



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301
 (503) 986-0900
 www.wrd.state.or.us

Application for Extension of Time for a Water Right Permit (Non-Municipal / Non-Quasi-municipal Water Use)

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

*A separate extension application must be submitted for each permit as per
 OAR 690-315-0020(2).*

*This application and a summary of review criteria and procedures that are generally applicable to this
 application are available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.*

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WATER RESOURCES DEPT
 SALEM, OREGON

Rocky Ridge Ranch, Inc.

NAME OF PERMIT HOLDER [OAR 690-315-0020(1) and (3)(a)]

54829 Smock Road Wamic OR 97063
 ADDRESS CITY STATE ZIP

541-544-2094 _____
 PHONE E-MAIL ADDRESS

the permit holder of: Application Number R-84344

Permit Number R-13110
 [OAR 690-315-0020(3)(b)]

do hereby request that the time in which to:

- complete construction (of diversion/appropriation works and/or purchase and installation of the equipment necessary to the use of water), which time now expires on October 1, _____, be extended to October 1, _____,
- N/A (Check this box if the permit does not specify a date by when construction must be completed.)

and/or the time in which to:

- apply water to full beneficial use under the terms and conditions of the permit, which time now expires on October 1, 2011; be extended to October 1, 2016.

Before submitting your Application for Extension of Time, make sure the following items are included:

- This completed Application for Extension of Time.
- Statutory fee of \$500.
- Signature page (last page of this Application for Extension of Time).
- All supporting documentation and/or evidence referenced in the Application for Extension of Time.

MAIL COMPLETED APPLICATION

along with the

\$500 STATUTORY FEE TO:

**Water Resources Department
Attn: Water Right Permit Extensions
725 Summer Street NE, Suite A
Salem, Oregon 97301**

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GENERAL TIPS:

- Permit holders of municipal or quasi-municipal water use permits DO NOT use this form. The correct form is *Application for Extension of Time for Municipal and Quasi-Municipal Water Use Permits*, available at the following link:
<http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#other>
- Request the reasonable amount of time necessary to fully complete the water construction project and/or to fully use the permitted quantity of water under the terms and conditions of your permit. Should this request be approved, it will be OWRD's expectation that you will complete your project within the new time period allowed. Future extensions may not be granted.
- A separate Application for Extension of Time must be submitted for each permit. OAR 690-315-0020(2).

- An instruction sheet (Instructions for Filling Out Extension of Time Application for Permits) provides details that will help you answer each question on the application. Permit extensions are evaluated under OAR Chapter 690, Division 315. These rules may be viewed at: <http://www.wrd.state.or.us/OWRD/LAW/index.shtml>.
- You may provide OWRD with any additional information or evidence that will aid us in making our decision. Please note that OWRD may require other information that is necessary to evaluate the application. OAR 315-0020(3)(n).
- After careful review of the Application for Extension of Time, you may contact OWRD at (503) 986-0900, to ask questions and request assistance from a Permit Extensions Specialist in the Water Rights and Adjudications Division.
- Once an Application for Extension of Time is received by OWRD, it will be reviewed for completeness. OWRD will return any incomplete or deficient applications to the applicant. OAR 690-315-0040(1)(a).

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Reference Materials Needed to Complete this Application:

- The water right permit. If needed, a copy of the water right permit can be downloaded from the Department's Website at <http://www.wrd.state.or.us> (find the link to the Water Rights Information System (WRIS)). Or, a copy of the permit (or other documents) may be requested by water right application number from the Water Rights Division at 503-986-0900 (copy fees will apply).
- Documentation which demonstrates compliance with permit conditions (for example, well construction logs; static water level measurement reports; annual water use reports; ODFW fish screen certification; a plan to monitor the effect of water use on ground water aquifers utilized under the permit; etc.).

Answer the Following Questions to Complete this Application for Extension of Time

[OAR 690-315-0020(3)(d)]

1. Did the actual construction of the water system/well drilling begin within the time specified in the permit? Yes No NA



TIP: Not all permits specify a date by which construction was to begin.

Date construction began is: NA

Details of construction: NA

2. **Permits typically contain standard or special conditions that must be satisfied to lawfully develop and use permitted water. In the development of this water right, have you satisfied the conditions contained in your permit?** Yes No

2-A) **Describe how you have complied with each condition contained in the original permit [and, if applicable, each condition contained in any order approving a permit amendment and/or a final order approving a prior extension of time]. Include the date when the condition was satisfied.**



TIP: *The instruction sheet for the Application for Extension of Time provides an explanation of the typical conditions that must be addressed in this question.*

CHART-A

Condition No.**	Date Satisfied	Describe How Permit Condition Has Been Satisfied
1	2006	Staff gauge installed on completed dams and annual report submitted to OWRD
2	2006	Outlet gate is exercised annually for completed dams and is used to release water from upper structures to lower structures
3	2006	All maintenance is done on completed dams and statutory size dams are inspected by OWRD

** **Condition No:** *Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).*

2-B) **If you have NOT complied with all applicable conditions, explain the reasons why and indicate with a date certain (in the near future) when compliance will occur.**

CHART-B

Condition No.**	Date Will Comply	Explain Why Each Permit Condition Has NOT Been Satisfied
1, 2, 3	2016	The portions of these conditions that have not been completed are on Reservoirs 2 and 3 which construction has not been completed.

