

**Oregon Water Resources Department  
Water Right Services Division**

**Application for Extension of Time**

In the Matter of the Application for an Extension of Time )  
for Permit G-18110, Water Right Application G-17651, in ) **FINAL**  
the name of Kim W. McCreary, and Rise & Shine, LLC ) **ORDER**

---

Permit Information

Application: G-17651  
Permit: G-18110  
Basin: 10 – Malheur / Watermaster District 9  
Date of Priority: April 15, 2013  
Source of Water: Rise & Shine Well 2 (MALH54119/L111633) in Malheur River Basin  
Purpose or Use: primary irrigation of 40.2 acres and supplemental irrigation of 199.3 acres  
Maximum Rate: 1.827 cubic feet per second (cfs)

---

This Extension of Time request is being processed in accordance with Oregon Revised Statute 537.630 and 539.010(5), and Oregon Administrative Rule Chapter 690, Division 315.

Appeal Rights

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application History

Permit G-18110 was issued by the Department on October 22, 2018. The permit specified construction of the well to begin, completion of construction and complete application of water to beneficial use by October 22, 2023. On March 4, 2024, Kim W. McCreary submitted an application for Extension of Time for Permit G-18110. In accordance with OAR 690-315-0050(2), on May 7, 2024, the Department issued a Proposed Final Order proposing to extend the time to complete construction to October 1, 2028, and the time to fully apply water to beneficial use to October 1, 2028. The protest period closed June 7, 2024, in accordance with OAR 690-315-0060(1). No protest was filed.

## FINDINGS OF FACT

The Department adopts and incorporates by reference the findings of fact in the Proposed Final Order dated May 7, 2024.

At time of issuance of the Proposed Final Order the Department concluded that, based on the factors demonstrated by the applicant, any comments received, and information within the file, the permit may be extended subject to no additional conditions.


## CONCLUSION OF LAW

The applicant has demonstrated good cause for the permit extension pursuant to ORS 537.630, 539.010(5) and OAR 690-315-0040(2).

## ORDER

The extension of time for Application G-17651, Permit G-18110, therefore, is approved. The deadline for completing construction is extended from October 22, 2023, to October 1, 2028. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from October 22, 2023, to October 1, 2028.

DATED: June 28, 2024



Dwight French  
Water Right Services Division Administrator, for  
Douglas Woodcock, Acting Director  
Oregon Water Resources Department

- 
- If you have any questions about statements contained in this document, please contact the Permit Extension Specialist at (503) 979-3213.
  - If you have other questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at (503) 986-0900
-