

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3  
4 TIDEWATER CONTRACTORS, INC.,

5 *Petitioner,*

6  
7 vs.

8  
9 CURRY COUNTY,

10 *Respondent,*

11  
12 and

13  
14 OREGON SHORES CONSERVATION COALITION,

15 CURRY COUNTY SPORTFISHING ASSOCIATION,

16 and KALMIOPSIS AUDABON SOCIETY,

17 *Intervenors-Respondents.*

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19 LUBA No. 2008-179

20  
21 FINAL OPINION

22 AND ORDER

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24 Appeal from Curry County.

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26 Daniel A. Terrell, Eugene, represented petitioner.

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28 M. Gerard Herbage, Gold Beach, represented respondent.

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30 Courtney Johnson, Portland, represented intervenors-respondents.

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

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34 RYAN, Board Member, did not participate in the decision.

35  
36 DISMISSED

11/20/2008

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

Holstun, Board Member.

**MOTION TO INTERVENE**

Oregon Shores Conservation Coalition, Curry County Sportfishing Association, and Kalmiopsis Audubon Society, move to intervene on the side of the respondent in this appeal. There is no opposition to the motion and it is granted.

**DISMISSAL**

Petitioner requests that this appeal be dismissed. Accordingly, this appeal is dismissed.