees, and submitted comments and protests on behalf of numerous clients challenging proposed government actions and final orders.
- Represented clients to create conservation easements in association with land trusts to meet various financial and conservation goals of those clients, including working land conservation easements.

Published Work

- "The Western Conjunctive Management Fallacy: Groundwater Resources Management in the Western United States," International Committee on Irrigation and Drainage, *3rd World Irrigation Forum*, Bali, Indonesia
- "Orders in Other than Contested Cases," *Oregon State Bar BarBooks*, 2010 and 2016 Updates
- "State Strategies for Sustainable Groundwater Management & California's New Act," *United States Committee on Irrigation and Drainage*, 2015
- "Oregon Water Resources Year in Review," *American Bar Association*, 2011-2012, 2015
- "Klamath Adjudication Update: The Administrative Phase is Complete, Now onto Judicial Review," *The Water Report*, 2013
- "Water Takings Update," *Oregon State Bar Environmental & Natural Resources Law Section E-Outlook*, 2012
- "RS 2477: Public Right-of Ways in an Era of Administrative Avoidance," *Nevada Lawyer*, 2012
- "Domestic Water System Disputes: Can Old Water Systems Learn New Tricks?," United States Committee on Irrigation and Drainage, 2012
- "Aquacides: To Permit or not to Permit, That is the Question," United States Committee on Irrigation and Drainage, 2011
- "Water Use & Urbanization: The Truckee River Operating Agreement," United States Committee on Irrigation and Drainage, 2011
- "Domestic Groundwater Exemptions," *Willamette Law Review*, 2011
- "Montana v. Wyoming and North Dakota," *Oregon State Bar Environmental & Natural Resources Law Section E-Outlook and Case Notes*, 2011
- "Debrah Noble and David Hillison v. Oregon Water Resources Department," *Oregon State Bar Environmental & Natural Resources Law Section E-Outlook*, 2011
- Using State Water Law for Efficient Water Use in the West, United States Committee on Irrigation and Drainage, 2010

Presentations

- Access Rights for Water Utilities & Municipalities, Water Environment School, 2022
- Conjunctive Groundwater-Surface Water Management & Well Drilling Issues, Halfmoon Education Water Law Seminar, 2021
- Water Rights Due Diligence & Modifications; Access Rights for Water Utilities, Oregon Association of Water Utilities, 2019 & 2021
- Micro-Irrigation Transfers, The Seminar Group's Water Law Conference, 2020
- Conjunctive Groundwater Management in Oregon, National Ground Water Association, 2020
- Klamath Water Update, Oregon Cattlemen's Association & American Society of Farm Managers and Rural Appraisers, Oregon Chapter, 2019

- Klamath Basin Groundwater Regulation, Oregon State Bar Environmental and Natural Resources CLE, 2018
- Understanding Oregon Groundwater Rights, Halfmoon Education Water Law Seminar, 2018
- Groundwater Transfer Challenges; Contracts for Drillers & Installers; Informing Customers about Wells & Water Rights; Water Rights, Hemp & Marijuana, Oregon Ground Water Association Fall Convention, 2017-Present
- Wetland Law & Compliance, Halfmoon Wetlands Seminar, 2017
- Water Rights in Oregon, National Business Institute, 2016
- Know Your Water Rights, Oregon Cattle Women Annual Meeting, 2015
- Water Supply in a Time of Drought, Moderator, Oregon State Bar Environmental & Natural Resources Law Section Annual CLE, 2015
- Water in the Klamath Basin, Oregon, American National Cattlewomen Association Region V Meeting, 2015
- Klamath Basin Adjudication, The Past, The Present, and The Future, OSU Extension, 2014
- Presentation of Various Published Papers, United States Committee on Irrigation and Drainage, 2011 and 2012

Videos

- Cattleman Talk, Oregon Cattlemen's Association, 2020

In the News

- Oregon irrigators fear legislation would erode due process | Oregon | capitalpress.com
- Contempt ruling issued against Oregon water regulators upheld | Oregon | capitalpress.com
- Are water models being misapplied? | Top Headlines | wlj.net
- Modernizing Oregon's irrigation systems can involve complications (statesmanjournal.com)

Industries

Agriculture, Food & Natural Resources

Practice Areas

Land use, Environmental & Natural Resources

Litigation

Honors & Affiliations

Professional Affiliations

Oregon Cattle Women, Former Vice President (see article)

Oregon Cattlemen's Association, Water Resources Committee Chair

National Cattleman's Beef Association (see article)

Oregon Farm Bureau, Member

Oregon State Bar Association, Environmental & Natural Resources Section, Chair (2020)

Oregon State Bar Association, Agricultural Law Section, Executive Committee Member; New Lawyer Mentor

Multnomah Bar Association, Member

Lewis & Clark Law School, Student Mentor

Oregon State Bar Association, New Lawyer Mentor

Community Organizations

Hollywood Farmers Market, Former Board Member & Staff Committee Chair

Mountain Home Canoe Club, Outrigger Team Member

Oregon Women Lawyers, "Dragonflies" Past Dragon Boat Team Member

Honors

Oregon Cattlemen's Association, President's Award, 2021

Oregon CattleWomen, CattleWoman of the Year, 2019

Lewis & Clark Law School, Outstanding Oral Advocate Award, 2007

University of Utah, Service Learning Scholar, 2006