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February 23, 1995

Thomas R. Benke
Copeland, Landye, Bennett and Wolf
3500 First Interstate Tower
Portland, OR 97201

Re: ***Petition for Public Records Disclosure Order: Department of Agriculture Records***

Dear Mr. Benke:

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. Your petition, which we received on February 9, 1995,[1/] asks the Attorney General to direct the Oregon Department of Agriculture (ODA) to make available all "materials generated in connection with an unknown number of dairy farm inspections in Tillamook County Oregon," which the ODA conducted in conjunction with the U.S. Environmental Protection Agency in the fall of 1994. For the reasons that follow, we respectfully deny your petition.

We have been informed by Charles Craig, Assistant Administrator of the ODA Natural Resources Division, that ODA has agreed to make the records you requested available for inspection. Mr. Craig will be contacting you shortly to make arrangements for your inspection of the records. Therefore, your petition to order disclosure of these records is moot. Accordingly, we deny your petition.

Sincerely,

ELIZABETH S. HARCHENKO
Assistant Attorney General

ESH:BJA/JGG0B27A
c: Charles Craig

[1/] We appreciate your extending the time within which the law would have otherwise obligated us to respond.