

Do Small Farms Need Water Rights?

Water is essential for farms across Oregon. In Oregon, water used for commercial agriculture purposes requires a water right. If you grow and sell irrigated crops you must have a water right for your property. A water right clearly defines your specific use of the water. The right indicates the specific source, where the water can be used and the rate (how much) of the water you can use.

There are no exemptions under current statute ([ORS 537.545](#)) or rule ([OAR 690-300-0010](#)) that specifically allow water use for small irrigated commercial farming operations without a water right. Your domestic well is exempt and is designed to provide water to your household and up to half an acre of land, primarily for maintaining a lawn and a family garden, not for crops grown to sell.

There are many pathways to irrigate commercial crops

In Oregon, there are several ways to legally access water to irrigate commercial crops (crops for sale). This includes, but is not limited to:

- Harvesting and reusing rainwater from impervious surfaces.
- Using groundwater with a water right.
- Diverting surface water with a water right.
- Through a local irrigation district.
- Through a municipality.
- Water deliveries from a water hauling service that obtains water from a legal source.

We're here to help

Oregon watermasters are responsible for enforcing water law across the state. They observe water use to determine if it is in compliance with Oregon requirements. Your local watermaster is available to help you determine how to legally access water and understand Oregon water law.

Use the Watermaster Directory at owrd.info/watermaster to find your local district office and watermaster.

Information about water rights is available at: owrd.info/water-rights-faqs.

Funding may be available to you

If you are looking for assistance building irrigation infrastructure, you may qualify for grants or loans.

- Visit The Oregon Department of Agriculture's New and Small Farms page at: <https://www.oregon.gov/oda/agriculture/pages/newsmallfarms.aspx>
- Visit The Oregon Department of Agriculture's Grants, Loans and Technical Assistance at: <https://www.oregon.gov/oda/agriculture/Pages/Grants.aspx>