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June 21, 2011

Stan M. Sugarman
Blue Windmill Farms LLC
P.O. Box 1766
Coos Bay, OR 97420

Re: Public Records Disclosure Order:
Water Resources Department Records

Dear Mr. Sugarman:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. We received your petition on June 14, 2011. The petition asks the Attorney General to direct the Water Resources Department (WRD) to make available for inspection, or to produce copies of, the "oldest" 25 pages from the case file in another administrative hearing case (OAH reference # WR-06-004). For the reason that follows, we respectfully deny your petition.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. However, the Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1).

Your petition, dated June 14, 2011, states that you had not received the requested records from WRD. We spoke with Ruben Ochoa about your petition. He told us that the WRD sent you the records responsive to your request on June 15, 2011. We reviewed the documents made available to you by WRD. From our review, they appear to consist of 26 pages relating to an

administrative proceeding regarding a water right, specifically "Certificate # 39955." Because WRD has disclosed the requested records, we respectfully deny your petition as moot.

Sincerely

MARY H. WILLIAMS
Deputy Attorney General

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C: Ruben Ochoa, WRD