

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSEROCK MIDDLE LLC
PO BOX 700
DUNDEE OR 97115

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

APPLICATION FILE NUMBER: S-86761

MAXIMUM RATE, SOURCE, AND PURPOSE OR USE:

0.02 CUBIC FOOT PER SECOND (CFS) OF LIVE FLOW FROM GIBSON GULCH, TRIBUTARY TO GIBSON CREEK (BRUSH COLLEGE CREEK), FOR POND MAINTENANCE OF HAINES RESERVOIR

0.072 CFS OF LIVE FLOW FROM GIBSON GULCH, TRIBUTARY TO GIBSON CREEK (BRUSH COLLEGE CREEK), FOR PRIMARY IRRIGATION OF 5.72 ACRES

3.0 ACRE-FEET OF STORED WATER FROM HAINES RESERVOIR, CONSTRUCTED UNDER PERMIT R-5695, ENLARGED UNDER PERMIT R-15093, FOR SUPPLEMENTAL IRRIGATION OF 74.07 ACRES

PERIOD OF USE: POND MAINTENANCE - NOVEMBER 1 THROUGH JUNE 30

PRIMARY IRRIGATION - MARCH 1 THROUGH JUNE 30 AND SEPTEMBER 1 THROUGH OCTOBER 31

SUPPLEMENTAL IRRIGATION - MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 9, 2007

POINT OF DIVERSION:

POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
GIBSON GULCH/HAINES RESERVOIR POD	7 S	4 W	WM	12	NE SE	3090 FEET SOUTH AND 790 FEET WEST FROM NE CORNER, SECTION 12

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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	4 W	WM	12	NE NE	3.72
7 S	4 W	WM	12	SE NE	2.00

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
7 S	3 W	WM	7	NW NW	16.98
7 S	3 W	WM	7	SW NW	24.05
7 S	3 W	WM	7	SE NW	0.03
7 S	3 W	WM	7	NE SW	7.82
7 S	3 W	WM	7	NW SW	17.83
7 S	4 W	WM	12	NE NE	3.72
7 S	4 W	WM	12	SE NE	2.00
7 S	4 W	WM	12	NE SE	1.64

1. **Measurement Devices and Recording/Reporting of Annual Water Use 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.
3. At the time of perfection, the permittee may request that the supplemental use be certificated as primary irrigation, if water has been used beneficially according to the terms and conditions of this permit, and if underlying primary water rights are simultaneously diminished or canceled.

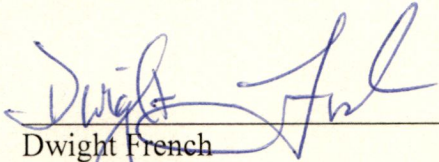
STANDARD CONDITIONS

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

