



WATERWATCH
Protecting Natural Flows in Oregon Rivers

INSTREAM

Summer 2025 Newsletter

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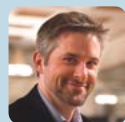
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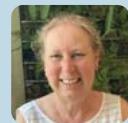
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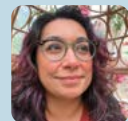
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*WaterWatch's mission
is to protect and restore
streamflows in
Oregon's rivers for fish,
wildlife, and the people
who depend on
healthy rivers.*



Rogue River, photo by Charles Wollertz.

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Front cover photo: View of the Crooked River
along the River Trail at Smith Rock State Park.
Photo by Victoria Nefedova.

WaterWatch Transitions



Welcoming Steve Smith

Following a 46-year career as a fishery biologist at NOAA Fisheries, the Bonneville Power Administration, and as a self-employed fisheries consultant, Steve Smith joined the WaterWatch board in May after several years of retirement. A UC Davis graduate, Steve has long been impressed by the scope of work WaterWatch is engaged in, and noted how much the organization has grown, and achieved, since its founding 40 years ago by his friends Tom and Audrey Simmons. Eager to continue his work protecting and restoring fish habitat throughout our state, Steve wants to ensure his sons and grandchildren can enjoy healthy rivers and fish populations as part of their futures. Welcome aboard Steve!



With Appreciation to Jeff Perin

Jeff Perin made the decision to step away from his role on the WaterWatch board this spring to focus on his work at The Fly Fisher's Place and Guide

Service in Sisters, which he has owned since 1991. Jeff began his guiding career in the Deschutes National Forest in 1986 with The Fly Box in Bend, and over the decades has traveled around the world to fish and learn about water issues facing river systems, fisheries, and river-dependent communities. He continues to focus his guided trips on East Lake, Paulina Lake, Crane Prairie Reservoir, Lava Lake, Hosmer Lake, Fall River and the Upper Deschutes. We thank Jeff for his many years of service on the board and his long-time commitment to WaterWatch!

EVENT SPONSORSHIPS AT VARYING LEVELS - MONETARY AND IN-KIND - ARE AVAILABLE!
CONTACT DEVELOPMENT DIRECTOR JESSE ROBBINS AT [JESSE@WATERWATCH.ORG](mailto:jesse@waterwatch.org) FOR MORE INFORMATION.

SAVE THE DATE

SATURDAY NOVEMBER 1ST 2025

LOCAL FOOD AND DRINKS

EXCITING LIVE AND
SILENT AUCTIONS

NEW AND LONGTIME
RIVER-LOVING FRIENDS



**WATERWATCH'S 40TH
ANNIVERSARY CELEBRATION
OF OREGON RIVERS**

OF OREGON



NEW VENUE!
CASTAWAY PORTLAND

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Stream of Consciousness



Neil Brandt
Executive Director

I hope you're enjoying your summer and spending as much time as you can outdoors, appreciating all the Pacific Northwest has to offer. A few weeks ago, as I hiked along a small creek in the Mt. Hood Wilderness that feeds into the Zig Zag River, I reflected on the history behind WaterWatch's 40th anniversary.

Since 1985, our organization has fearlessly advocated for meaningful conservation outcomes throughout Oregon. Across the state, our rivers, streams, creeks, lakes, and wetlands of all sizes have benefitted from WaterWatch's advocacy. If you threw a dart at a map of Oregon, chances are it would land somewhere WaterWatch has helped to protect. From securing major instream protections to achieving truly foundational legal and policy reforms, WaterWatch has been working to ensure we have enough water in Oregon's rivers — not just for the rivers themselves, but for the fish, wildlife, and people who depend on them to survive.

A fundamental slogan behind WaterWatch's core mission is "Rivers Need Water." This simple, basic statement may be self-evident, but it reiterates a common sense concept that without water, you can't have a river. Unfortunately, Oregon's waters remain over-allocated, with more pressure than ever to divert instream flows for out-of-stream interests. Coupled with the effects of our changing climate, it's clear our rivers still face serious threats. Despite all we've accomplished over the last four decades, WaterWatch's work for our waters and imperiled species like salmon and steelhead is more critical than ever.

We intend to continue securing conservation wins for Oregon's rivers for at least another four decades, and then some. That's why our staff are speaking up for Oregon's rivers and the species that call them home in every part of the state — ensuring instream values get a fair shake wherever water decisions are being made.

Having just wrapped up a busy long legislative session filled with numerous water bills, this issue of *Instream* features a detailed article on page six on WaterWatch's work to advocate in the Oregon Legislature this year for smart, sustainable

water policies. You can also read about our legacy of dam removal successes in the Rogue Basin on page 10, several of WaterWatch's lesser-known wins on page 12, and get updates on our ongoing efforts in Water Briefs on page 14.

