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

DEPARTMENT OF LAND CONSERVATION)
AND DEVELOPMENT,)
Petitioner,)
vs.)
KLAMATH COUNTY,)
Respondent,)
and)
MARK W. BURKHALTER,)
Intervenor-Respondent.)

LUBA No. 97-141
FINAL OPINION
AND ORDER

Appeal from Klamath County.

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

Reginald R. Davis, County Counsel, Klamath Falls,
represented respondent.

Mark W. Burkhalter, Medford, represented himself.

LIVINGSTON, Referee; GUSTAFSON, Chief Referee,
participated in the decision.

REMANDED 09/18/97

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

1 Livingston, Referee.

2 The parties stipulate to remand of this appeal, and
3 agree that all of petitioner's assignments of error in its
4 petition for review shall be raised on remand. Accordingly,
5 this appeal is remanded.