

**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) 13575, Wheeler County,)	PROPOSED INSTREAM
Oregon)	LEASE

Short-term lease agreement number L-340 (formerly number 27), which proposed to lease all or a portion of certificate(s) 13575 for instream purposes was submitted to the Department by:

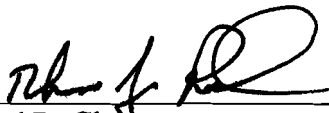
Lessor
U.S. Bureau of Land Management
P.O. Box 550
Prineville, OR 97754

The lease will terminate on October 1, 2006.

During the public notice period, the Department received comment(s) relating to this lease that indicated that the lease if approved may cause injury to other water rights. The claim(s) of injury allege that protecting the water in a reach, beyond the point of diversion may cause injury to other water rights. The Department finds it necessary to reduce the protectable quantity of water past the POD to 57.5 percent of the face value of the right. The protectable amounts of water shall be 0.82 cfs from March 22 to June 15, and 0.41 cfs from June 16 to October 1. The Department finds that the quantity of water being protected past the point of diversion properly accounts for return flow and that injury will not occur due to the right being protected in an instream reach.

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 be APPROVED.

Dated at Salem, Oregon this 27th day of August, 2002.



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.