This issue of *Instream* also continues our celebration of WaterWatch's 40th anniversary with an in-depth interview with Lewis and Clark Law School and College adjunct professor and former WaterWatch senior staff attorney and water policy advocate Karen Russell on page eight, in which she reflects upon some of the foundational conservation wins she was involved in during her time at WaterWatch.

As we continue to celebrate WaterWatch's 40th birthday this summer, our largest celebration of the year will be at our annual auction on November 1st at Castaway Portland. Auction tickets are on sale this month, so I hope to see you there!

Birthdays and anniversaries aside, one of the best ways to celebrate WaterWatch's legacy and our ongoing mission is to simply get outside this summer and get your feet wet in one of Oregon's incredible rivers. When you do, remember that without water flowing in our rivers, they can't provide a home for salmon, steelhead, and other wildlife — or a place for us to enjoy and recreate with family and friends.



Remember that Rivers Need Water, and think of WaterWatch's important work over the last 40 years when you feel that cold water running across your feet.

For rivers,
Neil Brandt
Executive Director

P.S. — Please recreate responsibly, and don't forget your personal floatation device on the river this summer!

To honor WaterWatch's 40th anniversary, we released these limited edition YETI water bottles this spring featuring our custom Oregon Rivers design.

Since then, WaterWatch members have taken their water bottles all over the state and even across the globe, spreading WaterWatch's message and showing off their support for Oregon's rivers!



40th Anniversary Custom YETI Water Bottle

LIMITED SUPPLIES REMAIN! GET YOURS TODAY:

- ➔ Become a new monthly sustaining member at \$10 per month, or more.
- ➔ Increase your monthly sustaining membership amount by \$10 per month, or more.
- ➔ Make a one-time donation of \$150, or more.

Use the QR code or visit waterwatch.org/donationpage to make your qualifying donation.

OR

Order using this mailing slip by providing your color and delivery choices, and return it to us by mail using the provided remit envelope along with your donation. If requested, WaterWatch will contact you to arrange local pickups.

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Fighting for Rivers in the Oregon Legislature

A recap of the 2025 long session



Testifying before the Senate Rules Committee (L to R): Caylin Barter of Wild Salmon Center, Kimberley Priestley of WaterWatch, James Fraser of Trout Unlimited.

WaterWatch has been a dogged voice for rivers in the Oregon Legislature for the past 40 years, and 2025 was no different as we tirelessly advocated for rivers in deliberations on over 120 water bills, a dozen rule bills, and two agency budgets.

Unfortunately, the sheer number of bills and the often-hyperbolic messaging accompanying them made rational debate over most bills in 2025 challenging. But despite the difficult pace and tenor, WaterWatch worked to help pass common sense proposals that allow for more sustainable water management, and better protection of our rivers and aquifers. Water agency budgets also remained whole, ensuring the gains made over the past decade were not compromised during these uncertain financial times. WaterWatch worked relentlessly to ensure harmful water bills were either amended to an acceptable state, or killed altogether. A sampling of water-related legislative initiatives include:

Environmental review of water right transfers.

An unintended regulatory loophole in Oregon’s water transfer laws allows old water rights to serve new uses, move diversion points, or change the place of use without any environmental review. To address this, the Oregon Water Partnership (OWP), which WaterWatch is a member of, brought SB 427 to establish a “no diminishment of flow” standard for transfers, and Governor Kotek brought SB 1153, which focused on protecting fish and wildlife habitat and water quality. Both bills were sent to the Senate Rules Committee, a workgroup debated them for weeks, and the concept was significantly narrowed to apply only to changes that move diversion points upstream or wells within a quarter mile of a stream.

Unfortunately, politics prevailed over substance. In the last days of the session, we understand that because SB 1153 had landed on the Republican “walk out” list — a tactic in which Republican lawmakers who oppose bills choose not to appear for votes in order to deny Democrats a sufficient quorum of members to conduct business — the bill was sacrificed to keep Republican legislators in the building. That said, given the increasing use of transfers to fuel new development, ensuring environmental review of transfers will continue to be a priority in future sessions.

Boosts to water management.

While improving water management was a focus of the 2025 session, some common sense tools such as measurement and reporting (HB 3419, HB 3343) unfortunately fell by the wayside because of disinformation voiced by the opposition.

However, one bill that largely flew under the political radar brought some of the most significant legislative gains for water in decades. Under HB 3342, the state cannot accept new water right applications in protected groundwater areas or from withdrawn streams, meaning these areas will not only will be safeguarded from further harm, but applicants will no longer be able to challenge the Oregon Water Resources Department in court for denying a water right application, thereby saving the state significant resources. HB 3342 also protects groundwater-restricted areas in water right transfer processes, marking the first change to Oregon’s transfer laws that allows rejection based on resource concerns. The bill also narrows the ability of water rights holders to extend the time to develop a water right, which will curb water speculation.

