

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.

9  
10 JEFFERSON COUNTY,  
11 *Respondent,*

12  
13 and

14  
15 JOEL FULLER,  
16 *Intervenor-Respondent.*

JAN13'10 AM 8:22 LUBA

17  
18 LUBA No. 2009-106

19  
20 FINAL OPINION  
21 AND ORDER

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23 Appeal from Jefferson County.

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25 Erin L. Donald, Salem, filed the petition for review on behalf of petitioner. With her  
26 on the brief were John R. Kroger, Attorney General, and Steven E. Shipsey, Assistant  
27 Attorney General.

28  
29 David C. Allen, Madras, represented respondent.

30  
31 Bruce W. White, Bend, represented intervenor-respondent.

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

35  
36 REMANDED

01/13/2010

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

1 Holstun, Board Member.

2 The parties request that the decision challenged in this appeal be remanded.

3 Accordingly, the decision is remanded.