

New water rights take into account instream values, like fish and water quality—but old water rights can be changed with zero environmental review. **It's time to close the loophole.**



PC: David Herasimtschuk

Drift Creek in Siletz River Basin.

## STREAMFLOW: A VITAL RESOURCE

Rivers are nature's arteries. Flowing streams support fish, wildlife, water quality, recreation, scenic, and cultural values. **Oregon's cold, clean water sustains healthy communities, livelihoods, and ecosystems.**

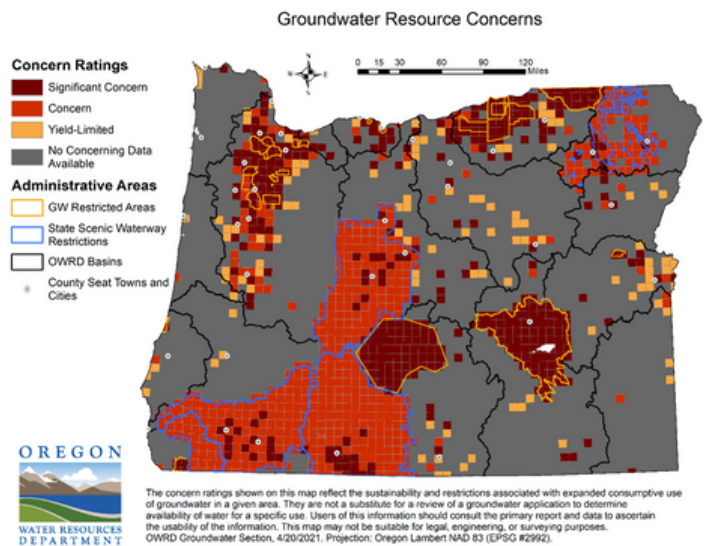
## PROBLEM: A TRANSFER LOOPHOLE

**Most of Oregon's streams are over-appropriated in summer, and groundwater aquifers are showing signs of overuse across the state** (see maps below). This means that many new water demands are being supplied by modifying existing water rights. Water rights can be changed (a process called a "transfer") so that they can serve new uses, extract from new diversion points, or move to a new place of use.

But while existing laws that govern issuance of new water rights don't allow approval if it would harm imperiled fish, *transfers get a pass*—an outdated loophole in Oregon's water laws allows these changes to happen without any environmental review. For the 97% of Oregon waterways that lack instream water rights, **there is currently no mechanism to safeguard instream values from harmful impacts of transfers**—even if the transfer would completely dewater a fish-bearing stream.



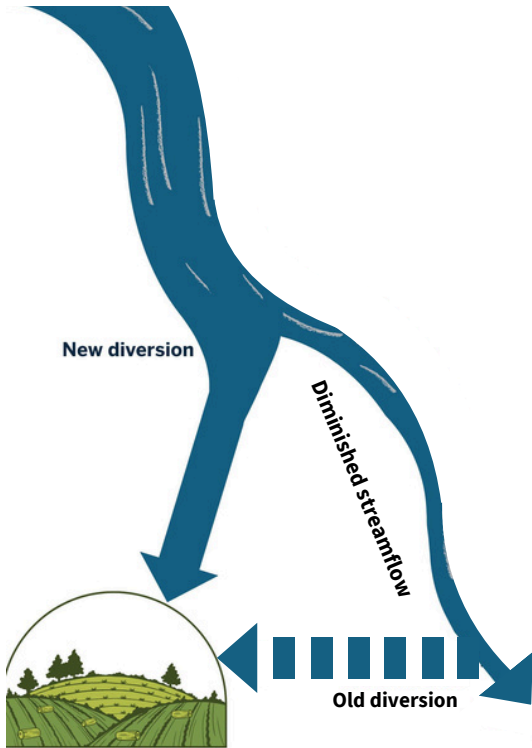
Streamflows are fully allocated in summer across Oregon.



Groundwater aquifers show signs of overuse statewide.

## SOLUTION: A NARROW FIX

SB 427 will protect Oregon's streams and the public benefits they provide by establishing a **new "no diminishment of streamflow" standard** in Oregon's transfer review statutes. This is a narrow fix to a growing statewide problem affecting streamflows that are needed for fish, wildlife, water quality, recreation, scenic, and cultural values.



Oregon receives approximately 250 transfer applications annually, an average that is ticking upward as fewer new water rights are issued. If enacted, this proposal will become part of the Oregon Water Resources Department's standard review process for transfer applications, ensuring our natural water supplies aren't further diminished. **SB 427 is a critical and efficient approach to safeguarding existing flows in the face of new water demands and pressures.**



PC: Rogue Basin Partnership

Push up dam dewatering stream below diversion in Rogue Basin.

## TAKE ACTION: PASS SB 427

It's time to close the loophole that's letting water right transfers bypass modern environmental review standards. As transfers become a primary mechanism to satisfy new water uses, **Oregon Legislators have a critical window to pass SB 427 and stop transfers from harming our streams** and the ecosystems, economies, and cultural connections they sustain.



PC: Paul Colangelo

Steelhead in North Umpqua River.

## NEED MORE INFO?

Please see Oregon Water Partnership contacts below.



Oregon Environmental Council



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