

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSEROCK EAST LLC
PO BOX 700
DUNDEE OR 97115

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

APPLICATION FILE NUMBER: S-86759

SOURCE OF WATER: WINSLOW CREEK, TRIBUTARY TO GIBSON CREEK; AND GIBSON CREEK (BRUSH COLLEGE CREEK), TRIBUTARY TO GLENN CREEK

PURPOSE OR USE OF THE WATER: IRRIGATION OF 40.93 ACRES

MAXIMUM RATE: 0.18 CUBIC FOOT PER SECOND (CFS), BEING 0.09 CFS FROM GIBSON CREEK AND 0.09 CFS FROM WINSLOW CREEK

PERIOD OF USE: MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 9, 2007

POINTS OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
GIBSON CREEK POD	7 S	3 W	WM	7	NE NW	1275 FEET SOUTH AND 2090 FEET EAST FROM NW CORNER, SECTION 7
WINSLOW CREEK POD	7 S	3 W	WM	7	SW NW	1420 FEET SOUTH AND 1265 FEET EAST FROM NW CORNER, SECTION 7

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 and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	3 W	WM	7	NW NW	3.5
7 S	3 W	WM	7	SW NW	14.21
7 S	3 W	WM	7	SE NW	0.02
7 S	3 W	WM	7	NE SW	6.64
7 S	3 W	WM	7	NW SW	15.15
7 S	4 W	WM	12	NE SE	1.41

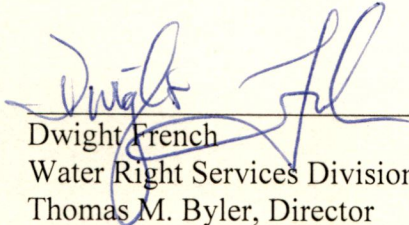
1. Measurement Devices and Recording/Reporting of Annual Water Storage Conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion. The permittee shall maintain the device in good working order.
 - B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.
 - C. The Director may require the permittee to keep and maintain a record of the volume of water diverted, and may require the permittee to report water-use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water-use information, the periods of water use and the place and nature of use of water under the permit.
 - D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.
2. The permittee may be required in the future to install, maintain, and operate fish screening and bypass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.

STANDARD CONDITIONS

- 1. 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.
- 2. Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
- 7. Complete application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Issued December 26th, 2018


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