“Unfortunately, politics prevailed over substance.”

Protection of wildlife helps Oregon’s rivers.

WaterWatch lent support to two wildlife bills this session for their ancillary benefits of helping rivers and streams. HB 3932, which passed, prohibits commercial and recreational killing of beavers on water quality limited streams that run through public lands. This will benefit Oregon’s rivers as beaver dams reduce pollutants by filtering streamflows, create ponds that saturate floodplains, and encourage healthy streamside vegetation. Unfortunately, HB 2977, which would have collected a 1.25 percent charge on transient lodging to fund fish and wildlife protection work of the Oregon Department of Fish and Wildlife, died in the last days of the session because of timing issues resulting from Republican opposition.



Kimberley Priestley (center), senior policy analyst with WaterWatch, with Oregon Water Partnership colleagues in Salem this spring.

Protecting agency budgets from cuts.

Maintaining current service levels in unpredictable financial times was a priority of WaterWatch’s in the 2025 session, and the legislature agreed. Oregon’s Department of Fish and Wildlife’s Water Program remained unscathed, ensuring the agency’s current work to protect and restore streamflows, including the securing of new instream water rights, will continue uninterrupted. Similarly, the legislature retained most positions at the Oregon Water Resources Department, boosted legal funding, and rejected proposed cuts to groundwater studies, water measurement, and other important data.

Bad bills that would have harmed streamflows, compromised aquifers, and destroyed aquatic habitat failed to get traction.

Without fail, every session brings a slew of dangerous water bills that threaten Oregon’s waters. This year was no exception, and WaterWatch led the effort to kill bills that would have undermined the state’s ability to manage groundwater (HB 3801, HB 3800), narrowed state review of limited licenses (HB 3108), prohibited dam removal (HB 3739), circumvented Columbia River flow protections (SB 673, SB 674), targeted Winchester Dam (HB 3728), allowed habitat destruction in the name of restoration (SB 511), allowed certain ponds without a water right permit (HB 3128), prohibited the consideration of public interest factors in transfers (HB 3501), exempted projects from state removal fill permits (SB 400), and disrupted use of agency data (SB 775), among others. While all these bills died, HB 3374, which expands exempt groundwater uses to irrigation of commercial farms of one-half acre or less with no allowed advanced review of the effect on streamflow, aquifers, or other water rights, regrettably passed. We also negotiated a slew of other bills to an acceptable state, including those related to water reuse (HB 2169), a Deschutes water bank (HB 3806), Oregon’s water project development fund (HB 3364), and contested case hearings (HB 3544).

Misguided rules bills that sought to undermine executive branch powers largely failed.

Following the federal trend of blurring the lines between the three branches of government and giving regulated entities a leg up in hindering regulation, this session saw around a dozen bills aimed at undermining Oregon’s regulatory framework that would have had an outsized impact on water. These ranged from granting legislators veto power over rules to legislative investigation of agency actions and programs. All these bills were disconcertingly similar to model rules developed by the conservative American Legislative Exchange Council (ALEC) that works to influence legislation primarily in conservative states.

All in all, while we were disappointed the environmental review of water right transfers stalled, we are nevertheless celebrating that Oregon’s rivers gained more protections in 2025, agency work to protect our waters will continue uninterrupted, and environmental regulations withstood rollbacks. We will have a full legislative round-up that discusses additional bills posted at WaterWatch.org later this summer. Thank you to all of our members who engaged on bills and budgets and made these successes possible! ■

A close-up portrait of Karen Russell, a woman with short, wavy grey hair, looking directly at the camera with a slight smile. She is wearing a dark jacket over a patterned top. The background is a soft-focus green, suggesting foliage.

In Conversation with Karen Russell: A WaterWatch original watchdog

As part of WaterWatch’s 40th anniversary, we’re featuring articles in *Instream* and at WaterWatch.org that highlight our work and success over the last four decades, and profiling some of the people who played key roles in building WaterWatch’s legacy.

In almost every case, WaterWatch staff, board, and alumni offer unprompted credit to Karen Russell for sharpening the organization’s policy growth and direction.

An adjunct professor at Lewis and Clark Law School and College in Portland, Karen served as senior staff attorney and water policy advocate at WaterWatch from 1990 to 2006, including a year as interim executive director in 2003. During her time at WaterWatch, Karen represented the organization in a variety of legislative, administrative, and court proceedings and forums.

“I graduated from the University of Washington, and then spent two years in New England working for two different environmental nonprofits,” said Karen. “It was there I got to see nonprofit lawyers in action, and that experience made me even more interested in pursuing law. So I ended up coming back to the Pacific Northwest to attend Lewis and Clark Law School.”

