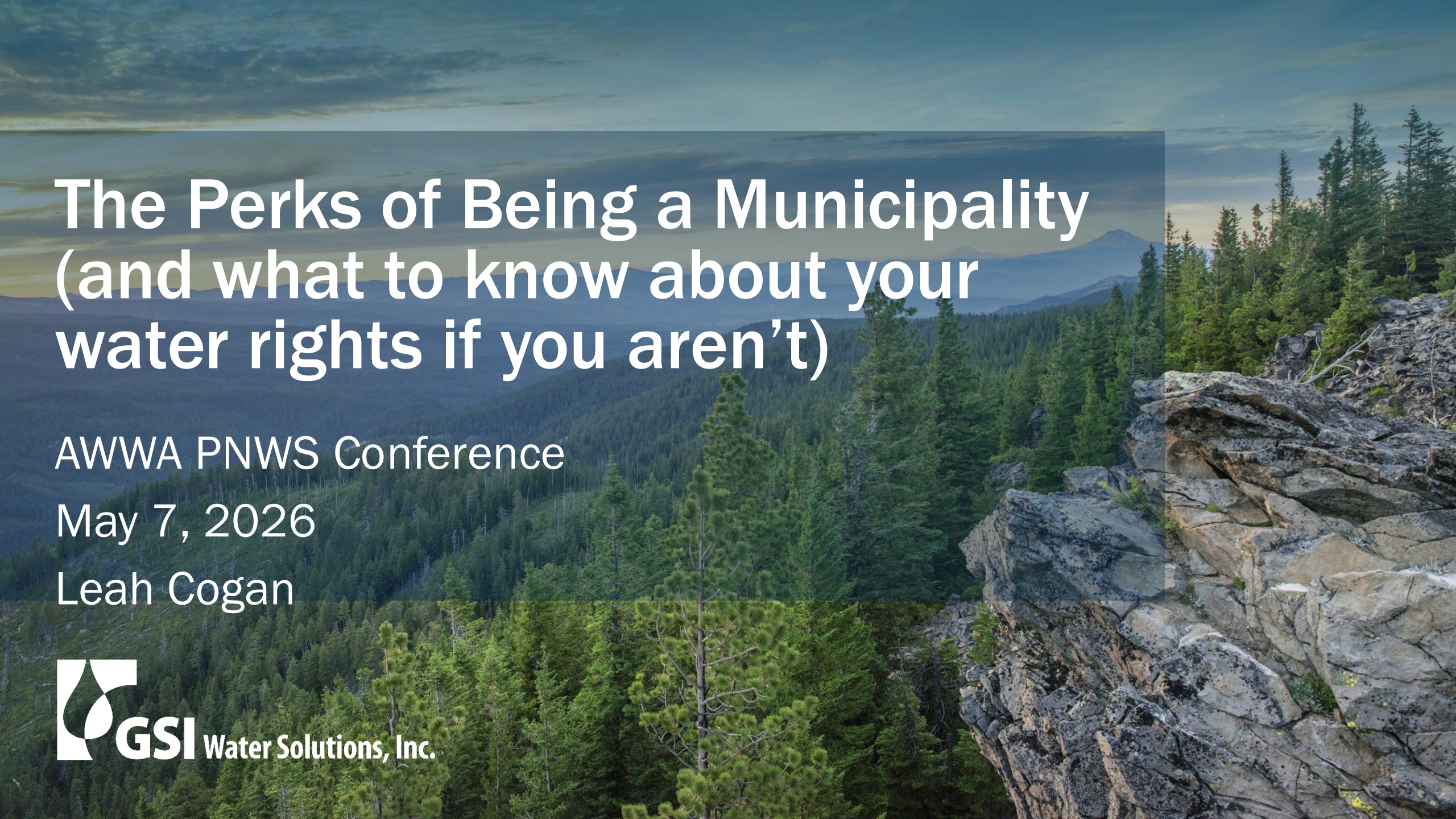


The Perks of Being a Municipality (and what to know about your water rights if you aren't)

AWWA PNWS Conference

May 7, 2026

Leah Cogan

GSI Water Solutions, Inc.

