

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 DEPARTMENT OF LAND CONSERVATION
5 AND DEVELOPMENT,

6 *Petitioner,*

7
8 vs.

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10 UMATILLA COUNTY,

11 *Respondent,*

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13 and

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15 CIFF ENTERPRISES,

16 *Intervenor-Respondent.*

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18 LUBA No. 2007-137

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20 FINAL OPINION

21 AND ORDER

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23 Appeal from Umatilla County.

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25 Steven E. Shipsey, Assistant Attorney General, Salem, represented petitioner.

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27 Douglas R. Olsen, Pendleton, represented respondent.

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29 Roger A. Alfred, Portland, represented intervenor-respondent.

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31 BASSHAM, Board Member; RYAN, Board Chair; HOLSTUN, Board Member,
32 participated in the decision.

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34 DISMISSED

06/10/2008

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

Opinion by Bassham.

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MOTION TO INTERVENE

CIFF Enterprises, the applicant below, moves to intervene on the side of the respondent in the appeal. There is no opposition to the motion and it is granted.

DISMISSAL

The challenged decision was withdrawn for reconsideration pursuant to OAR 661-010-0021 and a new decision received on March 27, 2008. Petitioner has not filed an amended notice of intent to appeal or refilled the original notice of intent to appeal within the time prescribed by OAR 661-010-0021(a). Accordingly, this appeal is dismissed. OAR 661-010-0021(5)(e).

The appeal is dismissed.