

**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-18257, Water Right Application G-18590, in ) **FINAL**  
the name of Nick Kerby ) **ORDER**

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Permit Information

Application: G-18590  
Permit: G-18257  
Basin: 15 – Rogue / Watermaster District 14  
Date of Priority: December 18, 2017  
Source of Water: Well 1 (JOSE 57315/L85479) and Well 2 (JOSE 57356/L87914)  
in East Fork Illinois River Basin  
Purpose or Use: irrigation of 11.0 acres  
Maximum Rate: 0.06 cubic foot per second (cfs)

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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-18257 was issued by the Department on August 14, 2019.. The permit specified actual construction of the well to begin by August 14, 2024, and complete application of water to beneficial use by August 14, 2024. On June 24, 2024, Nick Kerby submitted an Application for Extension of Time for Permit G-18257. In accordance with OAR 690-315-0050(2), on August 6, 2024, the Department issued a Proposed Final Order proposing to extend the time to fully apply water to beneficial use to October 1, 2029. The protest period closed September 20, 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 August 6, 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-18590, Permit G-18257, therefore, is approved. The deadline for applying water to full beneficial use within the terms and conditions of the permit is extended from August 14, 2024, to October 1, 2029.

DATED: October 4, 2024



Dwight French  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

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- 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
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