

Norman Semanko is a recognized authority and leading figure in the world of water West-wide. His comprehensive practice blends consultation with governmental affairs and litigation to provide tailored legal services and consistent results for the firm's clients.



Norman M. Semanko

Office Managing Shareholder | Boise

Biography

Norman Semanko is the firm's water law practice group leader in the Pacific Northwest Region. He has more than 30 years of experience with water resources, environmental, natural resources, land use, public lands and regulatory issues.

Mr. Semanko represents clients from Parsons' Boise and Idaho Falls offices on water law, environmental and land use matters before government agencies and in state and federal courts. He has been an adjunct professor and lecturer at several law schools and colleges and is a frequent conference speaker. He has testified before Congress, State legislative committees and other governmental bodies on numerous occasions.

Mr. Semanko has represented clients in Endangered Species Act, National Forest Management Act, NEPA and APA litigation in federal courts, involving salmon, steelhead and caribou as well as recreational access issues.

Mr. Semanko currently serves as general counsel for the Family Farm Alliance and as vice chairman of the Litigation Review Committee for the National Water Resources Association (NWRA). He is also a member of the Litigation Advisory Committee for the Mountain State Legal Foundation. He is a past president of NWRA and was previously chairman of NWRA's Federal Affairs Committee. He has served as a member of the Western States Water Council and the Columbia Basin Partnership Task Force.

Mr. Semanko previously served as executive director and general counsel for the Idaho Water Users Association, monitoring water issues, analyzing federal and state legislation and regulations, advocating in the State Legislature, before Congress, and various agencies and provided legal advice and services to the Association,

Contact information

208.562.4909

nsemanko@parsonsbehle.com

Capabilities

Water Rights, Quality & Infrastructure
 Environmental & Natural Resources
 Public Lands
 Government Relations & Lobbying
 Electricity
 Agriculture
 Real Estate
 Mining Water Rights
 NEPA
 Environmental Litigation &
 Administrative Appeals

Licensed/Admitted

Idaho
 U.S. Dist. Court, Dist. of Idaho
 U.S. Court of Appeals, 9th Circuit
 U.S. Court of Federal Claims
 Washington

A *Different*
LEGAL
PERSPECTIVE

PARSONS
 BEHLE &
 LATIMER

including litigation and appeals. He also served as a legislative assistant in both the U.S. Senate and U.S. House of Representatives, handling water, environment and natural resource issues.

Mr. Semanko has been recognized as an “Idaho Leader in Law” by *the Idaho Business Review*.

Mr. Semanko is a graduate of Georgetown University Law Center where he served as Student Bar Association vice president and was a member of the Craven Constitutional Law Moot Court team. He received his undergraduate degree in political science from the University of Idaho.

Experience

Title Transfer Negotiations Involving Congressional Legislation

Represented client in title transfer proceedings involving Congressional legislation before the Bureau of Reclamation regarding irrigation drains that the client relied upon and negotiated an agreement to address the client's concerns.

International Boundary Water Treaty

Representing client in an international boundary water treaty and advocated for the client with the White House, State Department, Department of Interior, Idaho's Congressional delegation, Governor's office, water user interests and other stakeholders.

Mediation of Water Rights and Water Supply Issues

Served as co-facilitator for the settlement group to negotiate water use rights and reached a comprehensive settlement which was approved by the Idaho Water Resource Board and the Idaho State Legislature.

Administrative Appeal to Pollution Control Hearings Board

Brought an administrative appeal for a client to the Washington State Pollution Control Hearings Board and successfully obtained a stay of the interim temperature limit in the permit.

Adjudication of Water Right Claims

Assisted client in defending from 362 claims to federal reserved water rights in coordination with the State of Idaho and other objectors.

Defended Against 362 Water Law Claims

In coordination with the State of Idaho and other objectors, assisted in defending against 362 claims filed by the United States and the Coeur d'Alene Tribe and that risked the water supply for residents and businesses in the Coeur d'Alene Spokane River Basin.

SUEZ Water Customer Group

Represented SUEZ Water Customer Group, a non-profit association of residential and commercial customers, in reaching a settlement to reduce a proposed 22.3% rate increase to 8.75% phased in over two years.

Water Right Applications

Administrative proceeding before the Idaho Department of Water Resources and judicial review of agency action in state court. Represented the client and secured a favorable settlement granting water right applications and authorizing water use.

FERC Order

On behalf of Quincy-Columbia Basin Irrigation District, Parsons Behle & Latimer petitioned the Federal Energy Regulatory Commission (FERC) for a declaratory order recognizing that the federal agency has no jurisdiction over power wheeling rates set by Grant Public Utility District (PUD). Parsons' client utilizes power reserved from Grand Coulee Dam, wheeled over Grant PUD's system, to deliver water to nearly 250,000 acres of prime farmland in eastern and central Washington. Grant PUD asserted it can no longer provide reduced or discounted rates for wheeling this federal power over its transmission system due to FERC jurisdiction under the Federal Power Act; instead they must charge the standard rate. Parsons contended that rate setting by a municipal entity in Washington State is a matter of state law, based upon the plain wording of the Federal Power Act and existing precedent, and that the unique circumstances and history of wheeling federal reserved power for the irrigation project can be considered by Grant PUD in setting a different rate. Grant PUD and several national trade associations opposed Parsons' petition and sought dismissal. FERC granted Parsons' petition on July 15, finding that it has no authority to regulate such rates and that issuing a declaratory order would assist in resolving the matter between the client and Grant PUD. FERC also noted that Grant PUD has previously set a different transmission rate for the irrigation district's power wheeling than it has for others, further confirming that it can do so in the future. As a result, Parsons' client is able to renew its proposal to Grant PUD avoiding significant (70%) increased rates for the farmers who the irrigation district serves.