“I did a little work with Earthjustice when they were still the Sierra Club Legal Defense Fund, clerked for a summer at Bricklin and Gendler in Seattle, and clerked another summer with the Northwest Environmental Defense Center at Lewis and Clark. At the end of my third year of law school I applied for an administrative position with WaterWatch of Oregon, and interviewed with Bob Stacy and Ned Dunkrack, who were then on the WaterWatch board. Tom and Audrey Simmons were there, of course, as was Bob Hunter, as the founders of WaterWatch.”

Karen reflected on how environmental nonprofits like WaterWatch were, at the time, evolving in terms of mission and focus. “Back then conservation jobs were harder to come by, but people realized it was important to have scrappy nonprofits willing to litigate. I went straight from law school to WaterWatch, and in no time was working for the organization in the legislature and helping with administrative appeals and litigation. Tom and Audrey’s focus was primarily on legislative and big picture policy change, and some of what I brought to WaterWatch was a willingness to review all the public notices and flag bad things when they came up.”

It was here Karen began to carve out a defined role for herself at WaterWatch. “We were willing to file a protest on every single application that came through that didn’t have a measurement or reporting requirement to force the state to deal with water issues,” she said. “I would go through every single public notice, and my role was to be in the weeds as needed in this evolving powerhouse with Tom and Audrey, Bob, and our lobbyist Doug Myers. Where I could make the greatest difference was in these individual permitting decisions in some of the rule rankings. It was a little more nitty-gritty.”

Some cases took on a life of their own from unexpected directions, including WaterWatch’s successful case against Boeing, which came about after the aerospace giant leased property near Boardman in Morrow County for a rocket-

testing center, but instead sublet the land to tenants who began to develop it for cattle operations that would use 50,000 acre-feet of Columbia River water per year. Most of that water was drawn during warm weather months, when salmon are most stressed by low flows and high water temperatures.

“At first, the Boeing case was a bit of a stretch,” said Karen. “Normally our involvement would be strictly from the water rights angle, so I had to get permission to go outside the box to leverage the kind of pressure we needed. We applied multiple legal pressure points, including filing a listing petition under the state Endangered Species Act for the Washington Ground Squirrel to protect the threatened upland habitat, and a Clean Water Act case over the proposed expansion of water withdrawal facilities for the project. These actions, along with our water right appeals, created the pressure needed to get state agencies to clamp down on the project.”



Karen with Karl Anuta on the Oregon Coast, photo by Kinsey Anuta

Another case initially flagged by Karen early in her tenure took 15 years to reach a settlement. “On the coast, the Coos Bay-North Bend Water Board (CBNB) was sitting on a number of water rights they weren’t using,” she said. “They decided to apply for even more water, this time from Tenmile Creek, located to the north of Coos Bay. The Oregon Department of Fish and Wildlife (ODFW) was getting ready to file an application for an instream water right for the creek, and CBNB wanted to lock up a relatively large amount of water for its future use before the ODFW application was filed. CBNB was essentially gaming the system to get a more senior priority date than the instream water right application, even though CBNB had absolutely no need for that water. The CBNB application raised important policy concerns around the historic practice of



Karen on the John Day River, photo by Karl Anuta

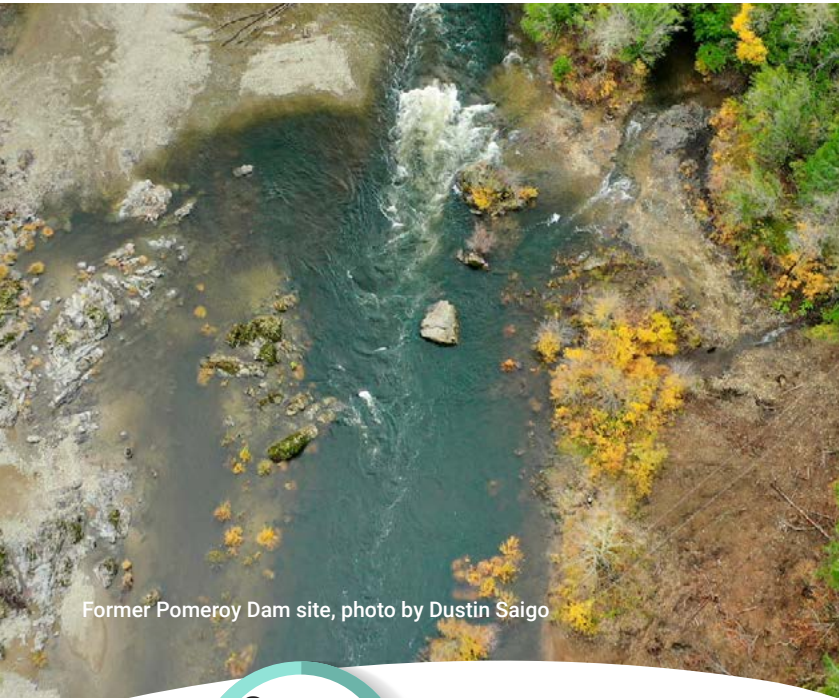
municipalities filing water right applications to secure more senior priority dates, and then sit on the water until they were ready to develop or sell it.”

