



Jennie Bricker Of Counsel

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Overview

Jennie Bricker's practice is focused on the areas of law surrounding the land, shore, and water. She handles natural resources permitting, water rights, shoreline development, boundary disputes, and property transactions.

Jennie has represented private property owners in disputes over title to the beds and banks of Oregon rivers and lakes. In *Hardy v. State Land Board*, her clients successfully challenged the State's claim of ownership to an 89-mile segment of the Rogue River. She has also guided clients through legislation, rulemaking, and negotiations with the Oregon Department of State Lands concerning filled lands ownership, water boundaries, public recreational use rights, and waterway leasing.

Jennie helps clients secure regulatory approvals such as Section 404 permits under the Clean Water Act and state and local permits for dredging and upland development. She works with irrigators and other water users to apply for new water rights, transfer existing rights, resolve water disputes, and protect historic claims in the Klamath Basin Stream Adjudication.

Before beginning private practice, Jennie served as judicial clerk to Ninth Circuit Court of Appeals Judge Otto R. Skopil.

How I Serve Clients

State and federal regulatory programs can seem like a labyrinth without an exit. With more than 20 years' experience in natural resources permitting and project management, I bring a strategic approach to securing the agency approvals my clients need as land owners, developers, and water users to accomplish their objectives.

Practice Emphasis

- Energy & Natural Resources

Education

- J.D., *magna cum laude*, Northwestern School of Law of Lewis & Clark College (1997)
- M.A. (English Literature), University of Oregon (1988)
- B.A., *magna cum laude* (English), Robert D. Clark Honors College at the University of Oregon (1986)

Admissions

- Oregon State Bar
- Washington State Bar Association
- United States Supreme Court

Professional Recognition

- Burton Award for Legal Achievement (2001)
- Editor, Oregon State Bar Real Estate and Land Use Digest

Memberships

- Multnomah Bar Association
- Oregon Women Lawyers
- Professional Land Surveyors of Oregon

Publications

- "Paying Attention – Are We Too Distracted to Practice Law?," Oregon State Bar Bulletin (December 2019).
- "I'll Drink to That: The Power and Peril of Alcohol's Connection to the Legal Profession," Oregon State Bar Bulletin (November 2019).
- "Defining 'Indian:' Kennewick Man Case Focused Attention on Native Identity and Sovereignty," Oregon State Bar Bulletin (May 2019).
- "Water, Water, Everywhere: Drinking Water in Oregon" Oregon State Bar Bulletin (February/March 2019).
- "Maintaining Civility in Our Modern World," Oregon State Bar Bulletin (December 2018).
- "This Land Is My Land: Tribes, Treaties and Trust," Oregon State Bar Bulletin (August/September 2018).
- "The Forest for the Trees: A Closer Look," Oregon State Bar Bulletin (June 2018).
- "A Power Shift: A Conversation About Sexual Harassment and the Law Office," Oregon State Bar Bulletin (April 2018).
- "Do You Hear What I Hear? Dealing with Decibels," Oregon State Bar Bulletin (December 2017).
- "Beyond Bricks and Mortar: Some Lawyers Leave the Traditional Office Behind," Oregon State Bar Bulletin (October 2017).
- "Author! Author! Why Do Lawyers Write Fiction?" Oregon State Bar Bulletin (July 2017).
- "Suit Up! Decoding the Attorney Dress Code," Oregon State Bar Bulletin (May 2017).
- "Open Minds? The Challenge of Finding Impartial Juries in a Nation Divided," Oregon State Bar Bulletin (April 2017).
- "Deep and Dark December: Traditions of Winter," Oregon State Bar Bulletin (December 2016).
- "A Chuckle in the Chain: The Case for Bicycle Commuting," Oregon State Bar Bulletin (October 2016).
- "No More Pencils, No More Books? Changes in Legal Education," Oregon State Bar Bulletin (August/September 2016).

Publications Cont.