** **Condition No:** *Hand-number each condition on a copy of your permit (and, if applicable, permit amendment and prior extension).*

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3. Provide evidence of physical progress made toward completion of the water system, and of progress made toward making beneficial use of water within the permitted time period (CHART-C); and if applicable, within the time period of the most recent extension granted (CHART-D).

3-A) CHART-C (below) must be completed for all Application for Extension of Time requests. Use chronological order.

CHART-C

DATE	WORK ACCOMPLISHED BEFORE PERMIT WAS ISSUED <i>List any work done before the permit was issued – eg. well drilled.</i>	COST*
	None	

DATE	WORK ACCOMPLISHED AFTER PERMIT WAS ISSUED and PRIOR TO DATE SPECIFIED IN PERMIT FOR COMPLETE APPLICATION OF WATER <i>List work/actions done during the permitted time period.</i>	COST*
12/20/2001	Date the permit was signed - find date above signature on last page of permit.	
NA	Date the permit specified "Actual Construction Work" shall begin ("A-Date") -not all permits contain this date.	
2006	Dams 3a, 4, and 6 were fully constructed and filled with water	\$400,000
10/1/2006	Date the permit specified complete application of water to the use shall be made ("C-Date") - all permits contain this date.	

CHART-C (continued)

DATE	WORK ACCOMPLISHED AFTER "C-DATE" <i>COMPETE ONLY IF THIS IS YOUR 1st APPLICATION FOR EXTENSION OF TIME: List work done after the date specified in the permit for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
Total Cost for Chart-C		\$400,000

* If exact cost is not known, you must provide your best estimate.

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3-B) If this is not your 1st Application for Extension of Time request, fill out CHART-D below (in addition to CHART-C above). Use chronological order.

CHART-D

DATE	WORK ACCOMPLISHED DURING THE LAST EXTENSION PERIOD <i>List all work done during the last authorized extension period.</i>	COST*
10/1/2006	"Extended From" date for complete application of water used in the 1 st (or the most recent) Application for Extension of Time.	
2010	Started construction of dams 2 and 3	\$50,000
10/1/2011	"Extended To" date for complete application of water resulting from the 1 st (or the most recent) Application for Extension of Time.	

CHART-D (Continued)

DATE	WORK ACCOMPLISHED AFTER THE LAST EXTENSION PERIOD EXPIRED <i>List all work done after the last authorized date for complete application of water up to the date of this Application for Extension of Time.</i>	COST*
	None	
Total Cost of Chart-D		\$50,000

* If exact cost is not known, you must provide your best estimate.

[OAR 690-315-0020(3)(f)]

4. Cost of project to date: \$450,000
(The total combined cost from CHART-C and CHART-D)

[OAR 690-315-0020(3)(e)(B)]

5. Provide evidence of the maximum rate (or duty, if applicable) of water diverted for beneficial use under this permit and/or prior extensions of time (if any) made to date.



TIP: Report the rate used to date. Unless full beneficial use has been made, this rate will be less than the rate authorized on the permit.

5-A) For Surface Water Permit Extensions (e.g. S-XXXX or R-XXXX):



TIP: Report the rate in the same units of measurement as specified in the permit.

Maximum rate used to date = _____ cfs (cubic feet per second) or,

Maximum rate used to date = _____ gpm (gallons per minute) or,

Acre-feet stored to date = 277.9 AF

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SALEM, OREGON

6. Provide the total number of acres irrigated to date under this permit (if applicable).

Total acres irrigated to date: Permit not issued for irrigation. Stored water in reservoirs is used for fish and wildlife.

[OAR 690-315-0020(3)(j)]

7. Provide a summary of your future plans and schedule to complete the construction of the water system, and/or apply water to full beneficial use under the terms and conditions of the permit.

CHART-F

APPROXIMATE DATE RANGE (projected)	WORK OR ACTION TO BE ACCOMPLISHED (projected)	ESTIMATED COST (projected)
2011-2015	To complete work on dams 2 and 3	\$150,000
2012-2016	Fill reservoirs	Water
Year: 2016	Date intend to apply water to full beneficial use under the terms and conditions of this permit.	
Total Cost		\$150,000

[OAR 690-315-0020(3)(g)]

8. Estimated remaining cost to complete the project: \$150,000
(The total cost from CHART-F)

[OAR 690-315-0020(3)(h)]

9. List the reasons why the project was not constructed, and/or water was not beneficially used within permit time limits. Provide supporting information for the reason(s) that best fits your circumstances (A, B, C or D).