“WaterWatch was represented in the case by Brian Posewitz, who at the time was with the Portland lawfirm Tonkon Torp. Brian filed an appeal of CBNB’s application, and argued the statute very clearly limited new water use permits to water uses that would be developed within five years. The municipalities and state defended the state’s historic practice of issuing new water use permits even when, as in the case of CBNB, development wouldn’t begin, much less be completed, within the statutory time period. We argued that’s not what was in the statute, and the court agreed with us. This led to a legislative battle over what the policy should be with regard to municipal water development in the state. No one was willing to have that policy discussion until WaterWatch was successful in court.”

When asked to reflect on WaterWatch’s 40th anniversary, Karen had plenty of praise. “It’s amazing to think about what it was when I was in the office with Tom and Audrey and Bob, all running their tails off doing this great policy work, and how it’s matured into this organization that has managed changes in staffing, and stayed strong and true to its mission. A lot of organizations don’t necessarily do that, and that’s one of the things that makes WaterWatch unique. Our staff stay. Our board members stay. People remain committed to the cause.”

“It’s also exciting to see how more people understand water issues in the state than they used to, in part because they’ve been educated by WaterWatch’s work and remain excited about its mission. They care about our rivers, and are committed to this wonky thing called water law. Even the state is now recognizing water is limited, and more and more people recognize and acknowledge that.” ■

Free the Rogue Milestones



Former Pomeroy Dam site, photo by Dustin Saigo

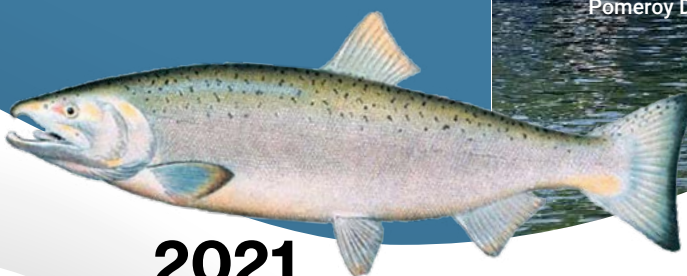
The Rogue River has historically supported the largest runs of wild salmon and steelhead in Oregon outside of the Columbia Basin. In turn, this abundance has supported commercial and recreational fishing jobs throughout our region, seafood production, and world class recreational opportunities. Unfortunately, Rogue Coho salmon are now listed as threatened under the federal Endangered Species Act, and spring chinook, steelhead, and Pacific lamprey are similarly declining.

For decades, ending the harm caused by obsolete barriers that delay, injure, and kill the Rogue's prized fish runs has been a major part of WaterWatch's work to restore the Rogue's natural abundance and resilience. Now, WaterWatch is working faster than ever to improve fish passage to high elevation cold water habitat and bolster Rogue native fish populations against the growing impacts of climate change. **No other river restoration effort provides a bigger return on investment than barrier removal.**

This timeline illustrates WaterWatch's most important barrier removal successes in our ongoing Free the Rogue campaign.



Pomeroy Dam demolition, photo by Crystal Nichols



Savage Rapids Dam
Rogue River

2009

This landmark dam removal project improved access to roughly 500 miles of upstream fish habitat in the Rogue Basin. Pumps constructed at the site replaced the dam's water diversion function.

Fielder and Wimer Dams
Evans Creek, Middle Rogue

2015

ODFW had ranked these two concrete former diversion dams among the ten most significant fish barriers on Oregon's 2013 Statewide Fish Passage Priority List. This double dam removal improved access to 70 miles of prime spawning and rearing habitat.

Gold Ray Dam
Rogue River

2010

This former hydropower dam was a significant barrier to fish as well as recreational boaters, and its removal improved access to 333 miles of upstream spawning and rearing habitat, reclaimed approximately 1.5 miles of habitat under the dam's reservoir pool, and restored a contiguous boatable reach of 157 miles of the Rogue mainstem.

Gold Hill Irrigation District Diversion Dam
Rogue River

2017

This project left the district's wing diversion dam in place to redirect the flow of water, and reduced harm to native fish with the construction of a new headgate, headwall, and trash rack that improved the dam's spill system. The project also piped 1,120 feet of leaky open canal, and improved the existing fish screen's bypass.

2021

Triple Dam Removal
Slate and Welter Creeks, Applegate Subbasin

This project removed three obsolete concrete diversion dams on two streams to improve access to 15 miles of upstream spawning and rearing habitat.