- "Strike That! Metaphors of the Law," Oregon State Bar Bulletin (July 2016).
- "Bowling with Barbarians: An Exploration of Implicit Bias," Oregon State Bar Bulletin (May 2016).
- "Doing Time: Are You a Prisoner of the Clock?" Oregon State Bar Bulletin (February/March 2016).
- "Poets, Tramps and Lawyers: A Look at Avocation," Oregon State Bar Bulletin (November 2015).
- "Where No One Has Gone Before: Practicing Law in the Digital Age," Oregon State Bar Bulletin (August/September 2015).
- "Be Still, My Brain: The Legal Community Embraces Mindfulness," Oregon State Bar Bulletin (July 2015).
- "In It Together? The Great Recession and Law Firm Culture," Oregon State Bar Bulletin (May 2015).
- "River Channels and Lake Beds: Legal Issues in Boundaries and Ownership," 57th Annual Institute Proceedings, Rocky Mountain Mineral Law Foundation (2011).
- Coauthor, "Marine and Hydrokinetic Energy Lease Agreements," The Law of Marine and Hydrokinetic Energy: A Guide to Business and Legal Issues, Stoel Rives LLP, Vol. 4 (2011).
- "Entitlement, Water Resources, and the Common Good," 18 Willamette Journal of International Law and Dispute Resolution 143 (2010).
- "CWA Wetlands Jurisdiction," The Water Report (July 15, 2006).
- Coauthor, "Fractured Court Fails to Clarify Scope of Wetlands Regulation," California Real Estate Journal (July 3, 2006).
- "Federal Wetlands Jurisdiction," Oregon Insider (July 1, 2006).
- Coauthor, "Running Interference: Groundwater and Related Features of State Regulation," Lava Law: Legal Issues in Geothermal Energy Development, Stoel Rives LLP (2004).
- Coauthor, "Environmental and Natural Resources Law," 2003 Oregon Legislative Highlights, Oregon CLE (2003).

Publications Cont.

- "“Navigability and Public Use: Charting a Course Up the Sandy River,” 38 Willamette Law Review 93 (2002).
- "Coauthor, "Water Rights and Transactions," Fundamentals of Real Estate Transactions § 11, 2001.
- "Coauthor, "Endangered Species Act Enforcement and Western Water Law," 30 Environmental Law 735 (2000).
- "Coauthor, "Water Law: What Real Estate Lawyers Need to Know," Growth and Development Issues in Real Estate and Land Use 31 (1999).
- "Comment, "Wheelchair Accessibility in Wilderness Areas: The Nexus Between the ADA and the Wilderness Act," 25 Environmental Law 1243 (1995).

Presentations

- "Navigability and Water Boundaries," Oregon Conservation Law Forum, Portland, Oregon, 2018.
- "Water Rights and Ownership Disputes," Water Rights in Oregon CLE, Portland, Oregon, 2016.
- "Redundancy, Obfuscation, and Redundancy: Writing Advice from the Trenches," Real Estate and Land Use Fall Forum, Tigard, Oregon, 2014.
- "Correlative Rights, the Rule of Capture, & Other Common Law Tales," Geothermal Resources Council Pre-Meeting Workshop, Portland, Oregon, 2014.
- "Language and Bias: Using Etymology to Understand Ourselves," Oregon New Lawyers Division Super Saturday CLE, Portland, Oregon, 2013.
- "Water Boundaries and Waterway Ownership," Professional Land Surveyors of Oregon Annual Conference, Salem, Oregon, 2013.
- "Water in the Courts: PPL Montana—State Ownership of Streambeds," Oregon Water Law Conference, Portland, Oregon, 2012.
- "Water Boundaries and Navigability," Professional Land Surveyors of Oregon Annual Conference, Portland, Oregon, 2012.

Presentations Cont.

- "PPL Montana v. Montana: Practical Implications of the Supreme Court's First Navigability-for-Title Decision Since 1971," Law Seminars International Telebriefing, 2012.
- "Waterways and Water Boundaries: Legal Issues for Professional Land Surveyors," Professional Land Surveyors of Oregon (day-long workshop), Albany, Oregon, 2011.
- "River Channels and Lake Beds: Legal Issues in Boundaries and Ownership," 57th Annual Rocky Mountain Mineral Law Institute, Santa Fe, New Mexico, 2011.
- "Waterway Navigability and Its Land Title Implications," Stoel Rives Seminar, Portland, Oregon, 2010.
- "Ownership and Boundary Issues on Oregon Water Bodies," Oregon Lakes Association Annual Meeting, Corvallis, Oregon, 2010.
- "Intersection of State Lands and Water," Oregon Water Law Conference, Portland, Oregon, 2008.
- "Tribal Perspectives on Land Ownership and Environmental Stewardship" (moderator), Oregon Lakes Association Annual Meeting, Wallowa Lake, Oregon, 2008.
- "Federal Regulations, Leasing and Unitization" (panelist), Geothermal Development and Finance Workshop, Las Vegas, Nevada, 2008.
- "Problems & Solutions in the Law of Submerged and Submersible Lands," Oregon Water Law Conference, Portland, Oregon, 2007.
- "Geothermal Land, Lease and Unit Legal Issues," Geothermal Resources Council Workshop, Reno, Nevada, 2007.
- "Upper Klamath Lake: State Ownership and Authorization Requirements," Oregon Lakes Association Annual Meeting, Diamond Lake, Oregon, 2007.
- "Recent Developments in the Law of Submerged and Submersible Lands," Oregon Water Law Conference, Portland, Oregon, 2006.
- "Water Boundaries in Oregon and Washington," Pacific Northwest Regional Conference, Portland, Oregon, 2006.
- "Water Law 101," Oregon Water Law Conference, Portland, Oregon, 2005.



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