

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSELAWN SEED INC.
29975 S. BARLOW RD.
CANBY, OREGON 97013

PHONE: (503) 651-2130

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-81034

SOURCE OF WATER: WASTE WATER (UNNAMED DRAINAGE) FROM IRRIGATION AND ROSE RESERVOIR, CONSTRUCTED UNDER PERMIT R-5821, TRIBUTARIES OF MOLALLA RIVER

PURPOSE OR USE: SUPPLEMENTAL IRRIGATION OF 126.4 ACRES

MAXIMUM RATE/VOLUME ALLOWED: 0.69 CFS FROM WASTE WATER AND 316.0 ACRE- FEET OF STORED WATER FROM ROSE RESERVOIR, CONSTRUCTED UNDER PERMIT R- 5821

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: MARCH 25, 1996

POINT OF DIVERSION LOCATION: NW 1/4 NE 1/4, SECTION 20, NW 1/4 NW 1/4, SECTION 29, TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.; POD 1 - 800 FEET SOUTH & 1300 FEET EAST FROM NW CORNER, SECTION 29; POD 2 (ROSE RESERVOIR) - 1430 FEET NORTH & 3100 FEET EAST FROM W 1/4 CORNER, SECTION 20

The amount of water used for irrigation under this right, 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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NW 1/4 29.6 ACRES
NW 1/4 NW 1/4 36.2 ACRES
SW 1/4 NW 1/4 40.0 ACRES
SE 1/4 NW 1/4 20.6 ACRES

SECTION 29

TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as

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approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water shall be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water.

The permittee shall install, maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the proposed diversion. The required screens and by-pass devices are to be in place, functional and approved by an ODFW representative prior to diversion of any water.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

STANDARD CONDITIONS

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

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.

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 prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued August 21, 1998

Dwight French for
Martha O. Pagel, Director
Water Resources Department

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