

**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(s) 79633 and 79690,	)	PROPOSED INSTREAM
Douglas County, Oregon	)	LEASE

**FINDINGS OF FACT**

1. On March 8, 2002, a renewal of Short-Term Lease Application # 72, which proposed to lease all or a portion of certificate(s) 17386 and 20682 for instream purposes was submitted to the Department by:

Lessor  
Superior Veneer Co.  
Steve Swanson, General Manager  
P.O. Box 250  
Glendale, OR 97442

2. The Department reassigned this lease application number L-346.
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).
4. Certificate 17386 has been cancelled and is superceded by certificate 79633, which was signed on September 25, 2002. Certificate 79633 has a change in point of diversion that was approved by Special Order Volume 53, page 844 on June 9, 1999.
5. Certificate 20682 has been cancelled and was superceded by certificate 79631, which was signed on September 25, 2002. Certificate 79631 has a change in point of diversion that was approved by Special Order Volume 53, page 844 on June 9, 1999. A scrivener's error was made in describing the lands to which certificate 79631 was appurtenant. The scrivener's error was corrected by issuing superceding certificate 79690 on November 15, 2002.
6. The leasable quantity for certificate 79690 is 0.77 cfs, not the 0.776 cfs listed on the 1998 lease. (The maximum rate for certificates 79631 and 20682 was also 0.77 cfs.)
7. The lease will terminate on December 31, 2006.

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.

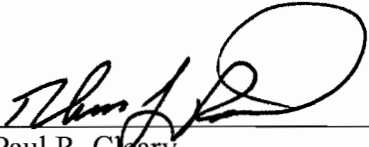
**CONCLUSIONS OF LAW**

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

**ORDER**

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

Dated at Salem, Oregon this 18<sup>th</sup> day of November, 2002.

  
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Paul R. Cleary  
Director