

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 97814

confirms the right to use the waters of THE POWDER RIVER, a tributary of THE SNAKE RIVER, for IRRIGATION OF 128.8 ACRES.

This right was perfected under Permit 51087. The date of priority is MARCH 5, 1990. This right is limited to 1.98 CUBIC FEET PER SECOND 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 NW 1/16 CORNER COMMON TO SECTIONS 15 AND 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-FORTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year.

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	30.0 ACRES
NW 1/4 NE 1/4	23.7 ACRES
SW 1/4 NE 1/4	14.0 ACRES
SE 1/4 NE 1/4	17.8 ACRES
NE 1/4 NW 1/4	10.1 ACRES
SE 1/4 NW 1/4	3.4 ACRES
NE 1/4 SE 1/4	23.0 ACRES
NW 1/4 SE 1/4	6.8 ACRES

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

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 APRIL 19, 1994.

js/ Martha O. Pagel

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68370.

BASIN 9
70221.JM

VOLUME 2 POWDER RIVER & MISC.

DISTRICT 8