



February 21, 2023

Representative Ken Helm, Chair  
Representative Annessa Hartman, Vice-Chair  
Representative Mark Owens, Vice-Chair  
House Committee on Agriculture, Land Use, Natural Resources, and Water

**Re: Deschutes River Conservancy Supports HB 3164**

Chair Helm, Vice Chairs Hartman and Owens, and Members of the Committee,

The Deschutes River Conservancy (DRC) restores streamflow and improves water quality in the Deschutes Basin using a coordinated, collaborative, and voluntary approach. Founded in 1996 as a consensus-based, multi-stakeholder organization, the DRC's Board of Directors includes diverse representation from tribal, environmental, irrigated agriculture, and hydropower interests as well as federal, state and local government. Together with our partners we have restored over 300 cubic feet per second of flows to our basin's rivers while increasing the reliability of agricultural water rights and operations, and water supply for cities.

DRC strongly supports HB 3164 as proposed. The Deschutes Basin and its farmers face unique challenges and barriers in its effort to balance water needs to support farms, rivers, fish and wildlife, and communities. Split season and full season instream leasing are voluntary tools that have been extensively utilized in the Deschutes Basin. Split-season instream leasing allows farmers or other water users the flexibility to split the use of the water between the existing use and instream use during the same year. This is a valuable tool for farmers to manage their land and water rights and earn some revenue while restoring flows during critical low-flow times of year. With more frequent and extended drought, split-season leasing is a critical tool that will help farmers help our rivers and meet commitments under the Endangered Species Act, while maintaining their water rights and agricultural operations.

HB 3164 is a simple and permanent fix that allows the continued use of voluntary split-season instream leasing by: 1) eliminating the 2024 sunset on split-season instream leasing, and 2) removing the 10-year cap on water right eligibility. We strongly urge you to preserve access to this important tool and its multiple benefits. It is good for farmers, good for rivers and good for communities.

Thank you for the opportunity to provide testimony.

Sincerely,

*Kate Fitzpatrick*

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