9-A) The project is of a size and scope that was originally planned to be phased in over a time frame longer than the one allowed in the permit.

It was intended from the beginning that this would take a number of years to complete because of the size of the dams and the number of dams. We probably under estimated the time it would take to do all construction.

There was a major problem when dam number 6 was constructed and had leakage though the embankment. This took a lot of time and money to correct this. This had to be done or risk damage or failure of dam 6.

This delayed the start of dams 2 and 3 while we built up financial reserves to build these structures. The downturn in the economy did not help this. Although the money was not available to finish dams 2 and 3 we have built what we could.

9-B) The financial resources needed to develop the project precluded completion of the project within authorized time frames.

See 9-A, the major set back was the leakage problem when dam 6 was built. The money and extra time used to repair that was a major set back to our schedule. Then the downturn in the economy made it slower for the resources to be rebuilt for the construction of dams 2 and 3

This is a pay as you build operation. The price of diesel has gone up more than \$2 per gallon since we got the permits and it is still going up. We have to raise more commodities to pay for this addition to the ranch and it takes longer to make those savings.

We have built what we could when we had the financial resources.

9-C) Good faith attempts to comply with permit conditions and/or acquire permits from other agencies, or otherwise comply with government regulations, delayed completion of the project.

All conditions have been complied with on those dams that have been completed. This is dams 3A, 4 and 6. The only conditions that have not been met are those that apply to dams 2 and 3, because those structures have not been completed.

9-D) Acts of God or other unforeseen events delayed full development of the water system and use of water within the authorized time frames.

The unforeseen problem with a zone in the embankment of dam 6 was a severe set back financially. We had to reconstruct that dam down to the level on the seepage zone. Spending money was not planned for construction. This had to be done or risk further damage to dam 6.

Dams 2 and 3 have construction started.

However due to the abnormally high precipitation that we have had this fall and winter already the ground became too wet for construction to continue. At this point, even if we could complete the structure, because of our limited storage period (January to April 14) there will not be time to store water prior to October 1, 2011.

[OAR 690-315-0020(3)(k)]

- 10. Justify the time requested to complete the project and/or apply the water to full beneficial use.** Your justification should combine information from your answers from Questions 2-B, 7, 8, and 9 of this Application for Extension of Time, and should also include any other information or evidence to establish that the requested amount of time is sufficient and that you will be able to complete the project within the amount of time requested.
This request for additional time is needed because although we still intend to work more on the structures, we can not finish them and fill the new reservoirs because the storage season ends on April 14, 2011.

We have requested until October 1, 2016 because if the current economic conditions continue more farming will be needed to pay for the cost of construction. This is a pay as you go construction project. As we accumulate the financial resources we build. The request to extend to October 1, 2016 is to give us more time to obtain the resources. If the price of diesel fuel continues to rise we may have to revise our construction plans.

11. Provide any other information you wish OWRD to consider while evaluating your Extension of Time Application.

As the financial resources have been available we have done what construction we can during the non-farming season. Dams 3a, 4, and 6 were fully constructed and filled with water. On Dams 2 and 3, the cutoff keys are in with outlet pipe and seepage collars. Some of the fill material has been placed for the embankment.

I am the permit holder, or have authorization from the permit holder, to apply for an extension of time under this permit. I understand that false or misleading statements in this extension application are grounds for OWRD to suspend processing of the request and/or reason to deny the extension.

Rocky Ridge Ranch / Edwin J. Caddin
Signature

1/24/11
Date

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WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF WASCO

PERMIT TO CONSTRUCT A RESERVOIR AND STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

ROCKY RIDGE RANCH INC.
54829 SMOCK ROAD
WAMIC, OREGON 97063

(541) 544-2094

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

APPLICATION FILE NUMBER: R-84344

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SOURCE OF WATER: UNNAMED STREAM, TRIBUTARY OF WHITE RIVER

JAN 25 2011

STORAGE FACILITY: RESERVOIR 2, 3, 3a, 4, AND 6

WATER RESOURCES DEPT
SALEM, OREGON

PURPOSE OR USE OF THE STORED WATER: FISH AND WILDLIFE USE

MAXIMUM VOLUME: 407.8 ACRE-FEET PER YEAR, BEING 69.9 AF IN RESERVOIR 2,
60.0 AF IN RESERVOIR 3, 10.0 AF IN RESERVOIR 3A, 70.9 AF IN RESERVOIR 4,
AND 197.0 AF IN RESERVOIR 6

PERIOD OF ALLOWED USE: JANUARY 1 THROUGH APRIL 14

DATE OF PRIORITY: FEBRUARY 18, 2000

Reservoir 2: The area submerged by the reservoir, when full, will be 5.7 acre and the maximum depth of water will be 22.0 feet. The maximum height of the dam shall not exceed 24.5 feet.