25 YEARS GSI Water Solutions, Inc.



Water Rights and Strategic Water Supply Planning

Water Rights Due Diligence for Property and Real Estate Sales

Water Rights Transaction Support

Source Water Protection Planning and Drought Planning

Streamflow Monitoring

WATER RIGHTS AND RESOURCES



Groundwater Supply Planning and Development

Well Design and Construction Management

Groundwater Management

Aquifer Recharge and Aquifer Storage and Recovery

Groundwater Modeling

GROUNDWATER SERVICES

Overview



- Types of water rights
- “Growing communities” doctrine
- Life cycle of a water right
  - Municipal preferences
- Recent legislative changes



Types of Water Rights

Types of Water Rights

- Municipal
- Quasi-municipal
- Group domestic (expanded)
- Domestic (expanded)
- Other examples
  - Industrial
  - Irrigation
  - Hydroelectric

Municipal or Quasi-Municipal?

- Usual and ordinary uses
  - Domestic, commercial, industrial, fire protection, recreation, street washing, some irrigation
- Who holds the water right
  - Municipal corporation
  - Public corporation
  - Corporation other than a public corporation

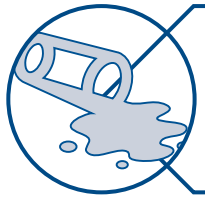


Growing Communities Doctrine

Oregon's Water Code



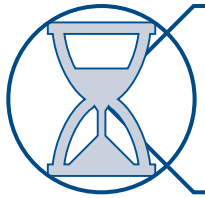
Priority



Beneficial use without waste



Appurtenancy



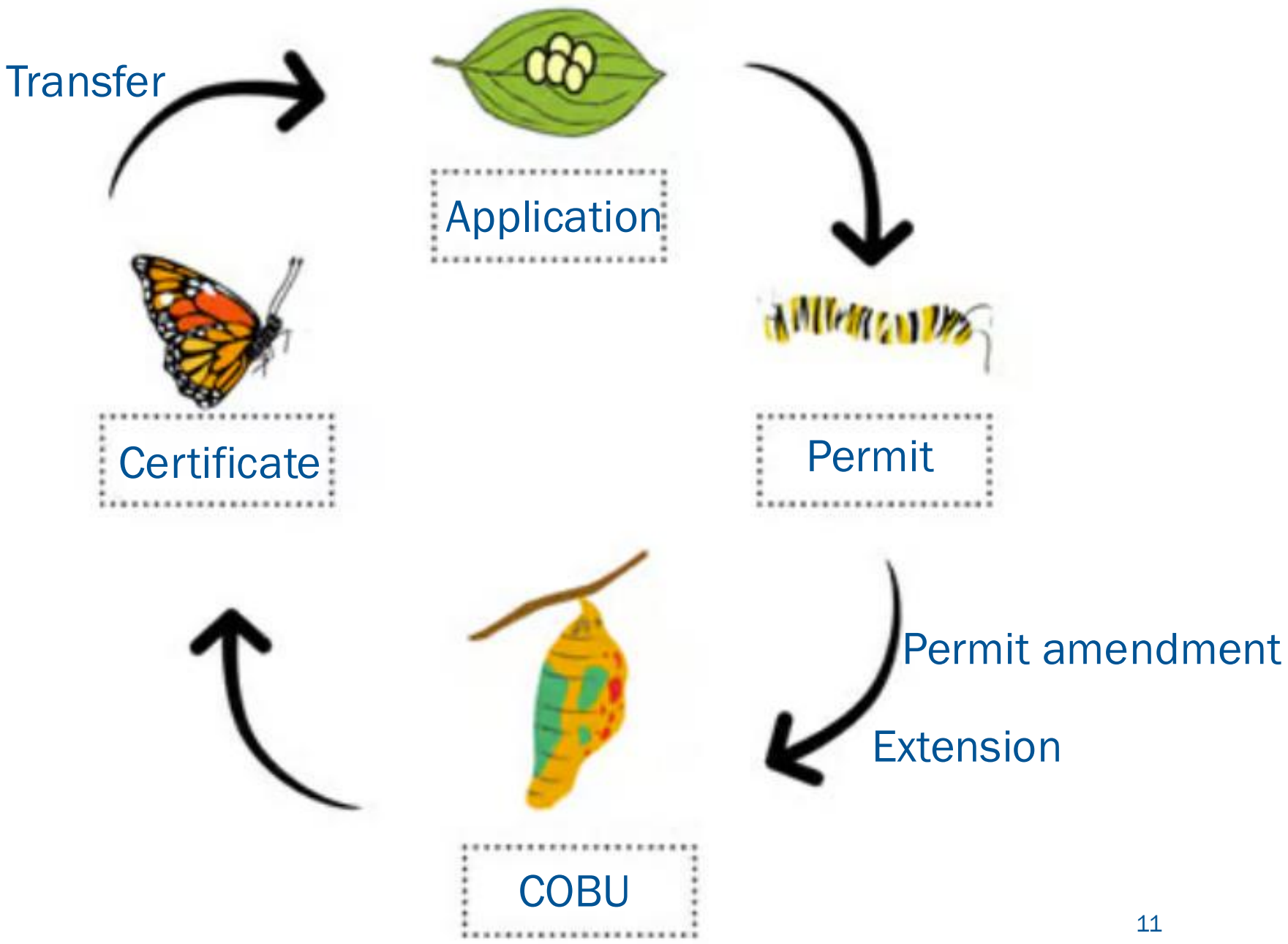
Use it or lose it

“Growing Communities” Doctrine

- Municipalities must provide safe and reliable water now and in the future (anticipate population growth)
- Need to be able to secure water rights aligned with long-term development plans – develop system as demand grows



