

UMATILLA COUNTY

IN THE MATTER OF DIMINUTION)
OF A WATER RIGHT IN THE NAME) ORDER
OF H.T. BURNS, INC.)

An affidavit was received from HOWARD BURNS, 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 Transfer Order T-6304, Special Order Volume 44 Page 46. The water right is for the use of 0.14 cubic foot per second from THREE WELLS, in the COLD SPRINGS WASH BASIN. The date of priority is JANUARY 29, 1981. The water right is for IRRIGATION of 11.2 ACRES.

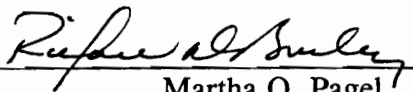
A description of the place of use of the water right is as follows:

NE 1/4 SE 1/4 11.2
SECTION 10
TOWNSHIP 4 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 a new certificate be issued to confirm this order and Transfer 6304.

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


Martha O. Pagel