

## What to include in a farm lease

NRCS/SWCD staff will not be negotiating rent or providing legal advice and consultation regarding the inclusion of a conservation plan in a farm lease should not be considered a substitute for advice from a licensed Iowa attorney.

The basics:

- Names (and possibly addresses) of all parties
- Accurate description of the property
- Definite period for the lease to run (beginning and ending dates)
- Kind and amount of rent, and time and method of payment
- Signatures of all parties

Suggested additional components:

- **Conservation**
- Landowner rights—to enter property, hunting, fishing, etc.
- Land use—allowed and prohibited
- Operation and management—expected contributions of landowner and tenant
- Responsibilities—repairs and maintenance
- Improvements—fences, buildings, etc.

-Existing leases have to be terminated prior to **September 1** to make changes for the following crop year

-New leases have to be signed before **March 1**



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## Including Conservation in Farm Leases



## Ways to include conservation in a farm lease

- Have a written lease
  - If you don't currently have a written lease, talk to a lawyer or use one of the fillable forms from ISU extension [www.extension.iastate.edu/agdm](http://www.extension.iastate.edu/agdm)
- Write conservation provisions directly into the lease
  - See examples of provisions at [sustainablefarmlease.org](http://sustainablefarmlease.org)
- Include a provision mandating adherence to a third party (such as NRCS) conservation plan
  - example provision at [Allamakeeswcd.org](http://Allamakeeswcd.org)
  - Include maps



### Why should you include conservation in a farm lease?

- Fluctuating commodity prices are prompting the removal of grass waterways, field borders, and buffer strips
- Written lease terms regarding conservation allow decisions to be made before potential problems arise
- Current conservation compliance requirements often represent the bare minimum of conservation

- Encourages open discussion between landowners and tenants about their goals and priorities for the land
  - What equipment the tenant has and what crops they want to have
  - Which conservation practices to use
  - Length of the lease affects the crop rotation that can be followed

### Landowners

- It is your land to protect
- You have the power to determine how you want your land to be farmed
- Ensure the long-term productivity of the land
- Soil is a limited resource—protect it
- A written lease gives you greater ability to enforce conservation compliance on your land



### Tenant

- A written lease protects the tenant if the landowner sells the property during the lease term

- The landowner may be willing to reduce rent on acres in grass (waterways, headlands, buffers)
- The landowner becomes more aware of the tenant's conservation efforts

### How to include a NRCS conservation plan as an addendum to a lease

1. Talk to your local NRCS/SWCD office.
2. The landowner and/or tenant meets with staff to discuss:
  - goals for the land
  - rotation
  - tillage
  - conservation
  - nutrient management
3. A revised conservation plan and map will be drafted.
4. The landowner and tenant can review the plan and modifications can be made.
5. **Both the landowner and tenant will be expected to sign the plan.**
6. Include a provision in the lease regarding adherence to the conservation plan and attach the plan and map to the lease document