Life Cycle of a Water Right



New Municipal Water Rights



- Align with CIP and plans for permits
- Not easy to get, but not impossible
- ★ Development timeline 20 years
- Water Management and Conservation Plan
- ★ Redundancy
- ★ Precedence over instream?
- Incremental mitigation (Deschutes)

Permit Extensions

- Extension to begin construction of storage
- Water Management and Conservation Plan
- Greenlight water
- Length of extension

Municipal	• Prove need
Quasi-municipal	• 20 years
Group domestic	• 10 years

Fish Persistence Conditions

Permit issued

2 Nov. 1998

29 June 2005

First extension



- Undeveloped portion
- Applies retroactively to last deadline
- Advice of ODFW
- Loooong review timelines

Getting a Certificate



- Claim of beneficial use
  - 4 hours use in 8 hours
    - Stored water
    - Process water
    - Compliance with conditions
- Treatment plant capacity
- Incremental perfection



Certificates

- Appurtenancy – unless municipal
- Use it or lose it – unless municipal





Recent Legislation

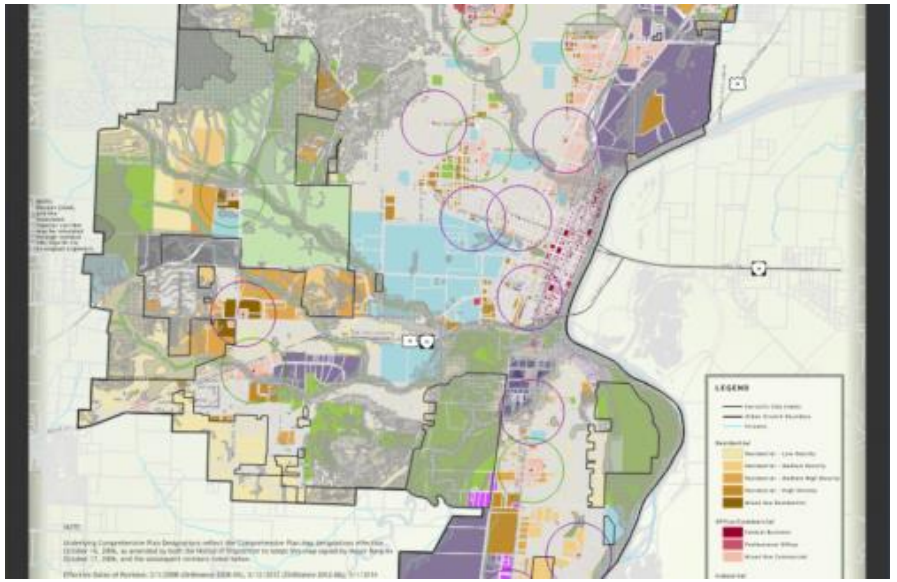
Processing Changes

- Notification to proceed with processing and phased fees
- Changes to protests
- Automatic final orders



Extension Changes

- Quasi-municipal and group domestic
  - Speculation?
  - Growing communities?
- Others
  - 2 years
  - Other government permits – 7 years



Attempted Changes

- Transfer restrictions
  - Upstream diversion changes
- Land use compatibility
- Future changes?





Thank you!
Questions?

Leah Cogan
lcogan@gsiws.com
971-200-8529