

# Sarah E. Mack

PARTNER

Sarah Mack's practice focuses on water rights, project permitting and environmental review, and administrative and judicial appeals in the areas of natural resources, land use, and environmental law. Sarah represents developers of commercial, residential, and resort projects, municipal water suppliers, and special purpose districts throughout Washington. She assists clients with acquisition and transfer of water rights, trust water right donations, water system planning, water right and land use permitting and mitigation, and compliance with the State Environmental Policy Act (SEPA). Sarah also advises clients on water resource policy and rulemaking, and on proposed legislation relating to water rights, water supply planning, and land use.

Sarah has achieved the prestigious AV Preeminent® Martindale-Hubbell® peer review rating. Since 2000, she has been included on each year's Washington Super Lawyers® list. Sarah was named the Best Lawyers® 2018 Natural Resources Law "Lawyer of the Year" in Seattle, and the Best Lawyers® 2017 Land Use and Zoning Law "Lawyer of the Year" in Seattle.



mack@tmw-law.com



(206) 493-2315

## Representative Matters

- | ***Cornelius, et al. v. Ecology, et al.*, 182 Wn. 2d 574, 344 P.3d 199 (2015).** Sarah served as a Special Assistant Attorney General representing Washington State University in the first "as applied" constitutional challenge to Washington's 2003 Municipal Water Law. Sarah successfully defended water right changes to enable consolidation of wellfield operations on WSU's Pullman campus.
- | ***PUD No. 1 of Pend Oreille County v. Dep't of Ecology*, 146 Wn.2d 778, 51 P.3d 744 (2002).** Represented amicus curiae Washington Public Utility Districts Association in Washington Supreme Court case establishing that "public interest" considerations cannot be used to deny a change in point of diversion of a surface water right.
- | ***R.D. Merrill Co. v. Pollution Control Hearings Bd.*, 137 Wn.2d 118, 969 P.2d 458 (1999).** Represented resort developer in water law appeal involving multiple issues including the public trust doctrine, relinquishment exemptions, and changes to unperfected groundwater permits, enabling development of Wilson Ranch, home of the award-winning Freestone Inn and Cabins in Mazama, Washington.
- | ***PUD No. 1 of Clark County v. Pollution Control Hearings Bd.*, 137 Wn. App. 150, 151 P.3d 1067 (2007).** Represented Clark Public Utilities in successful defense of preliminary permit for groundwater testing under State Environmental Policy Act (SEPA) categorical exemption.
- | ***Shelly Crocker v. Keith Pfeifer, et al.*, Klickitat County Superior Court No. 13-2-00076-3 (2014).** Represented court-appointed Receiver in successful action for declaratory judgment and quiet title to protect water rights for vineyard properties in Horse Heaven Hills area.
- | ***Tulalip Tribes v. Dep't of Ecology*, Thurston County Superior Court No. 02-2-00837-0 (2003).** Represented Snohomish River Regional Water Authority in successful defense of transfer of former industrial water right for municipal supply with innovative mitigation plan relying on TMDL model for the Snohomish River.
- | ***Familigia Water District, LLC v. Dep't of Ecology*, PCHB No. 17-094 (2018).** Represented water right holder in Pollution Control Hearings Board appeal, resulting in negotiated settlement enabling continued development of a master planned resort in Grant County, Washington.
- | ***In re Appeal of Zakhareyev*, City of Redmond Hearing Examiner No. LAND-2018-00701 (2018).** Represented permit applicant in successful defense of site plan entitlement for a new mosque in Redmond, Washington.

[www.tmw-law.com](http://www.tmw-law.com)

2025 1<sup>st</sup> Avenue, Suite 1100  
Seattle, WA 98121

## Professional Activities

Member, Washington State Bar Association, Environmental and Land Use Law Section  
Member, ELUL Section Executive Committee (1997-2000)  
Editorial Board Member, Western Water Law & Policy Reporter (2005-2019)  
Member, Washington Water Policy Alliance  
Member, Department of Ecology Water Resources Advisory Committee  
Member, Association of Washington Business Water Resources Committee  
Member/AWB Representative, Joint Legislative Task Force on Water Resource Mitigation

Co-Chair or Seminar Faculty, Law Seminars International (SEPA/NEPA; Washington Water Law; Washington Growth Management Act), WSBA (Water Law; Water Supply and Development in Washington; Water Rights in Washington), The Seminar Group (Water Right Transfers; Permitting Strategies for Controversial Projects); National Business Institute (Fundamentals of Water Law in Washington).

## Prior Experience

Partner, Stoel Rives LLP, Seattle (1996-2004)  
Principal, Hillis Clark Martin & Peterson, P.S., Seattle (1988-1996)  
Associate, Hillis Clark Martin & Peterson, P.S. (1982-1988)

## Education

J.D., University of California, Berkeley School of Law, 1982  
B.A., University of California, Santa Cruz, 1974

## Admissions

Washington State Bar Association  
Supreme Court of the State of Washington  
U.S. Court of Appeals for the Ninth Circuit  
U.S. District Court for the Western District of Washington

## Community Activities

Community Homes, Inc. (community-homes.org), providing supportive housing for adults with disabilities. Northwest Immigrant Rights Project (nwirp.org), defending the rights of immigrants through legal services and advocacy. Care to Help (caretohelp.org), providing safe drinking water, schools and healthcare in rural Vietnam.