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BEFORE THE LAND USE BOARD OF APPEALS
OF THE STATE OF OREGON

DEPARTMENT OF LAND CONSERVATION)
AND DEVELOPMENT,)
Petitioner,)
vs.)
FARGO INTERCHANGE SERVICE)
DISTRICT and MARION COUNTY,)
Respondents,)
and)
BRENT LEATHERS, ED MONTECUCCO,)
and CBM DEVELOPMENT,)
Intervenors-Respondent.)

LUBA Nos. 93-181 and 93-182

FINAL OPINION
AND ORDER

On remand from the Court of Appeals.

Celeste J. Doyle, Assistant Attorney General, Salem,
represented petitioner.

Jane Ellen Stonecipher, Assistant County Counsel,
Salem, represented respondent.

Edward J. Sullivan, Portland, represented intervenors-
respondent Brent Leathers and Ed Montecucco. Gregory
Hansen, Salem, represented intervenor-respondent CBM
Development.

KELLINGTON, Referee; HOLSTUN, Chief Referee; SHERTON,
Referee, participated in the decision.

AFFIRMED 12/12/94

You are entitled to judicial review of this Order.
Judicial review is governed by the provisions of ORS
197.850.

1 Kellington, Referee.

2 This appeal is on remand from the Court of Appeals.
3 The Court of Appeals instructed LUBA to affirm the
4 challenged decision. Therefore, the challenged decision is
5 affirmed.