Opposition to Acquisition

Defended client in proposed acquisition by Canadian utility company based on rate and public interest concerns. Decision for client based on the premise that an Idaho utility company cannot be purchased by a foreign government or entity owned by a foreign government.

Sylte v. Idaho Department of Water Resources and Twin Lakes Improvement Association

Secured a decision from the Idaho Supreme Court upholding water delivery instructions issued by IDWR, thereby protecting the interests of the firm's client.

Liberty Lake Sewer & Water Dist. v. WA Dept. of Ecology

Successfully petitioned the Pollution Control Hearings Board for a stay of Ecology's interim temperature limit on the District's effluent discharge to the Spokane River, pending appeal of the District's NPDES permit.

Accomplishments

Professional

Recognized in *Chambers USA*, Natural Resources & Environment, Idaho

Executive Director & General Counsel, Idaho Water Users Association (2000-2017)

Leadership Award, National Water Resources Association (2017)

Leaders in Law, Idaho Business Review (2016)

Legislative and Policy Award, National Water Resources Association (2011)

President, National Water Resources Association (2005-2006)

Accomplished under 40, Idaho Business Review (2005)

Water Statesman, Idaho Water Users Association (2005)

Distinguished Service, Northwest Irrigation Operators (2005)

President's Award, National Water Resources Association (1994 & 2003)

Academic

Georgetown University Law Center (J.D., 1993)

University of Idaho (B.S., Political Science, 1988)

2004, Adjunct Professor, Boise State University, Boise, Idaho -- "Natural Resource Law" and "Environmental Health Law"

1994-1996, Instructor, College of Southern Idaho, Twin Falls, Idaho -- "Legal Issues in Water Management"

Associations

Professional

Legal Advisory Council, Mountain States Legal Foundation (2021-present)

General Counsel, Family Farm Alliance (2018-present)

Litigation Review Committee Vice-Chair, National Water Resources Association (2017-present)

Registered Lobbyist, Idaho State Legislature (1994-present)

President, Food Producers of Idaho (2009-2011)

Chair, Environmental & Regulatory Affairs Committee, Idaho Council on Industry & the Environment (2009-present)

Eagle Citizens' Water Committee (2006-2007)

President, Idaho Council on Industry and Environment (2005-2006)

President, Coalition for Idaho Water (2000-2010)

Western States Water Council (appointed by Gov. Kempthorne, reappointed by Gov. Otter) (2000-2008)

Speaker of the House Newcomb's Private Property Rights Ad-Hoc Committee (2002-2003)

Chairman, Federal Affairs Committee, National Water Resources Association (2000-2004/2009-2013)

Board of Directors, National Water Resources Association (1999-2017)

Co-Chair, Water & Property Rights Committee, National Water Resources Association (1998-2000)

Board of Directors, Idaho Council on Industry and the Environment (1995-present)

Advisory Committee, Family Farm Alliance (1993-present)

Water Quality & Water Quantity Committees, Idaho Association of Commerce and Industry (1993-2006)

Chairman, Water Law Section, Idaho State Bar Association (1996-1998)

Vice Chairman, Natural Resources & Environment Section, Idaho State Bar Association (1995-1996)

Chairman, Fifth District Bar Association (1995-1996)

Community

Rotary Club of Boise (2004-2018)

Twin Falls Rotary Club (1996-2000)

Board of Directors, Boise Elevated (2012-2016)

Political

Chairman, Idaho Republican Party (2008-2012)

General Counsel, Republican National Committee (for RNC Chairs Michael Steele and Reince Priebus) (2010-2011)

President, Eagle City Council (2008-2013)

Legislative Assistant and Field Representative in the U.S. Senate and House of Representatives (1988-1993)

Articles

“Red Paddle-Blue Paddle: Clean Water Act Ping Pong,” (March 9, 2021)

The Advocate (Idaho State Bar), Vol. 64, No. 3

Clean Water Act Case Review: Glaser and the Future of the Irrigation Return Flow Exemption,” (October 1, 2020) *The Advocate* (Idaho State Bar), Vol. 63, No. 10

Presentations

“Legal Ethics In the Practice of Water Law,” (January 19, 2023)

Idaho Water Users Association

"A Deep Look into Idaho's Domestic Well Exemption," (September 13, 2022)

Idaho State Bar CLE Workshop

“NBI Idaho Water Law,” (July 30, 2021)

“Red Paddle - Blue Paddle: WOTUS Ping Pong,” (July 29, 2021)

2021 National Water Resources Association Western Water Table Talk

“Multi-Party Representation in Water Law Matters,” (January 26, 2021)

Idaho Water Users Association Annual Convention

Natural Resources Industry Liquidity, Compliance and Operational Challenges,” (April 1, 2020)

**To view additional insights and related news items, visit parsonsbehle.com/people/norman-m-semanko#insights*