

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

In the Matter of Instream Lease IL-716                    )     FINAL ORDER TERMINATING  
Douglas County    )     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**

Industrial Harbor USA, LLC  
c/o Schroeder Law Offices  
1915 NE Cesar E. Chavez Blvd  
Portland, OR 97212

1905 7 9 2021

**Findings of Fact**

1. On April 7, 2020, Industrial Harbor USA, LLC, filed an application to renew instream lease IL-716, involving a portion of Certificate 80656.
2. The lease application requested to protect water instream for five years, terminating on December 31, 2025. A Final Order approving this lease was issued by the Department on June 8, 2020, as evidenced by Special Order Volume 116, Page 901.
3. The final order contained a condition allowing the Lessor 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 June 25, 2021, the Department received a request from Schroeder Law Offices, P.C. to terminate the lease prior to the 2022 instream use period.
5. The lease was exercised during the 2021 water use period ending on December 31, 2021.

**Conclusions of Law**

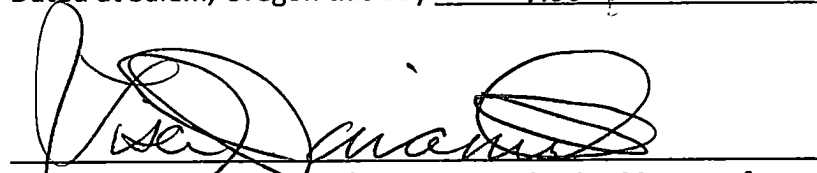
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review 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.

The Department concludes that terminating the lease in advance of the 2022 instream use period is consistent with OAR 690-077.

**Now, therefore it is ORDERED:**

The Instream Lease described herein is TERMINATED and will no longer be in effect as of December 31, 2021.

Dated at Salem, Oregon this day     AUG 04 2021    .



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

Mailing date:     AUG 05 2021    

*This document was prepared by Stacy Phillips. If you have any questions, please call 503-986-0898.*