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MAR 03 2023

Application for a Permit to Use
Surface Water

OWRD



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME TYLER ROLEN ON BEHALF OF RSF ENTERPRISES LLC			PHONE (HM)
PHONE (WK) 541.531.9597	CELL		FAX
ADDRESS 4635 THOMPSON CREEK ROAD			
CITY JACKSONSVILLE	STATE OR	ZIP 97530	E-MAIL * ROLENSTONEFARMS@GMAIL.COM

Organization

NAME RSF ENTERPRISES LLC – SAME INFORMATION AS ABOVE			PHONE	FAX
ADDRESS			CELL	
CITY	STATE	ZIP	E-MAIL *	

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME RICK PARSONS / PARSONSWATER CONSULTING LLC			PHONE 541.499.0257	FAX
ADDRESS 1619 MINEAR ROAD			CELL 303.667.5067	
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL * RICK.PARSONS@PARSONSWATER.COM	

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to receive water to which they are entitled.

I (we) affirm that the information contained in this application is true and accurate



Tyler Rolen Tyler Rolen Owner 2/23/23
Applicant Signature Print Name and Title if applicable Date

Applicant Signature Print Name and Title if applicable Date

For Department Use: App. Number: _____

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.
- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*
 N/A

Legal Description: You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3. Any property on which the water is to be used as depicted on the map. DEED ATTACHED

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: A RESERVOIR	Tributary to: THOMPSON CREEK
TRSQQ of POD: NW SECTION 8 TOWNSHIP 39 SOUTH RANGE 4 WEST	
Source 2:	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).
 STORAGE RIGHT PERMIT R-15534

B. Applications to Use Stored Water

Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If *all* sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in [Attachment 3](#) or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:

https://apps.wrd.state.or.us/apps/misc/lkp_trsqg_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0900.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

- Yes No

If **yes, you are notified** that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):
 (1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
A RESERVOIR	SUPPLEMENTAL IRRIGATION	MAY – SEP	1.3 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
A RESERVOIR	NURSERY (PRIMARY)	JAN - DEC	1.3 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
		TOTAL NOT TO EXCEED	1.3 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af

Please indicate the number of primary, supplemental and/or nursery acres to be irrigated. TOTAL NOT TO EXCEED 4.0 ACRES
 Primary: 4.0 Acres Supplemental: 4.0 Acres Nursery Use: 4.0 Acres
 If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s): C-16465, C-32984, C-93252, C-93253 AND C-93524
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 1.3

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households:
- If the use is **mining**, describe what is being mined and the method(s) of extraction:

SECTION 6: WATER MANAGEMENT

A. Diversion and Conveyance

What equipment will you use to pump water from your source?

- Pump (give horsepower and type): 1 HP CENTRIFUGAL
 Other means (describe):

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

WATER PUMPED FROM RESERVOIR WILL BE CONVEYED TO POU VIA CLOSED PIPE

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler) SPRINKLER AND/OR DRIP TAPE

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

PIPED CONVEYANCE SYSTEM WILL PREVENT WASTE AND DAMAGE OR IMPACT TO SURFACE WATERS.

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions: SCREENING NOT REQUIRED THERE ARE NO FISH POPULATIONS IN THE BODY OF WATER FROM WHICH WATER IS BEING DIVERTED. NONETHELESS, A SCREEN WILL BE INSTALLED ON THE PUMP INTAKE TO ENSURE PUMP AND CONVEYANCE SYSTEM NOT CLOGGED.
- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.
Describe planned actions and additional permits required for project implementation: NO RIPARIAN OR STREAMSIDE AREAS ARE IMPACTED FROM PUMP AND CONVEYANCE INSTALLATION
- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.
Describe planned actions and additional permits required for project implementation: ON AQUATICE LIFE ARE IMPACTED FROM PUMP AND CONVEYANCE INSTALLATION
- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions: EROSION ON POND FROM PUMP AND CONVEYANCE INSTALLATION WILL BE MINIMAL
- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
N/A

SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: UPON ISSUANCE OF PERMIT
- b) Date construction will be completed: WITHIN ONE MONTH OF ISSUANCE OF PERMIT
- c) Date beneficial water use will begin: UPON COMPLETION OF CONVEYANCE SYSTEM

SECTION 9: WITHIN A DISTRICT

- Check here if the point of diversion or place of use are located within or are served by an irrigation or other water district.

