



DESCHUTES RIVER  
CONSERVANCY

# Annual Leasing Program

## Water management is one of the most important issues facing Central Oregon.

The Deschutes River Conservancy's Annual Water Leasing Program (AWLP) works with irrigators to protect water they don't use.

Water right holders can donate their water, and under some circumstances, the DRC will pay them to lease their water instream. If you own a water right, by state law you must beneficially use it once every five years. Each year of a lease counts as a year of beneficial use, thereby preserving the validity of your water right. You may lease all or part of your irrigation rights. If in an irrigation district, they must also approve of the instream lease. Lease programs and eligibility vary by district.

The DRC annually leases between 4,500 and 5,500 acres resulting in additional flows to Whychus Creek, Tumalo Creek, Ochoco Creek, the Crooked and Deschutes Rivers.

### The lease options include:

- 5-year opt-out lease
  - Water rights are leased for 5 years. The lessor can opt out of the lease each year 30 days prior to start of the irrigation season.
- 1-year standard lease
  - Water rights are leased instream for one irrigation season.
- Split-season lease
  - Water rights are used for part of a season and leased for part of a season in the same year.



## What is Beneficial Use?

Oregon State Law requires that water rights be put to beneficial use in a specific area for a specific purpose. The full water right must be beneficially used one year out of every five years to maintain the validity of the right.

Some examples of beneficial use include irrigation, stock water, fish, and wildlife, industrial, hydropower, and municipal uses.

Since the passage of Oregon's Instream Water Rights Act in 1987, the State of Oregon has also considered instream leasing to be a beneficial use.

One year of leasing is equal to one year of beneficial use, protecting against forfeiture, as well as improving flows in the Deschutes Basin.

*The Deschutes River Conservancy (DRC) is a 501(c)3 non-profit organization founded in 1996 to restore streamflow and improve water quality in the Deschutes Basin. Learn more online at [www.deschutesriver.org](http://www.deschutesriver.org)*



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## FREQUENTLY ASKED QUESTIONS

### **What is instream leasing?**

Instream leasing refers to the temporary transfer of a water right to protect instream flows. The landowner (water right holder) retains ownership of the actual water right while the DRC (or other organization) obtains use of the water for a specified period of time. Landowners may donate their water or are paid for each acre of water leased instream.

### **What is the benefit of leasing my water right instream?**

You need to beneficially use your water once every five years to maintain your water right. Each year of leasing instream protects your water right while simultaneously providing benefits to rivers and streams and counting as a beneficial use.

### **How do rivers and streams benefit from instream leasing?**

Prior to 1987, Oregon did not consider water instream to be a beneficial use. Today we realize that if fish and wildlife benefit, the public also benefits. Other benefits include recreation, water quality, navigation, and conservation of aquatic life.

### **How long does an instream lease last?**

Water can be leased for one to five years, but cannot exceed five years except by renewal. If you are interested in leasing longer than five years, contact the Deschutes River Conservancy for more information.

### **Can I lease a portion of my water right?**

Yes. You may lease all or part of your water right to instream use. You are also allowed a split season lease, so that you may apply water for part of the season and then lease the water instream for the remainder of the season.



*Nearly 60% of the flows in the summer irrigation season come from Deschutes River Conservancy's Annual Water Leasing Program.*

## LEASING PROGRAM CONTACTS

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This program is funded in part by: Intel, Bonneville Environmental Foundation, Avion Blue Water, Pebbles Oakes Foundation, and National Fish & Wildlife Foundation