



# State Drought Declaration Process & Emergency Tools

## State Drought Declaration Process

Drought declarations for an area typically go through a three-part process before securing a state drought declaration from the Governor. First, a county commission submits a request for a state drought declaration to the Office of Emergency Management. Second, the Water Availability Committee, chaired by the Water Resources Department, meets to evaluate information on weather and water supply conditions and subsequently make recommendations to Oregon's Drought Council. Co-chaired by the Water Resources Department and the Office of Emergency Management, the Drought Council assesses the impact of drought conditions and makes recommendations to the Governor's Office on whether to declare drought in an area.

The Governor may then choose to issue an Executive Order declaring a drought emergency. State drought declarations are typically issued at a county scale. The primary benefits of a state drought declaration from the Governor are that it creates greater awareness of drought conditions, facilitates coordination between state agencies, and allows the Water Resources Department to provide existing water right holders with access to emergency water management tools. These tools are outlined below.

The Governor or the Oregon Water Resources Commission can also direct state agencies and political subdivisions to implement a water conservation plan or water curtailment plan.

## Oregon Water Resources Department Emergency Drought Tools for Water Right Holders

A state drought declaration allows the Water Resources Department to offer certain tools to water right holders in a drought-declared county. These tools have an expedited review process, reduced fee schedule, and are intended to be short-term emergency authorizations, not permanent solutions to deal with water supply challenges. Water right holders seeking long-term solutions should first contact their watermaster to help identify what options may exist.

- **Temporary Emergency Water Use Permit**

An approved emergency water use drought permit allows a water user to temporarily replace water not available under an existing water right. The most common drought permit allows the use of groundwater as an alternative to an existing surface water right. A well-prepared application generally takes approximately ten business days to process. Emergency water use permits are issued through an expedited process and are valid for one year or the term of the drought declaration, whichever is shorter.

- **Temporary Transfer**

A water user can apply to change the type of use, place of use, or the location of the diversion under an existing water right. A temporary drought transfer takes place under an expedited process, and is in effect for the duration of the drought declaration or up to one year, whichever is shorter.

- Temporary Instream Lease**  
Once approved, a water user can convert all or a portion of a water right to an instream use for a period of one year or the term of the drought declaration, whichever is shorter.
- Temporary Substitution**  
Any person holding both a primary right originating from a surface water source and a supplemental right from a groundwater source may apply to temporarily use the supplemental right instead.
- Special Option Agreements**  
A water-right holder can enter into an agreement that authorizes the use of water at locations, from points of diversion, and for uses other than those described in the water right. Typically, the agreement remains in place until terminated by the parties, and provides additional water-supply options in times of drought.
- Temporary Exchange of Water**  
The Water Resources Commission can approve a temporary exchange of existing rights, such as using stored-water instead of a direct-flow surface-water right.
- Human Consumption or Stock Water Use Preference**  
The Water Resources Commission has authority to grant a temporary preference to water rights for human consumption and/or stock watering uses. The preference is given over other uses regardless of the priority date (seniority) of water rights associated with the other uses. In order for the preference to go into effect, the Water Resources Commission must approve temporary rules instituting the preference.

## For More Information

The Water Resources Department maintains a drought website that provides the status of current water conditions and state drought declarations, as well as information on what you can do to use water wisely. Visit our drought website at: [www.oregon.gov/OWRD/programs/climate/droughtwatch](http://www.oregon.gov/OWRD/programs/climate/droughtwatch)

Water Resources Department staff are available to answer questions about emergency applications, the state declaration process, and general water supply conditions.

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