

STATE OF OREGON

COUNTY OF BAKER

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

RICHARD AND MARIAN O'CONNELL
HCR 88, BOX 85
BAKER CITY, OREGON 97814

503-523-4061

to use the waters of POWDER RIVER, a tributary of SNAKE RIVER, for IRRIGATION OF 197.0 ACRES.

This Permit is issued approving Application 70221. The date of priority is MARCH 5, 1990 FOR 3.23 CFS AND AUGUST 3, 1990 FOR 0.79 CFS. The use is limited to not more than 4.02 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:

SW 1/4 NW 1/4, SECTION 22, T 8 S, R 42 E, W.M.; 27.25 CHAINS SOUTH, THENCE SOUTH 38 DEGREES 15 MINUTES WEST, 5.75 CHAINS FROM N 1/4 CORNER, SECTION 22.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre 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 proposed place of use under this Permit is as follows:

NE 1/4 NE 1/4	40.0 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	17.5 ACRES
SE 1/4 NE 1/4	40.0 ACRES
NE 1/4 NW 1/4	29.0 ACRES
NE 1/4 SE 1/4	23.0 ACRES
NW 1/4 SE 1/4	7.5 ACRES

SECTION 22

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

Actual construction work shall begin on or before OCTOBER 1, 1991, and shall be completed on or before October 1, 1992. Complete application of the water to the use shall be made on or before October 1, 1993.

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

"CERTIFICATE NO. 68370"

This permit 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.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued this date, OCTOBER 1, 1990.

/s/ WILLIAM H. YOUNG

Water Resources Department
William H. Young
Director

"CERTIFICATE NO. 68370"