

UMATILLA COUNTY

IN THE MATTER OF DIMINUTION)
OF A PORTION OF A WATER RIGHT) ORDER
IN THE NAME OF EDWARDS FARMS, INC.)

An affidavit was received from RICHARD LATHAM, the owner 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 23939, State Record of Water Right Certificates. The water right is for the use of 2.21 cubic feet per second from WELL #2, in the UMATILLA RIVER BASIN. The date of priority is DECEMBER 9, 1953. The water right is for IRRIGATION of 177.6 ACRES.

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

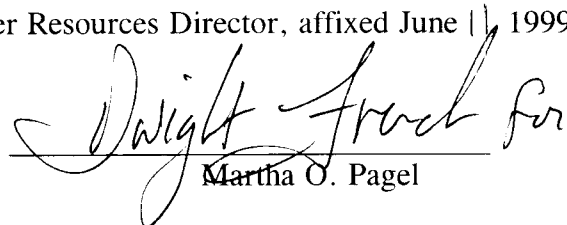
NE 1/4 NE 1/4	36.1
SW 1/4 NE 1/4	39.6
SE 1/4 NE 1/4	38.6
SW 1/4 NW 1/4	1.5
NE 1/4 SW 1/4	38.0
NW 1/4 SW 1/4	23.8

SECTION 13
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.

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 23939 is canceled and a new certificate be issued to confirm this order and to show that portion of the water right not changed as part of this order.

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


Martha O. Pagel