



DESCHUTES RIVER
CONSERVANCY

TID – DRC Instream Leasing Newsletter 2025

The Deschutes River Conservancy and Tumalo Irrigation District are partnering to offer their annual water leasing program again in 2025. 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. In 2024, Tumalo Irrigation District and its patrons contributed 434.51 acres and 4.113 cfs instream to Tumalo Creek and the Deschutes River. 5,577 acres and 79.8 cfs were leased basin-wide, resulting in additional flows to Whychus Creek, Tumalo Creek, the Crooked River, and very significantly increasing flows in the middle Deschutes. Protecting water with leasing increases flows in the Deschutes River below Bend and Tumalo by up to 25%.

Under the program, water right holders are paid on a per acre-foot basis to leave their water rights in the river. The funding for this program is contingent on grant funding and will be paid on a pro-rated basis. 2025 TID leases will be paid at \$12.50 per acre-foot for measurable water instream at the end of the lease season. For example, if the lease duty is 10 acre feet but only 8 acre feet are measured instream, then only 8 acre feet will be paid. If more than 475 total district acres commit to lease, the amount paid increases to \$20.00 per acre-foot.

The District and the DRC are working together to increase payments to participants.

The DRC and District leasing agreement allows the DRC to pay for leased water that is managed by the District to flow past the diversion prior to its final approval by the state. State approval of leases has occurred later and later in some recent years. Without this agreement, the DRC could not pay for water the District allowed past the diversion prior to the final approval date of the lease by the state, even if this water was instream. With this agreement describing diversion management, the District does not change how it has been managing the water – but the DRC can pay for this managed water. In addition, lease payments increased from \$10.00 per acre-foot up to \$12.50 per acre-foot and DRC provides a larger payment of up to \$20.00 per acre-foot when more than 475 total acres are leased. These combined changes increased lease payments. Payment for leases each year is contingent on grant funding: leases with unaddressed weed issues, leases of less than 3 acres and leases with public entities are not paid.

For more information or to sign up, contact Margaret at TID (541-382-3053, margaret@tumalo.org) **before February 14, 2025**. Early notification is strongly encouraged to allow time to prepare the documents. *Please note: You are still responsible for your assessment, which must be paid in full before your lease can be approved.*

Farm Deferral

Instream leasing is a beneficial use that protects your water right from forfeiture and allows for compensation for this instream use. Effective starting July 1, 2024 land may not be disqualified from special assessment if the owner has an active instream lease for water rights appurtenant to those farmlands – and the lands are being used according to accepted farming practices (HB-2971, ORS 308A.743(1.c.)&(2.b.)). Manage your noxious weeds that may impact neighboring farmlands, keep an updated farm plan and a record of your instream leasing. This is not intended to be legal advice, please check with your county assessor office if you have additional questions about your special deferral status and instream leasing.

Weeds

The DRC assumes participants in the Leasing Program will continue to exercise agricultural best management practices on lands enrolled in the Program, particularly with respect to the control of noxious and/or nuisance weeds. Failure to control weeds on leased acres may result in exclusion of payment from the Program.

About the Deschutes River Conservancy

The Deschutes River Conservancy implements voluntary, market based approaches to water management. It is a non-profit organization that facilitates a wide range of transactions and discussions between agriculture, industry and municipal interests to increase streamflow and water quality in the Deschutes Basin.

For additional lease info: Alex Ehrens at 541-382-4077, ext. 115 / alex@deschutesriver.org
More information on the Deschutes River Conservancy: www.deschutesriver.org