



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

Fax: (503) 378-5318

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



April 5, 2010

R. David Butler, II
Butler & Looney, P.C.
PO Box 430
Vale, OR 97918

RE: State Measure 37/49 Claim E134383 - Eastman

Dear Mr. Butler:

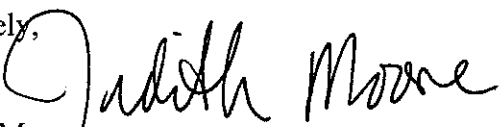
On 10/27/2009, the Department of Land Conservation and Development (the department) mailed the claimant a House Bill 3225 notification packet. This packet included a notice explaining that while the claimant did not meet one of the original requirements of Measure 49, the 2009 Legislative Assembly had 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 claimant was 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 12/22/2009. The department did not receive a completed payment form, payment or a request for an extension of time from you or the claimant by that date. Therefore, the claimant is not eligible for additional supplemental review of claim number E134383 under Measure 49.

Claim E134383 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 E134383 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: James Eastman
1747 Hwy 201
Adrian, OR 97901