

**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) 74146 and 74147,)	PROPOSED INSTREAM
Deschutes County, Oregon)	LEASE

FINDINGS OF FACT

1. A request to renew a short-term lease agreement, which proposed to lease all or a portion of certificate(s) 74146 and 74147 for instream purposes, was submitted to the Department by:

Lessor #1	Lessor #2
Bend Metro Parks and Recreation District	Tumalo Irrigation District
200 Pacific Park Lane	64697 Cook Avenue
Bend, OR 97701	Bend, OR 97701

2. The application was amended to include a lessee:

Deschutes Resources Conservancy
700 NW Hill Street
Bend, OR 97701

3. The Department assigned this lease agreement number L-129.
4. The Department finds that modifications to the instream lease are necessary. Based on recommendations from the Watermaster, the amount of water protected under Certificate 74146 shall be limited to 0.77 Cubic Foot per Second (CFS), with a maximum volume of 103.9 Acre-Feet (AF), during the period August 9th through October 15th.
5. Based on recommendations from the Watermaster, the amount of water protected under Certificate 74147 shall be limited to 0.63 CFS, with a maximum volume of 247.5 AF, during the period April 15th through October 15th.
6. 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).
7. The lease will terminate on October 15, 2007.

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.

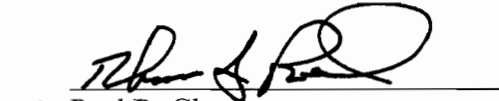
CONCLUSIONS OF LAW

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 described herein is APPROVED.

Dated at Salem, Oregon this 28th day of May, 2003.



Paul R. Cleary
Director