Irrigation District Name THOMPSON CREEK IRRIGATION ASSOCIATION	Address 3120 THOMPSON CREEK ROAD	
City JACKSONVILLE	State OR	Zip 97530

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. *(Attach additional sheets if necessary).*

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME TYLER ROLEN ON BEHALF OF RSF ENTERPRISES LLC		PHONE (HM)	
PHONE (WK) 541.531.9597	CELL	FAX	
ADDRESS 4635 THOMPSON CREEK ROAD			
CITY JACKSONVILLE	STATE OR	ZIP 97530	E-MAIL* ROLENSTONEFARMS@GMAIL.COM

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
39S	4W	8	NE NW	300	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIGATION
39S	4W	8	NW NW	300	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRRIGATION
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

JACKSON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Limited Water Use License
- Water Right Transfer
- Allocation of Conserved Water
- Permit Amendment or Groundwater Registration Modification
- Exchange of Water

Source of water: Reservoir/Pond Groundwater Surface Water (name) _____

Estimated quantity of water needed: 1.3 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

WATER PUMPED FROM OFF-CHANNEL POND FOR IRRIGATION ON PROPERTY

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. (Please attach documentation of applicable land use approvals which have already been obtained. Record of Action/land use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

NAME		TITLE:
SIGNATURE	PHONE:	DATE:
GOVERNMENT ENTITY		

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: TYLER ROLEN
 City or County: JACKSON COUNTY Staff contact: SAMUEL BEELER
 Signature: *Samuel B. Beeler* Phone: (511) 774-6907 Date: 02/27/23

STATE OF OREGON

COUNTY OF JACKSON

PERMIT TO STORE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO
 TYLER ROLEN
 4635 THOMPSON CREEK RD
 JACKSONVILLE OR 97530

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

APPLICATION FILE NUMBER: R-88811

SOURCE OF WATER: A SPRING, TRIBUTARY TO THOMPSON CREEK

STORAGE FACILITY: A RESERVOIR

MAXIMUM DAM HEIGHT: 1.0 FOOT

MAXIMUM VOLUME: 1.3 ACRE-FEET

PURPOSE OR USE OF THE STORED WATER: MULTIPURPOSE USE

WATER MAY BE APPROPRIATED FOR STORAGE DURING THE PERIOD: JANUARY 1 THROUGH JANUARY 31 AND MARCH 1 THROUGH MARCH 31

DATE OF PRIORITY: FEBRUARY 24, 2020

DAM LOCATION/POINT OF DIVERSION:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	4 W	WM	8	NE NW	467 FEET SOUTH AND 1485 FEET EAST FROM NW CORNER, SECTION 8

THE AREA TO BE SUBMERGED BY THE RESERVOIR:

Twp	Rng	Mer	Sec	Q-Q
39 S	4 W	WM	8	NW NW

PERMIT SPECIFIC 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. Water Use Measurement, Recording, and Reporting:

- 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.

3. Fish Screen:

The permittee shall install, maintain, and operate fish screening consistent with current Oregon Department of Fish and Wildlife (ODFW) standards or submit documentation that ODFW has determined fish screening is not necessary or is exempted. Fish screening is to prevent fish from entering the proposed diversion. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW **prior to diversion of any water**. The permittee shall operate and maintain the fish screen consistent with ODFW's operation and maintenance standards. The permittee is hereby directed to schedule a consultation with an ODFW Fish Screen Coordinator.

