

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

In the Matter of the Proposed Short-Term)
Lease of Existing Water Rights for Instream)
Use, Certificate(s)13130, 13311, and 12775,)
Umatilla County, Oregon)

TERMINATION OF
INSTREAM LEASE
& FINAL ORDER

FINDINGS OF FACT

1. On April 13, 2006, a Short-Term Lease Application, which proposed to lease a portion of Certificates 13130, 13311, and 12775 for instream purposes was submitted to the Department by:

Lessor #1

Norma Anspach
POA Donna Roloff
Route 4, Box 192
Milton-Freewater, Oregon 97862

Lessor #2

Walla Walla River Irrigation District
Attn: Teresa Yeager
605 N. Lamb
Milton-Freewater, Oregon 97862

Lessee

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

2. The Department assigned this lease agreement number L-720.
3. The lease application contained a provision allowing the lessor to terminate the lease in any year of the lease, prior to the lease being exercised that season.
4. The lease application requested to protect water instream for four years. A Final Order approving this lease was issued by the Department on June 21, 2006 as evidenced by Special Order Volume 68, Page 675. The order indicated that the lease would terminate on December 31, 2009.
5. On April 11, 2007, the Department received a request from Lessor #1 to terminate the lease effective immediately.
6. The lease was exercised during the 2006 water use period ending 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 137-004-0080 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.

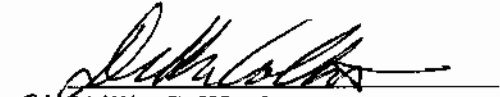
CONCLUSIONS OF LAW

The Department concludes that terminating the lease at the end of the 2006 irrigation season is consistent with OAR 690-077.

ORDER

Therefore, it is ORDERED that the Short-Term Lease described herein is TERMINATED and no longer in effect.

Dated at Salem, Oregon this 13th day of April, 2007.


Phillip C. Ward
Director

Mailing date: APR 17 2007