

UMATILLA COUNTY

IN THE MATTER OF CORRECTION)
OF A DIMINUTION)
OF A WATER RIGHT IN THE NAME OF)
L & L FARMS)

O R D E R

An order was entered into the record at Special Order Volume 51, Page 983, on September 3, 1997, diminishing a water right in the name of L & L FARMS. An affidavit was received from ROBERT L. LEVY, dba L & L FARMS, and TRUSTEE FOR ROBERT L. LEVY FAMILY TRUST, the owner of certain land and the water rights appurtenant to it. The water right records showed two rights as primary on this land. The groundwater right had been requested to be diminished from primary to supplemental.

The water right is a portion of the right described by Certificate 75123, State Record of Water Right Certificates. The water right is for the use of 3.3 cubic feet per second from WELL 3, tributary of SPIKES GULCH. The date of priority is DECEMBER 2, 1976. The water right diminished was for IRRIGATION of 16.8 ACRES. Following review of the water right certificate the owner has asked for a correction of 0.7 acres in the SW ¼ SE ¼ of Section 28, Township 3 North, Range 28 East, W.M., to be restored as a primary water right.

It appears that the 0.7 acres was incorrectly diminished to supplemental irrigation and should rightly be restored to primary irrigation.

NOW, THEREFORE, it is ORDERED that the portion of the water right described herein as 0.7 acres in SW ¼ SE ¼ of Section 28, Township 3 North, Range 28 East, W.M., of supplemental irrigation is restored to PRIMARY IRRIGATION. It is FURTHER ORDERED that Certificate 75123 is canceled and a new certificate be issued to confirm this order.

WITNESS the signature of the Water Resources Director, affixed December 12, 1997.



Martha O. Pagel