

Instream Lease Renewal Application (Standard or District)



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

Complete the questions below and include any required attachments
Fill in or check boxes as indicated. (N/A = Not Applicable)

Instream Lease **IL-** _____
Renewal Fee included ☐

The undersigned hereby request Instream Lease Number **IL-** _____ be renewed.

Fees:	Application fee required by ORS 536.050 Fee Schedule is located at this link: https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf
	☐ Check enclosed <u>or</u> ☐ Fee Charged to customer account _____ (Account name)

Term, Termination Clause, Validity of Water Right, Instream Use	
Term of the Lease: The lease is requested to BEGIN in: month _____ year _____ and END in: month _____ year _____. NOTE: The begin month is generally the first month of the irrigation season and the end month is the last month in the irrigation season. If not an irrigation right, this would be the first and last month of your authorized period of allowed use.	
Termination provision (for multiyear leases) - The parties to the lease request (choose one): ☐ a. The option of terminating the lease prior to expiration of the full term with written notice to the Department by the Lessor(s) and/or Lessee. ☐ b. The option of terminating the lease prior to the expiration of the full term, with consent by all parties to the lease. ☐ c. The parties would not like to include a Termination Provision. (See instructions for limitations to this provision)	
Validity of the right(s) to be leased: ☐ The water right(s) to be leased have been used under the terms and conditions of the right(s) during the last five years or have been leased instream; or ☐ The water right(s) has not been used for the last five years according to the terms and conditions of the rights. However, the water right(s) is not subject to forfeiture under ORS 540.610(2). <i>Documentation describing why the water right is not subject to forfeiture must be submitted with application.</i>	
☐ Yes ☐ No	Conservation Reserve Enhancement Program CREP – Are some or all of the lands to be leased part of CREP or another Federal program (list here: _____)?

The undersigned declare:	
1. The Lessor(s) agrees during the term of this lease, to suspend use of water allowed under the subject water right(s) and under any appurtenant primary or supplemental water right(s) not involved in the lease application; and 2. The Lessor(s) certifies that I/we are the water right holder(s) of the right(s) described in this instream lease application. If not the deeded landowner, I/we have provided documentation with the lease application that I/we have authorization to pursue the lease application and/or have obtained consent from the deeded landowner; and 3. All parties affirm that the information provided in this lease application is true and accurate.	

Lessor Information

LESSOR NAME		CONTACT NAME	PHONE NO.
ADDRESS			
CITY	STATE	ZIP	E-MAIL
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list.			
→ Lessor Signature: _____ Date: _____			

Co-Lessor Information

CO-LESSOR NAME		CONTACT NAME	PHONE NO.
ADDRESS			
CITY	STATE	ZIP	E-MAIL
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list.			
→ Co- Lessor Signature: _____ Date: _____			

Lessee Information

LESSEE NAME		CONTACT NAME	PHONE NO.
ADDRESS			
CITY	STATE	ZIP	E-MAIL
DOCUMENTS AND NOTIFICATIONS WILL BE SENT BY E-MAIL UNLESS REQUESTED OTHERWISE. IMPORTANT NOTE - Electronic forms of documents: Beginning on April 1, 2026, and unless requested otherwise by the applicant, the Department will send documents and notifications associated with processing of applications in electronic form (i.e., by email). These emails may come from an automated system (wrd_automated_email@water.oregon.gov). Consider adding this email address to your safe sender list.			
→ Lessee Signature: _____ Date: _____			

Information and Instructions
Instream Lease Renewal (Standard or District)
If you have any questions, please call Department Staff 503-986-0900

Can I Renew my Lease?

- When a final order was issued approving the existing lease, the term of that lease has expired or is about to expire, and is submitted within 5 years from the date of expiration specified in the last final order approving the instream lease;, and there are no changes to the instream use or to the water right (or portion thereof) involved. Basically, the request to renew is identical to the original lease approved by the Department.

When do you need to submit a new lease application?

- When the Lessor or Lessee proposes to modify/alter the portion or description of the water right originally leased or change any part of the instream use including the instream quantities, the instream period, and/or the instream reach.

