



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development Measure 49 Development Services Division

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March 3, 2009



Dale Jacobsen
Administrator of the Estate of Eugene Harold Thurstonson
PO Box 214
Beavercreek, OR 97004

RE: State Measure 37 Claim M120409 (Thurstonson)

Dear Mr. Jacobsen:

The Department of Land Conservation and Development (the department) has received an election form requesting Supplemental Review of claim M120409 under Measure 49. According to our records, the claimant, Eugene Harold Thurstonson, passed away on June 28, 2007, and his heirs are not authorized to pursue the claim under Measure 49.

Requirements for Supplemental Review under such circumstances are stated in section 11(9) of Measure 49 and the Extension Bill, section 2(3) (House Bill 3546 (2007)). If the claimant filed the Measure 37 claim before November 1, 2006, and the claimant died before December 6, 2007, no relief is available for the claimant's heirs under Measure 49. According to our records, Eugene Harold Thurstonson filed claim M120409 on April 1, 2005. Therefore, the request for Supplemental Review of the claim is denied.

Claim M120409 will be closed and the department will take no further action regarding the review of the claim. If you believe you have received this letter in error or have any questions, please contact this office at (503) 373-0050 ext. 324 or via e-mail at measure49.info@state.or.us.

This correspondence concerning claim M120409 is a Final Order from the department in other than a contested case. Please note that you have the right to petition for agency reconsideration or judicial review of this Final Order under ORS 183.484.

Sincerely,

/S/
Richard Whitman
Director