

**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	)	SUPERSEDING FINAL
Use, Certificates 74146, 74147, 76106,	)	ORDER ON PROPOSED
Deschutes County, Oregon	)	INSTREAM LEASE

Short-term lease agreement number 284, which proposed to lease a portion of certificates 74146, 74147, and 76106 for instream purposes was submitted to the Department by:

Lessor  
Tumalo Irrigation District  
64697 Cook Ave  
Bend, Oregon 97701

This superseding Final Order is issued to correctly identify the amount of water being leased, specifically under certificate 74147.

The Department finds that modifications to the instream lease are necessary. Based on recommendations from the Watermaster, the amount of water leased under Certificate 74146 shall be limited to 1.81 Cubic Foot per Second (CFS), with a maximum volume of 228.8 Acre-Foot (AF), during the period August 14<sup>th</sup> through October 15<sup>th</sup>.

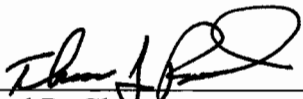
The amount of water leased instream under Certificate 74147 shall be 0.75 CFS during the period April 15<sup>th</sup> to May 1<sup>st</sup> and October 1<sup>st</sup> to October 15<sup>th</sup>, 1.0 CFS during the period May 1<sup>st</sup> to May 15<sup>th</sup> and September 15<sup>th</sup> to October 1<sup>st</sup>, and 1.86 CFS during the period May 15<sup>th</sup> to September 15<sup>th</sup>. The max volume to be leased over the entire period, April 15<sup>th</sup> through October 15<sup>th</sup>, shall be limited to 557.9 AF.

The amount of water protected under Certificate 76106 and the period during which water shall be protected is as described in the lease application form.

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.

The lease will terminate on October 15, 2002. The Department concludes that the lease is consistent with the requirements of ORS 537.348 and OAR Chapter 690, Division 77. Therefore, it is ORDERED that the Short-Term Lease described herein is APPROVED.

Dated at Salem, Oregon this 19<sup>th</sup> day of July, 2002.

  
\_\_\_\_\_  
Paul R. Cleary  
Director