2023

Takelma Barrier Removals
Takelma Creek, Illinois River Subbasin

This multi-faceted project won a Western District American Fisheries Society Award of Excellence in Riparian Management, and included the removal of a concrete diversion dam that restored access to over three miles of blocked spawning and rearing habitat.

Lovelace Dam
Slate Creek, Applegate Subbasin

2023

WaterWatch's fourth dam removal in the Applegate River's Slate Creek tributary in three years, the removal of this concrete former mill dam improved access to 26 miles of spawning and rearing habitat for salmon and steelhead, and reduced flood risk for the property owner.

Pomeroy Dam
Illinois River

2024

The removal of Pomeroy Dam was part of a larger WaterWatch-led project that removed the state's highest priority fish passage barrier in the Rogue Basin, improved county and ranch infrastructure near the former dam site, and improved access to over 100 miles of native fish habitat.

Williams-Whalen Dam
Evans Creek, Middle Rogue River

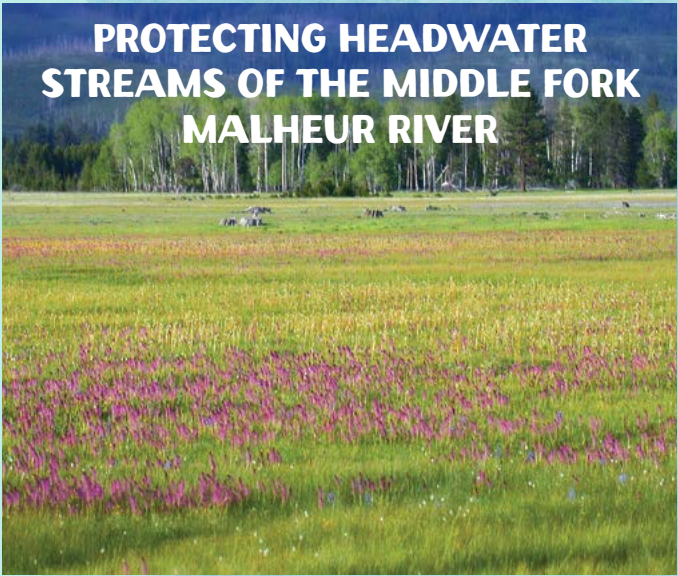
2024

Demolition of this derelict concrete former diversion dam improved access to 37 miles of upstream spawning and rearing habitat for native fish, and marked the third fish barrier removed from Evans Creek by WaterWatch in nine years.

FORTY YEARS OF PROTECTING AND RESTORING LESSER-KNOWN TREASURES IN OREGON

The Deschutes, Rogue, and Klamath rivers. The Willamette and the McKenzie. Much of WaterWatch’s work protects and restores cold water habitat on these iconic Oregon rivers. But that’s not all WaterWatch does.

WaterWatch has a 40-year tradition of protecting and restoring smaller, more intimate and remote streams no less critical for fish and wildlife, but often off the beaten path — tucked away in corners of Oregon that, for many of us, may take some effort to visit. Here are six examples of WaterWatch’s work to protect and restore lesser-known places that matter a great deal for fish and wildlife, biodiversity, and climate resilience in Oregon.



Author Ted Leeson called the Logan Valley a “stunningly beautiful mile-high meadow at the foot of the Strawberry Mountains,” and compared it to Yellowstone as “an open expanse of summer-green grasses and wildflowers, rimmed with lodgepole.” It was here WaterWatch protected streamflows in the headwater streams of the Middle Fork of the Malheur River, including Big Creek, McCoy Creek, and Lake Creek, all of which support abundant redband and bull trout.

Agriculture sought almost 19 cubic feet per second of surface water rights to flood irrigate these streams, mostly from Big Creek, despite the presence of three senior instream water rights downstream and no water available except in March, April, and May. At that elevation and given the snowmelt patterns in the area, there was no beneficial use of the water that could be made in those months. The ground was already wet. Fortunately, WaterWatch prevailed in an administrative trial before the Water Resources Commission, which protected streamflows in these three streams and the mainstem of the Middle Fork of the Malheur, one of Oregon’s original Wild and Scenic rivers.



Whitehorse Creek flows out of the Oregon Canyon Mountains near the border with Nevada southeast of Steens Mountain. An important sanctuary for imperiled Lahontan Cutthroat Trout, the Whitehorse was administratively closed to additional diversions of water, but apparently that institutional knowledge had been lost by the relevant agency in Salem.

Oregon was prepared to issue new water rights to divert water out of Whitehorse Creek until WaterWatch challenged the proposed approval, in part, by noting the existence of the administrative closure order. After WaterWatch filed its challenge, our office received a sheepish phone call from the state. Could WaterWatch, possibly, provide a copy of the closure order, since that order seemed to be unknown to the relevant agency personnel? Why yes, as a matter of fact, we do have a copy of the closure order and will be happy to forward it to the state. Case closed.