4. Riparian Area Restoration:

If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

5. In-Water Work:

Any in-water work related to construction, development, or maintenance of the proposed use shall be conducted during the preferred work period of July 1 through September 15, unless an alternate time period is approved by Oregon Department of Fish and Wildlife.

6. Pond Construction:

Permittee must construct the pond off channel.

7. Water Quality:

All water use under this permit shall comply with state and federal water quality laws. The permittee shall not violate any state and federal water quality standards, shall not cause pollution of any waters of the state, and shall not place or cause to be placed any wastes in a location where such wastes are likely to escape or be carried into the waters of the state by any means. The use may be restricted if the quality of source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards.

8. Agricultural Water Quality Management Area Rules:

The permittee shall comply with basin-specific Agricultural Water Quality Management Area Rules described in Oregon Administrative Rule Chapter 603-095. The permittee shall protect riparian areas, allowing site capable vegetation to establish and grow along streams, while providing the following functions: shade (on perennial and some intermittent streams), bank stability, and infiltration or filtration of overland runoff.

9. The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe (with a minimum diameter of 8" for any in-channel reservoir). This requirement may be waived if the Department determines other means have been provided to evacuate water when necessary.
10. The permittee shall pass all live flow outside the storage season described above.
11. The Director may require the user to measure inflow and outflow, above and below the reservoir respectively, to ensure that live flow is not impeded outside the storage season. Measurement devices and their implementation must be acceptable to the Director, and the Director may require that data be recorded on a specified periodic basis and reported to the Department annually or more frequently.
12. This permit allows an annual appropriation (not to exceed the specified volume). This permit does not provide for the appropriation of water for out-of-reservoir uses, the maintenance of the water level or maintaining a suitable freshwater condition. If any water is to be used for out-of-reservoir purposes, a secondary water right is required. If any additional live flow is to be appropriated to maintain either the water level or a suitable freshwater condition, an additional water right is required.

13. Scenic Waterway Flows:

Diversion of water under this permit is contingent on designated scenic waterway flows being met downstream. The user is required to monitor streamflow at Rogue River near Agness, OR, gage 14372300, and discontinue diversion when the flows specified below are unmet at the gage. At the discretion of the Director, the location and nature of streamflow monitoring required to protect scenic waterway flows is subject to change. In addition, the watermaster may regulate diversion under this right if it is determined by the Department that the flows listed below are unmet at the gage.

Rogue Scenic Waterway	
Month	Minimum Flow (CFS)
January	3500
March	3500

STANDARD CONDITIONS

1. 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.
2. 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.
3. 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.

DEVELOPMENT AND COMPLETION TIMELINE REQUIREMENTS

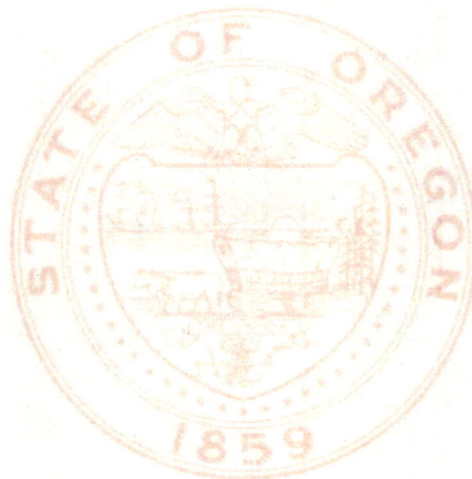
1. Construction of the water system shall begin within five years of the date of permit issuance. The deadline to begin construction may not be extended. This permit is subject to cancellation proceedings if the begin construction deadline is missed.
2. The permitted volume of water shall be stored within five years of the date of permit issuance. If additional time is needed, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.
3. Within one year after storage of water, the permittee shall submit a claim of beneficial use to the Oregon Water Resources Department.
4. The claim of beneficial use shall be prepared by a Certified Water Right Examiner in conformance with the requirements of OAR 690-014 if an associated secondary permit exists for the use of stored water under this permit, or if the reservoir capacity is equal to or greater than 9.2 acre-feet.

