

New water rights take into account instream values, like fish health 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.**

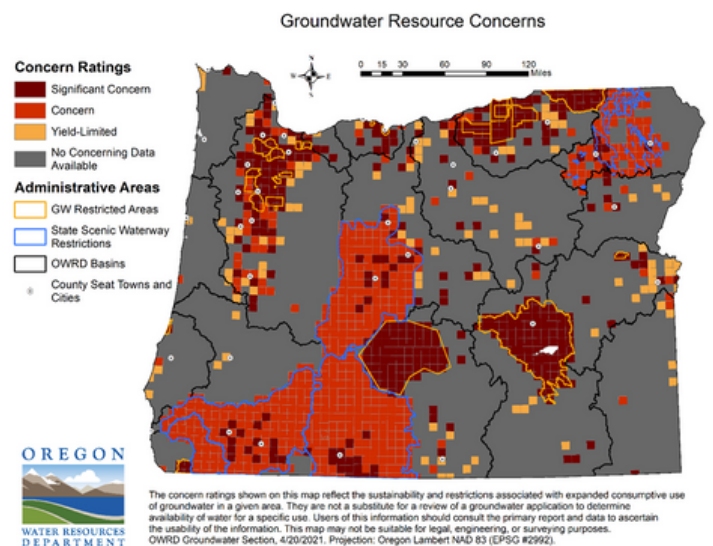
PROBLEM: A Loophole

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 right holders can apply to the Oregon Water Resources Department to change that water right (a process called a "transfer") so that it can serve a new type of use, extract from a new point, or move to a new place of use.

But while existing laws for issuance of *new* water rights don't allow approval if it would harm imperiled fish, *water right changes get a pass*—an outdated loophole in Oregon's water laws lets these changes happen without looking at environmental impact. For the 97% of Oregon stream miles that lack instream water rights, **there is currently no mechanism to safeguard instream values from harmful impacts of certain water right changes**—even if a fish-bearing stream would be dewatered.



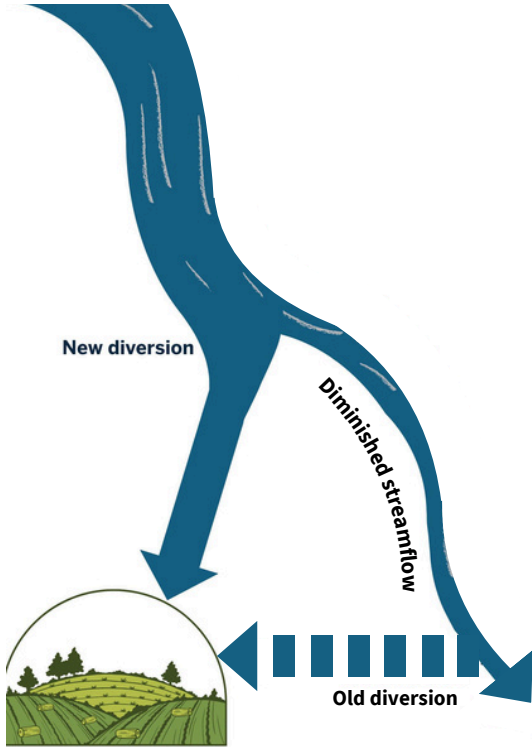
Streamflows are fully allocated in summer across Oregon.



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 the state's process for reviewing applications for water right changes. 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.



Example of a water right change that harms streamflow.

WORSENING IMPACTS: Time to act

Oregon receives approximately 250 water right change applications annually, an average that is ticking upward as fewer new water rights are issued. That means we need to act now to ensure 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 changes sidestep modern environmental values. As changing old water rights become a primary mechanism to satisfy new water uses, **Oregon Legislators have a critical window to pass SB 427 and safeguard 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.



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