

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of the Proposed Short-Term)	DETERMINATION and
Lease of Existing Water Rights for Instream)	FINAL ORDER ON
Use, Certificate 39143, Klamath County,)	PROPOSED INSTREAM
Oregon)	LEASE

FINDINGS OF FACT

1. A Short-Term Lease Application, which proposed to lease all or a portion of certificate 39143 for instream purposes was submitted to the Department by:

Lessor
The Nature Conservancy
821 SE 14th Ave.
Portland, OR 97214

2. The Department assigned this lease agreement number L-466.
3. The lease application includes the required information under OAR 690-077-0077(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(6). No comments were received.
4. The instream lease application was modified to clarify that the number of irrigated acres being leased instream is 3194.9 acres.
5. The instream lease application was also modified to clarify that the amount of water to be protected instream is 62.1 Cubic Feet per Second (cfs), for a total volume of 9584.7 acre-feet during the period August 15 through October 31.
6. Based upon review of the application and information provided by the Department's Watermaster, the Department finds that the lease, as proposed, will not result in injury or enlargement.
7. The lease will terminate on October 31, 2003.

CONCLUSIONS OF LAW

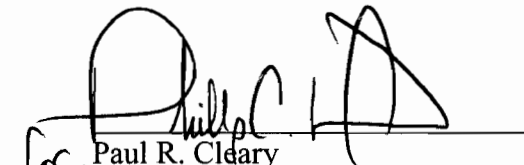
The Department concludes that the lease, as modified above, will not result in injury or enlargement, OAR 690-077-0077.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

ORDER

Therefore, it is ORDERED that the Short-Term Lease described herein is APPROVED.

Dated at Salem, Oregon this 14th day of August, 2003.


for Paul R. Cleary
Director