5. If no secondary permit exists and the reservoir capacity is less than 9.2 acre-feet of water, the claim of beneficial use need not be prepared by a Certified Water Right Examiner. The information submitted to the Oregon Water Resources Department shall include:
- the dimensions of the reservoir;
 - the maximum capacity of the reservoir in acre-feet; and
 - a map identifying the location of the reservoir prepared in compliance with Water Resource Department standards.

Issued OCT 28 2022

Katherine Ratcliffe

Katherine Ratcliffe
Water Rights Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department



PREPARED BY:
Olga Groat
Southwest Portland Law Group, LLC
8235 SW Oleson Road, Suite C
Portland, OR 97223



I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

AFTER RECORDING, RETURN TO:
Tyler Rolan
4635 Thompson Creek Road
Applegate, OR 97530

SEND TAX STATEMENTS TO:
Tyler Rolan
4635 Thompson Creek Road
Applegate, OR 97530

RECEIVED

MAR 03 2023

OWRD

STATUTORY WARRANTY DEED

Ronald M. Mankins and Wendy S. Mankins, who acquired title as Wendy S. Quigley, as Tenants in Common ("Grantors"), convey and warrant to Tyler Rolan, a single man, whose address is 4635 Thompson Creek Road, Applegate, Oregon 97530, ("Grantee"), the following described real property (the "Property") free of encumbrances, except as specifically set forth herein, situated in the County of Jackson, State of Oregon, commonly known as **4635 Thompson Creek Road, Jacksonville, OR 97530** and described more particularly as follows:

PARCEL I:

Commencing at the Northeast corner of the Northwest Quarter of Section 8, Township 39 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon; thence South 0° 11' 47" East along the East line of said Quarter 328.17 feet to the point of beginning; thence South 89° 58' 52" West along the North line of the South half of the North half of the Northeast Quarter of said Northwest Quarter 1307.76 feet; thence South 89° 56' 39" West along the North line of the South half of the North half of the Northwest Quarter of said Northwest Quarter to the Easterly right of way line of Thompson Creek Road; thence Southwesterly along said right of way line to the South line of said South half; thence North 89° 56' 17" East along said South line to the Southwest corner of said South half of the North half of the Northeast Quarter of the Northwest Quarter; thence North 89° 57' 46" East 1307.52 feet along the South line of said South half to the East line of said

Quarter; thence North 0° 11' 47" West along said East line 328.17 feet to the point of beginning. EXCEPTING THEREFROM the following: Commencing at the Northeast corner of the Northwest Quarter of Section 8, Township 39 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon; thence South 64° 12' 58" West 894.80 feet to a 5/8 inch iron pin and the point of beginning; thence West 208.71 feet to a 5/8 inch iron pin; thence South 208.71 feet to a 5/8 inch iron pin; thence East 208.71 feet to a 5/8 inch iron pin; thence North 208.71 feet to the point of beginning.

PARCEL II:

Commencing at the Northeast corner of the Northwest quarter of Section 8, Township 39 South, Range 4 West of the Willamette Meridian, Jackson County, Oregon; thence South 64° 12' 58" West 894.80 feet to a 5/8 inch iron pin and the point to beginning; thence West 208.71 feet to a 5/8 inch iron pin; thence South 208.71 feet to a 5/8 inch iron pin; thence East 208.71 feet to a 5/8 inch iron pin; thence North 208.71 feet to the point of beginning.

The true and actual consideration for this conveyance is \$504,660.00. (See ORS 93.030).

