

UMATILLA COUNTY

IN THE MATTER OF DIMINUTION)
OF A WATER RIGHT) ORDER
IN THE NAME OF STEVE AND JUDY MILLS)

An affidavit was received from STEVE MILLS, 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 56282, State Record of Water Right Certificates. The water right is for the use of 1.92 cubic foot per second from MILLS WELL, in the UMATILLA RIVER BASIN. The date of priority is APRIL 27, 1978. The water right is for IRRIGATION of 153.8 ACRES.

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:

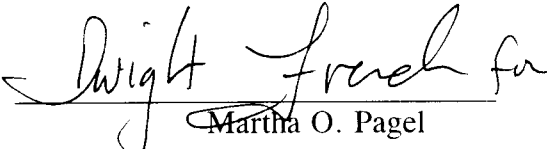
NE 1/4 SE 1/4	33.9
NW 1/4 SE 1/4	32.4
SW 1/4 SE 1/4	37.0
SE 1/4 SE 1/4	37.9
SECTION 4	
NE 1/4 NE 1/4	6.3
NW 1/4 NE 1/4	6.3

SECTION 9
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

OAR 690-15-045 states: "If the water right records show two or more rights as primary on the same land, the right with the oldest priority date shall be considered the primary right unless the applicant designates a right, other than the right with the oldest priority date, as the primary right. All other rights shall be diminished to supplemental rights."

NOW, THEREFORE, it is ORDERED that the water right described herein is diminished to SUPPLEMENTAL IRRIGATION. It is FURTHER ORDERED that Certificate 56282 is canceled and a new certificate be issued to confirm this order and to correctly show the place of use.

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


Martha O. Pagel