Reservoir 3: The area submerged by the reservoir, when full, will be 5.4 acre and the maximum depth of water will be 20.0 feet. The maximum height of the dam shall not exceed 19.0 feet.

Reservoir 3a: The area submerged by the reservoir, when full, will be 1.8 acre and the maximum depth of water will be 10.0 feet. The maximum height of the dam shall not exceed 9.9 feet.

Reservoir 4: The area submerged by the reservoir, when full, will be 7.2 acre and the maximum depth of water will be 18.0 feet. The maximum height of the dam shall not exceed 18.0 feet.

Application R-84344 Water Resources Department

PERMIT R-13110

Reservoir 6: The area submerged by the reservoir, when full, will be 8.9 acre and the maximum depth of water will be 40.0 feet. The maximum height of the dam shall not exceed 50.0 feet.

DAM LOCATION: NE 1/4 SW 1/4, SECTION 5, NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4, SECTION 7, T5S, R12E, W.M.; RESERVOIR 6 - 1500 FEET NORTH & 2620 FEET EAST; RESERVOIR 4 - 778.59 FEET SOUTH & 854.07 FEET WEST; RESERVOIR 3A - 810 FEET SOUTH & 1694.1 FEET WEST; RESERVOIR 3 - 1400 FEET SOUTH & 1980 FEET WEST; RESERVOIR 2 - 1450 FEET SOUTH & 2800 FEET WEST, ALL FROM SW CORNER SECTION 5

THE AREA TO BE SUBMERGED BY THE RESERVOIR IS LOCATED AS FOLLOWS:

NE 1/4 SW 1/4
SECTION 5
NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NW 1/4
SECTION 7

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

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Measurement, recording and reporting conditions:

#1

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

#2

The outlet gate for each shall be cycled at least once each year and shall be fully operational at all times.

Routine maintenance of the dams, spillways and all appurtenant structures or mechanical works shall be performed as necessary to remove

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trees, brush and debris, and to repair slumps, areas of erosion, or defective equipment.

The earthen dams, the resultant reservoirs, and the emergency spillways all shall be constructed and maintained according to the approved plans and specifications on file with the Oregon Water Resources Dam Safety program. Any significant change in the approved design prior to or during construction shall be documented by the project engineer in a letter to Dam Safety. All construction shall be performed under the supervision of a registered professional engineer licensed in Oregon.

3 No fill shall be placed until preparation of the foundation and excavation of each core trench has been completed and examined in its entirety by the engineer of record, or by the Water Resources Dam Safety Engineer, or both.

No water shall be stored until the Water Resources Department receives written certification from the engineer of record that construction has been completed in accordance with the approved plans and specifications. If construction deviates from the approved design a set reproducible asbuilt drawings, including revised reservoir capacity graphs/tables, must accompany the engineer's written certification of completion.

The completed structures shall not be enlarged, modified, altered or otherwise changed without the prior written approval of the Director of the Water Resources Department or the Director's authorized representative. Except for routine repair and maintenance, plans and specifications prepared by an Oregon licensed engineer are required for any significant modification, alteration, or rehabilitation of any of the dams, spillways, appurtenant structures or mechanical works.

STANDARD CONDITIONS

Use under this permit is limited to the reservoir area. This permit does not provide for the appropriation of water for maintaining the water level or maintaining a suitable fresh water condition.

The storage of water allowed herein is subject to the installation and maintenance of a fully functional conduit/gate assembly having a minimum diameter of 8 inches.

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.

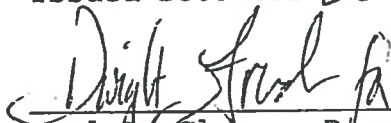
The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

The reservoir shall be filled and complete application of the stored water to the use shall be made on or before October 1, 2006. If the water is not completely applied before this date, and the permittee wishes to continue development under the permit, the permittee must submit an application for extension of time, which may be approved based upon the merit of the application.

EXTEND 10-1-2011

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 December 20, 2001


Paul R. Cleary, Director
Water Resources Department

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NOTE: Pursuant to ORS 537.330, in any transaction for the conveyance of real estate that includes any portion of the lands described in this permit, the seller of the real estate shall, upon accepting an offer to purchase that real estate, also inform the purchaser in writing whether any permit, transfer approval order, or certificate evidencing the water right is available and that the seller will deliver any permit, transfer approval order or certificate to the purchaser at closing, if the permit, transfer approval order or certificate is available.

Application R-84344
Basin 5
RWK

Water Resources Department
Volume 3 WHITE R MISC

PERMIT R-13110
District 3