This property is free of liens and encumbrances, EXCEPT: **EXHIBIT A.**

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

EXHIBIT "A"

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
7. Taxes for the year 2017-2018.
 - Tax Amount \$ 1,241.85
 - Unpaid Balance: \$ 1,241.85 , plus interest and penalties, if any
 - Code No.: 40-02
 - Map & Tax Lot No.: 394W08 300
 - Property ID No.: 1-031167-9
 - (Affects Parcel I)
 - Taxes for the year 2016-2017
 - Unpaid Balance: \$ 54.12 , plus interest
 - Taxes for the year 2015-2016
 - Unpaid Balance: \$ 51.81 , plus interest
 - Taxes for the year 2014-2015
 - Unpaid Balance: \$ 48.80 , plus interest

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8. Delinquent taxes may be subject to foreclosure proceedings by Jackson County. Additional amounts may also be owing in connection with the foreclosure process.

9. Taxes for the year 2017-2018

Tax Amount \$ 2,383.97

Unpaid Balance: \$ 2,383.97, plus interest and penalties, if any.

Code No.: 40-02

Map & Tax Lot No.: 394W08 303

Property ID No.: 1-078117-8

(Affects Parcel II)

10. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

11. These premises are situated in the Thompson Creek Irrigation Association, and subject to the levies and assessments thereof, water and irrigation rights, easements for ditches and canals and regulations concerning the same.

12. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

13. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Thompson Creek or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.

14. Easement, including terms and provisions contained therein:

Recording Information: February 10, 1910 as Volume 76, Page 547

For: Water ditch right of way for irrigation purposes (Specific location not given)

15. Easement, including terms and provisions contained therein:

Recording Information: March 13, 1953 as Volume 378, Page 90

In Favor of: California Oregon Power Company

For: Transmission and distribution of electricity, and for other purposes (Specific location not given)

16. Easement, including terms and provisions contained therein:
Recording Information: October 15, 1956 as Volume 433, Page 183
For: Irrigation ditch rights in and to an existing ditch which diverts water from Thompson Creek
17. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded as Document No. 89-18393, Official Records of Jackson County, Oregon.
18. Easement, including terms and provisions contained therein:
Recording Information: January 3, 1991 as Document No. 91-00151
In Favor of: Pacific Power and Light Company
For: Transmission and distribution of electricity, and for other purposes (Specific location not given)
20. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded April 21, 2016 as Document No. 2016-011985, Official Records of Jackson County, Oregon.
21. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded April 21, 2016 as Document No. 2016-011986, Official Records of Jackson County, Oregon.
22. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded July 12, 2016 as Document No. 2016-022162, Official Records of Jackson County, Oregon.
23. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded March 7, 2017 as Document No. 2017-007476, Official Records of Jackson County, Oregon.
24. Restrictive Covenants, including the terms and provisions thereof, as imposed by Jackson County Department of Planning and Development, through the Jackson County Land Development Ordinance, and recorded March 7, 2017 as Document No. 2017-007477, Official Records of Jackson County, Oregon.

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees - Amount enclosed: \$1302
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
 - Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)



E-2 Application

LOVRIEN Corie L * WRD <corie.lovrien@water.oregon.gov>

Mon, Feb 27, 2023 at 3:37 PM

To: Rick Parsons <rick.parsons@parsonswater.com>, WRD_DL_customerservice <WRD_DL_customerservice@water.oregon.gov>

Cc: Christine Robles <christine@rolenstonefarms.com>

Hello Rick,

OWRD has received and accepted the Surface Water e-application for **Tyler Rolan/RSF Enterprises LLC**. The temporary application number is: **CL-15**

Please print this email and include a copy of it when mailing in the payment. The fees due for this application are: **\$ 692.00 (If opting to include recording fee: \$1,302.00)**

A copy of the fee calculator is included for your reference:

Base Application Fee.		\$610.00
Acre feet of Stored Water to be diverted.	1.3	\$82.00
	Subtotal:	\$692.00
Permit Recording Fee. ***		\$610.00
*** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$1,302.00

Take care,

Corie

Corie Lovrien

Customer Service Representative Water Right Services Division

725 Summer Street NE Ste A

Salem, Oregon 97301

(503) 986-0801

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NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

[Quoted text hidden]