

STATE OF OREGON

COUNTY OF POLK

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROSEROCK WEST 1 LLC
ROSEROCK WEST 2 LLC
PO BOX 700
DUNDEE OR 97115

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

APPLICATION FILE NUMBER: S-86764

MAXIMUM RATE, SOURCE, AND PURPOSE OR USE:

0.07 CUBIC FOOT PER SECOND (CFS) FROM GIBSON GULCH, TRIBUTARY TO GIBSON CREEK (BRUSH COLLEGE CREEK), FOR POND MAINTENANCE OF ROSEROCK WEST RESERVOIR #1, CONSTRUCTED UNDER PERMIT R-1453, ENLARGED UNDER PERMIT R-1763 AND PERMIT R-15312

0.02 CFS FROM AN UNNAMED SPRING, TRIBUTARY TO GIBSON GULCH, FOR POND MAINTENANCE OF ROSEROCK WEST RESERVOIR #2, CONSTRUCTED UNDER PERMIT R-15091

0.37 CFS FROM GIBSON GULCH, TRIBUTARY TO GIBSON CREEK (BRUSH COLLEGE CREEK), FOR PRIMARY IRRIGATION OF 29.68 ACRES

10.65 ACRE-FEET (AF) OF STORED WATER, BEING 9.65 AF FROM ROSEROCK WEST RESERVOIR #1, CONSTRUCTED UNDER PERMIT R-15312, AND 1.0 AF FROM ROSEROCK WEST RESERVOIR #2, CONSTRUCTED UNDER PERMIT R-15091, FOR SUPPLEMENTAL IRRIGATION OF 135.68 ACRES

PERIOD OF USE: POND MAINTENANCE – NOVEMBER 1 THROUGH JUNE 31

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

POINTS OF DIVERSION:

POD	POD Name	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	ROSE ROCK WEST RESERVOIR #1 DAM	7 S	4 W	WM	12	NW SE	435 FEET SOUTH AND 385 FEET EAST FROM C 1/4 CORNER, SECTION 12
2	UNNAMED SPRING	7 S	4 W	WM	12	NE SW	2810 FEET SOUTH AND 2865 FEET WEST FROM NE CORNER, SECTION 12
3	ROSE ROCK WEST IRRIGATION SYSTEM INTAKE	7 S	4 W	WM	12	NW SE	2935 FEET SOUTH AND 2370 FEET WEST FROM NE CORNER, SECTION 12
4	ROSE ROCK WEST RESERVOIR #1 OUTLET	7 S	4 W	WM	12	NW SE	2970 FEET SOUTH AND 2310 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	1.4
7 S	4 W	WM	12	NW NE	4.6
7 S	4 W	WM	12	SW NE	9.8
7 S	4 W	WM	12	NE SW	9.78
7 S	4 W	WM	12	NW SE	4.1

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	12.02
7 S	4 W	WM	12	SE NE	19.30
7 S	4 W	WM	12	NW NE	4.60
7 S	4 W	WM	12	SW NE	9.80
7 S	4 W	WM	12	NE SW	9.78
7 S	4 W	WM	12	NE SE	9.37
7 S	4 W	WM	12	NW SE	4.10

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

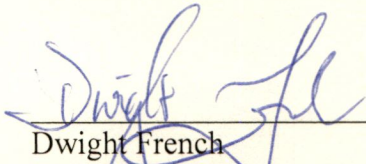
- Before water use may begin under this permit, the permittee shall install a totalizing flow meter at each point of diversion **or** a staff gage that measures the entire range and stage between full reservoir level and dead-pool storage in the reservoir. If no dead-pool, the gage must measure the full depth of the reservoir. The permittee shall maintain the devices 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 permittee shall keep a complete record of the volume of water diverted each month, and shall submit a report which includes 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.
 - 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

A handwritten signature in blue ink, appearing to read "Dwight French", is written over a horizontal line.

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