

**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) 57609 and 57610,)	PROPOSED INSTREAM
Yamhill County, Oregon)	LEASE

FINDINGS OF FACT

1. A Short-Term Lease Application, which proposed to lease all or a portion of certificate(s) 57609 and 57610 for instream purposes was submitted to the Department by:

Lessor
Bailey Nurseries, Inc.
9855 N.W. Pike Road
Yamhill, OR 97148-8299

Lessee
Oregon Water Trust
522 SW Fifth Avenue, Suite 825
Portland, Oregon 97204

2. The Department assigned this lease agreement number L-110.
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. The instream flow will be allocated for a period of 100 days on a daily average basis up to the described rate from June 21 through September 30, 2003. The lease shall commence upon execution of this order and will terminate on September 30, 2003.

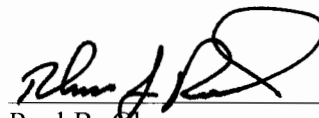
CONCLUSIONS OF LAW

The Department concludes that the lease, 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 ~~28th~~ day of April, 2003.



Paul R. Cleary
Director

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.