The Little Applegate River is a nursery for Rogue Basin salmon and steelhead. Yet in times of drought, agricultural water use could disconnect the Little Applegate from the Applegate River. WaterWatch completed several water transactions on the Little Applegate that transferred the most senior agricultural water rights to instream use and allowed the agricultural users to switch their water source to a reservoir in the area. As a result of these transactions, the most senior water rights on the Little Applegate now support instream use and the Little Applegate and the Applegate remain connected, even in years of drought and with a changing climate.



Author Maddy Sheehan describes Mill Creek, a tributary to the Walla Walla River, as “a beautiful, pristine trout stream...that abounds with rainbow and bull trout.” Mill Creek also serves as a source of municipal water for the City of Walla Walla, Washington. WaterWatch challenged efforts by Walla Walla to develop more water from diversions near the top of the Mill Creek watershed. A settlement moved the City’s diversions far downstream, and set aside specific amounts of streamflow by month in over 17 miles of Mill Creek to protect cold water habitat for these vital fish.

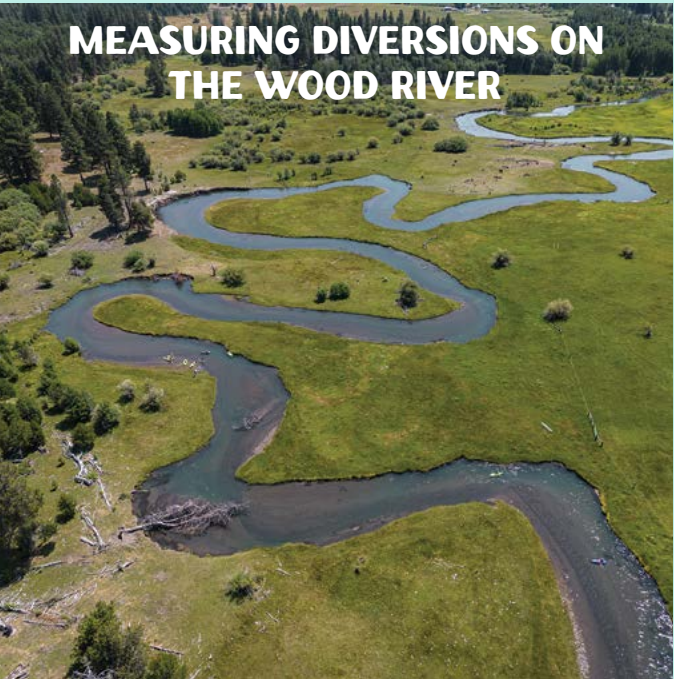


Flowing from Tenmile Lake to the Pacific Ocean, Tenmile Creek connects imperiled coastal coho salmon and other species from the open waters of the Pacific Ocean to Tenmile Lake’s fresh water spawning and rearing habitat. A permit application filed by the Coos Bay-North Bend Water Board to divert water from Tenmile Creek was challenged by WaterWatch for its potential impacts on fish and wildlife, and because the water board couldn’t show a near-term need for the water.

Like many municipal water providers, the water board didn’t plan to comply with development deadlines for new water rights, and instead sought multiple extensions of time to use the water by relying on an outdated public interest analysis done when the water right was issued. At the time, Oregon wasn’t enforcing development deadlines in water rights and routinely granted extensions of time to develop water rights long after certain deadlines had expired. Extensions of time to develop water were

approved even though there was little or no evidence the water right holder had taken any steps to develop and put the water to beneficial use, as required by law.

Our case went to the appellate courts where WaterWatch won. This prompted legislation that extended certain development deadlines but required Oregon to condition this type of municipal water development to “maintain the persistence” of fish listed under either the federal or state Endangered Species Act. Eventually, the case was settled. WaterWatch secured additional protections for Tenmile Creek in the settlement with a 75 cubic foot per second bypass flow requirement so fish could pass the diversion, and a requirement that the mouth of Tenmile Creek be open to fish passage before any water use could take place.



The Wood River near Fort Klamath is a gem of a river. Intimate in scale, trout fishing can be, shall we say — interesting. When streamflows appeared to be suffering on the Wood, WaterWatch launched a project to measure every out-of-stream diversion on the river. And what did we find? A report that documented this work demonstrated that, on average, measured diversions were exceeding permitted water rights by about 30 percent.

The report — and our advocacy — convinced Oregon to issue headgate notices to water users on the Wood, which required the installation of measurement devices at each diversion. Follow-up work documented that streamflows had increased the following year by 30 percent. The state asserted this increase was purely coincidental. Perhaps. But we all know better.

