

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

ORDER RESCINDING TRANSFER 7058 APPROVAL ORDER

An order of the Water Resources Director approving Transfer Application 7058 was entered September 19, 1996, at Special Order Volume 50, Page 580.

The applicants petitioned the Clackamas County Circuit Court for review of the order approving Transfer Application 7058, an order in other than a contested case. The stated reason for the review was the inclusion of Condition 5 in the approval order.

By Bench Order of the Clackamas County Circuit Court, in case CCV 96-1-443, the order was remanded to the Water Resources Department to conduct a contested case hearing.

A timely protest against approval of Transfer Application 7058 had been filed by Norma Weber Eid. The protest was withdrawn provided that certain conditions, including Condition 5, be incorporated in the transfer approval order.

Since the approval order for Transfer 7058 was remanded by Bench Order of The Clackamas County Circuit Court to conduct a contested case hearing, the approval order should be rescinded.

Since the order approving Transfer 7058 is being rescinded, the provisions for withdrawal of Mrs. Eid's protest are no longer being met. Mrs. Eid's protest should be reinstated.

The Order of the Water Resources Director, entered September 19, 1986, at Special Order Volume 50, Pages 580 to 590, approving Transfer Application 7058, is RESCINDED and of no further force or effect. The protest against approval of Transfer Application 7058 is REINSTATED. A contested case hearing shall be held.

WITNESS the signature of the Water Resources Director,
affixed MAR 27 1997 .



Martha O. Pagel, Director