

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

In the Matter of Instream Lease IL-1733) FINAL ORDER
Deschutes County) TERMINATING INSTREAM
) LEASE

Oregon Revised Statute (ORS) 537.348 establishes the process in which a water right holder may submit a request to lease an existing water right for instream purposes. Oregon Administrative Rule (OAR) Chapter 690, Division 077 implements the statutes and provides the Department's procedures and criteria for evaluating instream lease applications.

Lessor Pooled Instream Lease for several water right holders (described in Finding of Fact No. 2)	Co-Lessor Central Oregon Irrigation District (COID) 1055 SW Lake Ct. Redmond, OR 97756
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Lessee
Deschutes River Conservancy (DRC)
700 NW Hill Street, Suite 1
Bend, Oregon 97703

Findings of Fact

1. On March 28, 2019, the DRC and COID, on behalf of several water right holders, filed an application to lease a portion of Certificate 83571 for instream use. The Department assigned the application number IL-1733.
2. The lease application requested to protect water instream for three years, terminating on October 31, 2021. A Final Order approving this lease was issued by the Department on April 25, 2019, as evidenced by Special Order Volume 112, Page 1055.
3. The final order contained a condition allowing the Lessors and the Lessee to terminate the lease in any year of the lease, prior to the lease being exercised that season, with written notification to the Department.
4. On February 17, 2020, the Department received a request from the DRC and COID on behalf of several water right holders to terminate the lease prior to the 2020 instream use period.
5. The lease was exercised during the 2019 water use period ending on October 31, 2019.

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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

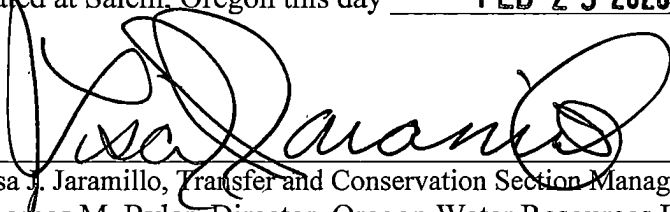
Conclusions of Law

The Department concludes that terminating the lease in advance of the 2020 instream use period is consistent with OAR 690-077.

Now, therefore it is ORDERED:

The Instream Lease described herein is TERMINATED and no longer in effect.

Dated at Salem, Oregon this day FEB 25 2020.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director, Oregon Water Resources Department

Mailing date: FEB 26 2020

This document was prepared by Sarah Henderson. If you have any questions, please call 503-986-0884.