

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD AND MARIAN O'CONNELL  
HCR 88, BOX 85  
BAKER CITY, OREGON 97815

confirms the right to use the waters of POWDER RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 52.5 ACRES.

This right was perfected under Permit 3672. The date of priority is DECEMBER 15, 1917. This right is limited to 0.66 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION LOCATED AT SE 1/4 NW 1/4, SECTION 34, T 7 S, R 41 E, W.M.; IRWIN CANAL - 1500 FEET SOUTH AND 270 FEET WEST FROM THE N 1/4 CORNER OF SECTION 34, or its equivalent in case of rotation, measured at the point of diversion from the source. The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 22, T 8 S, R 42 E, W.M.; 2204.37 FEET SOUTH AND 973.63 FEET EAST FROM THE NW CORNER OF NE 1/4 NW 1/4, SECTION 22.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent).

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 NE 1/4	0.5 ACRE
SW 1/4 NE 1/4	17.5 ACRES
SE 1/4 NE 1/4	12.0 ACRES
NE 1/4 SE 1/4	15.0 ACRES
NW 1/4 SE 1/4	7.5 ACRES

SECTION 22  
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

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The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at Irwin Canal, the original point of diversion.

When required by the Department, the water user shall install and maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 31, 1990 and supersedes Certificate 56450, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed  
MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

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William H. Young

Recorded in State Record of Water Right Certificates numbered 67238.

T-6357.JS