

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 CONFEDERATED TRIBES OF THE WARM
5 SPRINGS RESERVATION OF OREGON,

6 *Petitioner,*

7
8 vs.

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10 JEFFERSON COUNTY,

11 *Respondent,*

12 and

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14 DELORES L. STILLS,

15 *Intervenor-Respondent.*

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17 LUBA No. 2008-015

18
19 FINAL OPINION

20 AND ORDER

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22 Appeal from Jefferson County.

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24 Ellen H. Grover, Bend, represented petitioner.

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26 David Allen, County Counsel, Madras, represented respondent.

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28 Lisa D.T. Klemp, Redmond, represented intervenor-respondent.

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

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34 DISMISSED

09/10/2008

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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.

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MOTION TO INTERVENE

Delores L. Stills moves to intervene on the side of respondent. No party opposes the motion, and it is allowed.

DECISION

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, respondent withdrew the decision challenged in this appeal for reconsideration on February 14, 2008. On July 10, 2008, the Board received respondent’s decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until July 31, 2008 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

OAR 661-010-0021(5)(e) provides “[i]f no amended notice of intent to appeal is filed or no original notice of intent to appeal is refiled, as provided in [OAR 661-010-0021(5)(a)], the appeal will be dismissed.”

This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).