

**UMATILLA COUNTY**

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

**ORDER**

An affidavit was received from ROBERT L. LEVY, dba L & L FARMS, 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 51783, State Record of Water Right Certificates. The water right is for the use of 6.01 cubic feet per second from THREE WELLS, tributary of SPIKES GULCH. The date of priority is APRIL 19, 1979. The water right is for IRRIGATION of 287.1 ACRES AND SUPPLEMENTAL IRRIGATION of 193.9 ACRES. The number of acres to be diminished to supplemental irrigation is 276.5 acres.

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

NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> 4.6 ACRES  
NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>  
SECTION 26

NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> 14.7 ACRES  
SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> 14.0 ACRES  
SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> 16.4 ACRES  
NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> 32.0 ACRES  
NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> 27.6 ACRES  
SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> 32.0 ACRES  
SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> 28.9 ACRES  
NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> 38.8 ACRES  
NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> 39.9 ACRES  
SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> 16.0 ACRES  
SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> 13.6 ACRES

Section 27  
TOWNSHIP 3 NORTH, RANGE 28 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 portion of the water right described herein is diminished to SUPPLEMENTAL IRRIGATION. It is FURTHER ORDERED that Certificate 51783 is canceled and a new certificate be issued to confirm this order.

WITNESS the signature of the Water Resources Director, affixed September 3, 1997.

  
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Martha O. Pagel

Recorded in Special Order Volume 51, Page 980.