

OREGON WATER RESOURCES DEPARTMENT

CLACKAMAS COUNTY

IN THE MATTER OF THE WITHDRAWAL)
OF THE FINAL ORDER APPROVING WATER)
RIGHT APPLICATION R-86492 AND)
PERMIT R-14283, AND RECONSIDERATION)
OF WATER RIGHT APPLICATION R-86492, IN)
THE NAME OF VICTOR AND VERA VITYUK)

ORDER OF WITHDRAWAL

Findings of Fact

1. On January 17, 2006, Victor and Vera Vityuk (Applicants) applied for a water right to store water in reservoir on an unnamed stream, tributary of Beaver Creek, in Clackamas County, Oregon. The Oregon Water Resources Department (OWRD) designated the application as R-86492.
2. On May 11, 2006, OWRD issued a Final Order approving the application and issued Permit R-14283.
3. On July 7, 2006, Charles and Deborah Noble and David Hillison timely filed a Petition for Reconsideration of the Final Order for Application R-86492.
4. On July 7, 2006, Charles and Deborah Noble filed a petition for judicial review of the Final Order.
5. On September 13, 2006, OWRD issued an Order on Reconsideration to correctly identify that comments were received during the 60-day comment period and evaluated. No changes were made to Permit R-14283.
6. Pursuant to the settlement agreement between the parties, OWRD is withdrawing the Order on Reconsideration and Permit R-14283.

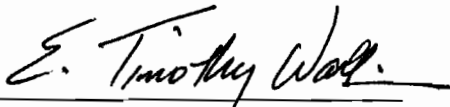
Conclusions of Law

The OWRD may withdraw the order dated September 13, 2006 for R-86492 for purposes of reconsideration.

ORDER

Therefore, it is hereby ORDERED that the Order on Reconsideration dated September 13, 2006 approving water right application R-86492, and the associated Permit R-14283, are WITHDRAWN.

DATED November 7, 2007



E. Timothy Wallin,
Water Rights Program Manager
for
Phillip C. Ward, Director
Oregon Water Resources Department

Special Order Volume 73 Pages 602-603