

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

In the Matter of the Proposed Short-Term Lease)	DETERMINATION and
of Existing Water Rights for Instream Use,)	FINAL ORDER ON
Certificate(s) 32329, Linn County, Oregon)	PROPOSED INSTREAM
)	LEASE

FINDINGS OF FACT

1. A Short-Term Lease Application, which proposed to lease all or a portion of certificate(s) 32329 for instream purposes was submitted to the Department by:

Lessor
Wesley and Carol Powers
P.O. Box 618
Scio, Oregon 97374-0618
2. The instream lease application included the required fees. The Department assigned this lease agreement number L-489.
3. The lease application includes the information required under OAR 690-077-0077(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(6). No comments were received.
4. The instream flow will be allocated on a daily average basis up to the described rate of 0.54 cfs from April 1 (not before execution of the lease) through September 30.
5. Based upon review of the application, comments received, and information provided by the Department's Watermaster, the Department finds that the lease, as modified, will not result in injury or enlargement.
6. The lease will terminate on September 30, 2004.

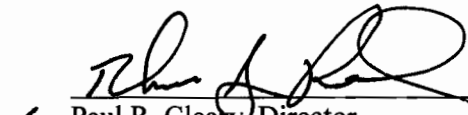
CONCLUSIONS OF LAW

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 as described in application L-489 as modified is APPROVED.

Dated at Salem, Oregon this 8th day of April 2004.


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.