



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

Measure 49 Development Services Division

635 Capitol Street, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

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<http://www.oregon.gov/LCD/MEASURE49>



April 5, 2010

Justin Throne, Attorney at Law  
280 Main Street  
Klamath Falls, OR 97601

RE: State Measure 37/49 Claim E134028B - Lyon

Dear Mr. Throne:

On 12/16/2009, the Department of Land Conservation and Development (the department) mailed the claimants a House Bill 3225 notification packet. This packet included a notice explaining that while the claimants did not meet one of the original requirements of Measure 49, the 2009 Legislative Assembly had revised that requirement through House Bill 3225 (Chapter 855 (2009 Laws)). The packet also included a payment form. As explained in the notice, to be eligible for additional supplemental review under Measure 49 as amended, the claimants were required, by House Bill 3225 and OAR 660-0410-0080, to return the payment form and \$175 payment to the department within 56 days of the date of the notice.

The 56-day response period ended on 02/10/2010. The department did not receive a completed payment form, payment or a request for an extension of time from you or the claimants by that date. Therefore, the claimants are not eligible for additional supplemental review of claim number E134028B under Measure 49.

Claim E134028B 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](mailto:measure49.info@state.or.us).

This correspondence concerning claim E134028B 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,

Judith Moore  
Division Manager

c: Rod and Marie Lyon  
20302 Paygr Rd.  
Malin, OR 97632