Helpful Links~	If you are unsure or need assistance: Contact us at 503-986-0900 or the Watermaster for your District
Watermasters in Oregon	https://www.oregon.gov/owrd/aboutus/contactus/Pages/RegionalOfficesandWatermastersDirectory.aspx
Instream Leasing Forms	https://www.oregon.gov/owrd/Forms/Pages/default.aspx?wp1278=s
Fee Schedule	https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf
Water Rights Information	https://apps.wrd.state.or.us/apps/wr/wrinfo/
Water Rights Public Notice	https://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21
OAR: Chapter 690 Division 77	https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=3169

Help and Explanations...

- The lease number will be the same as the original lease. Lease numbers generally start with L, IL or SL. SL is the designation for a split season instream lease.
- A Map is not required for an instream lease renewal.
- Applications received without the proper fee will be returned.
- Changes in the Lessor or Lessee do not affect renewal eligibility. However, if you are the new property owner, you must provide evidence of ownership with your application, such as a copy of the deed showing that you're the new owner of the property.
- A change in certificate number will not necessarily prevent you from being able to renew a lease. However, you should contact the Department to verify whether you may submit a renewal or if a new lease is needed.
- The deadline for submittal of Instream Lease renewal involving a water right with a seasonal use must be received prior to July 1. A lease renewal involving a water right with a year round use must be received prior to October 1.
- All parties to the application must sign the application. (For example, if a husband and wife both appear on a deed, both must sign.) See below for further instructions describing the parties to the instream lease.
- The term of the instream lease can be no less than one calendar year and no more than five calendar years. There is no limit on the number of times that you may renew your lease.

Generally, the term of the instream lease is the first day water can be legally used through the last day water can be legally used (e.g. the irrigation season). For water rights with year-around period of use, the term of the lease would run from January 1 through December 31 and through the last year of the requested term of the lease.

Termination provision: This provision is for multi-year leases and allows the Lessor and Lessee (if any) to request a provision in the final order allowing for the early termination of a lease. The Lessor may also request the Department not include this provision. Your termination options are listed on the first page of the application after these instructions. Please note, if the parties have requested the ability to terminate the lease prior to expiration of its full term, the request may be submitted at any time. However, if the request for termination is received less than 30-days prior to the instream use period or after the allowed use has begun, water may not be used under the right(s) until the following calendar year, unless the Director determines that enlargement would not occur.

If the lease is being used as a mitigation project in the Deschutes Basin and early termination provision is requested, the Department will require that the termination request be submitted by all parties to the lease. Notice of the termination should be sent to both the Salem and Regional offices of the Water Resources Department.

Requests to terminate a lease may be submitted by e-mail from the appropriate parties identified in the Final Order approving the lease application.

- **CREP** – Please identify if some or all of the lands are enrolled in the federal Conservation Reserve Enhancement Program (CREP) or other similar federal program. The Department will send a copy of the final order to the Farm Services Administration and other associated parties.

Parties to the lease include:

Lessor: This is generally the landowner(s) and is referred to as the water right holder. All water right holders must sign the lease application. The lessor may also be someone that holds interest in the water right or another party that has been granted authorization by the landowner to lease the water right. If the Lessor is not the deeded landowner, additional information must be provided as specified below:

- A notarized statement from the landowner consenting to the lease and a copy of the recorded deed; or
- A water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right was conveyed; or
- Other documentation which provides authority to pursue the lease absent consent of the landowner.

If the above documentation was provided with the original lease application, it does not need to be included with the renewal request.

Lessee: Individuals or organizations, which may provide compensation to the Lessor for the leasing of the subject water right instream. The Lessee has the same standing as the Lessor for all purposes regarding management and enforcement of the instream water right.

Co-Lessors: Irrigation districts or other water purveyors must be a party to the lease to which the subject lands are attached or fall within the boundaries of an Irrigation District, as defined in ORS Chapters 545, 547, 552, 553, or 554, should be listed as Co-Lessor and must also sign the renewal application. If the source of water for the subject lands is stored water, then the owner/operator of the reservoir must also be party to the lease as Co-lessor and must also sign the renewal application.

Farm Deferral Tax Status: Counties make the determination of whether a property qualifies for the farm use assessment without consideration of whether the lands have an associated water right which is leased instream. If you have questions regarding the farm use assessment you should contact your local county assessor. You should contact your County for any weed ordinance and management requirements