While you may or may not visit these places, they are important for fish and wildlife, and for biodiversity and climate resilience here in Oregon. These are just some of the examples of WaterWatch’s work on some of Oregon’s lesser-known treasures. There are many, many more. We are proud of our 40-year tradition of protecting and restoring such places. ■



Water Briefs

Good News as Oregon Changes Course on the Integrated Water Resources Strategy



Proxy Falls photo by Tommy Hough

Never let it be said your voice doesn't matter. Last year, after the Oregon Water Resources Department (OWRD) opted to wholly rework the state's 2017 Integrated Water Resources Strategy (IWRs) for its 2025 update rather than build upon its existing structure, we asked you to urge the OWRD to change course and retain the original framework, and simply focus on updating the IWRs to advance water management, climate change, and pathways to meet instream needs under its original framework.

The good news is the OWRD listened and has reverted to its original 2012 blueprint, which was meant to serve as Oregon's framework for meeting Oregon's instream and out-of-stream needs for 50 years. Under the revised draft of the IWRs update, the state is proposing additional action items, many focused on instream protections, water management, and climate adaptation. The 2025 IWRs will also have a new feature that lays out agency priorities for the next eight years, which is another welcome addition.

The final version of the IWRs should go before the Water Resources Commission for adoption in September. Thanks to your help, it sets a solid pathway to meet Oregon's instream and out-of-stream needs into the future. ■

Proposed Groundwater Rules Issued for the Harney Basin



Harney and Malheur Lakes

The Oregon Water Resources Department (OWRD) has issued proposed rules that set the stage to finally address over-allocation of groundwater pumping in the Harney Basin. The proposed rules amend the Malheur Lake Basin Program Rules (Division 512) to a.) designate the portion of that basin known as the Harney Basin as a Critical Ground Water Area, and b.) designate a Serious Water Management Problem Area, which will require water use measurement and reporting for all non-exempt groundwater use.

Issuance of the proposed rules follows two-plus years of an in-depth Rules Advisory Committee process. WaterWatch, whose work more than a decade ago helped sound the alarm regarding Harney Basin groundwater, served as a committee member.

The Proposed Rules designate seven basin sub-areas, setting forth the amount of pumping that will be allowed in each ("Permissible Total Withdrawal") and a curtailment schedule to reach those amounts by 2053. The reductions are designed to stabilize groundwater levels in each sub-area by 2058. The actual curtailment of pumping can only happen through a second process after this rulemaking is complete, which could take several additional years, possibly more.

While WaterWatch is pleased the rules would set the basin on a more sustainable path, we are concerned they would allow significant additional pumping resulting in further groundwater level declines. These allowed declines will further dry up natural vegetation, springs, wetlands and streams that have already been harmed by over-pumping. The rules are also projected to dry up an additional 98 domestic wells, and no suitable program is in place to aid these residents. We will continue to advocate for better protection of these resources — watch your email inbox for further information. ■



Public comment will be accepted until August 5th. There's more information at the OWRD website.
bit.ly/groundwater_rules

WaterWatch in the COMMUNITY

Big Turnout at Oakshire Inspires Event in Eugene



Senior fundraiser and advisor John DeVoe, founding board member Bob Hunter, development director Jesse Robbins, and communications manager Tommy Hough met with WaterWatch supporters at the Oakshire Public House in Eugene on April 30th for the brewery's daylong Oakshire Inspires benefit for WaterWatch. Thank you to everyone who attended, and to the Oakshire Brewing team for making us feel at home!

Presentation to Washington County Fly Fishers



Thank you to everyone who attended the July 2nd meeting of Washington County Fly Fishers in Beaverton as executive director Neil Brandt spoke with attendees about WaterWatch's work to preserve streamflows, fresh water habitat, removing barriers to fish passage, protecting iconic Oregon rivers and locales, new instream water rights on the Willamette River, and WaterWatch's ongoing efforts to preserve Oregon's world class fly fishing.

Meeting Neighbors in Portland's Hollywood District



Communications manager Tommy Hough, board president Mary Lou Soscia, and executive director Neil Brandt met with neighbors and community groups in Portland's Hollywood District on June 28th to welcome summer back to the Pacific Northwest and share WaterWatch's mission, campaigns, and results for Oregon's rivers at the Community for Positive Aging summer block party event.

To stay in the loop on future events: Visit our website events calendar at WaterWatch.org

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WATERWATCH DAY AT Muir Blueberry Farm

Saturday, Aug. 2nd
to pick your own blueberries!

Muir Farms will donate ALL sales to WaterWatch of Oregon from 7 a.m. to 7 p.m.

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Ways to collaborate include:

-  One-time or monthly donations
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-  Sponsorship of our Annual Celebration of Oregon Rivers and auction event
-  Donating space or co-hosting an event
-  Project or printing underwriting
-  We're also open to new partnership ideas!

WaterWatch's business partners share our mission to protect and restore Oregon's rivers and streams and are seen by our community of thousands of forward-thinking Oregonians.



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