

UMATILLA COUNTY

IN THE MATTER OF DIMINUTION )
OF A WATER RIGHT ) ORDER
IN THE NAME OF LOYALTA, INC. )
LOY M. GOSSLER, PRES. )

An affidavit was received from LOYALTA, INC., the owners of certain land and the water rights appurtenant to it. The water right records show two rights as primary on this land. The groundwater right has been requested to be diminished from primary to supplemental.

The water right is a portion of the right described by Certificate 55324, State Record of Water Right Certificates. The water right is for the use of 1.13 cubic feet per second from WELL #2, a tributary of the UMATILLA RIVER BASIN. The date of priority is NOVEMBER 7, 1962. The water right is for IRRIGATION of 158.4 ACRES.

A description of the place of use of the water right is as follows:

Table with 3 columns: NW 1/4 NE 1/4 (40.0), SW 1/4 NE 1/4 (39.2), NE 1/4 NW 1/4 (40.0), SE 1/4 NW 1/4 (39.2)

SECTION 29
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.

The place of use of the water right was surveyed by the Department staff in 1989 in conjunction with the primary water right under permit 30789. The actual place of use was determined to be:

Table with 3 columns: NW 1/4 NE 1/4 (39.6), SW 1/4 NE 1/4 (39.6), NE 1/4 NW 1/4 (39.6), SE 1/4 NW 1/4 (39.6)

SECTION 29
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OAR 690-330-040(2) states: "Diminution of a water right: A primary right may, at the request of the owner of the right, be diminished to a supplemental status to allow for a new primary right application from a more dependable source of water."

NOW, THEREFORE, it is ORDERED that the water right described herein is diminished to SUPPLEMENTAL IRRIGATION. It is FURTHER ORDERED that Certificate 55324 is canceled and a new certificate be issued to confirm this order and to correctly describe the place of use.

WITNESS the signature of the Water Resources Director, affixed June 11, 1999.

Handwritten signature of Martha O. Pagel

Martha O. Pagel

Recorded in Special Order Volume 53, Page 538.