1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
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4	KING HILL, LLC,
5	Petitioner,
6	
7	VS.
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9	MARION COUNTY,
10	Respondent.
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12	LUBA No. 2005-148
13	
14	FINAL OPINION
15	AND ORDER
16	
17	Appeal from Marion County.
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19	Ira S. Feitelson, Salem, represented petitioner.
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21	Jane Ellen Stonecipher, Marion County Counsel, Salem, represented respondent.
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23	RYAN, Board Member; HOLSTUN, Board Chair, participated in the decision.
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25	BASSHAM, Board Member, did not participate in the decision.
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27	DISMISSED 07/23/2010
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29	You are entitled to judicial review of this Order. Judicial review is governed by the
30	provisions of ORS 197.850.

Opinion by Ryan.

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NATURE OF THE DECISION

Petitioner appeals a county decision dismissing petitioner's application for a conditional use to expand an aggregate mining operation.

DISMISSAL

- This appeal was suspended on October 21, 2005 at the request of the parties to enter into negotiation. On May 5, 2010, the Board requested that the parties advise it of the current status of the appeal within 14 days. Petitioner did not respond to our letter. The county responded that petitioner's attorney had retired, but stated that petitioner had abandoned its appeal. We issued an order stating that given the county's response, unless petitioner advised us otherwise within 14 days of the order that we would dismiss the appeal. Petitioner did not respond to our order.
- 13 Accordingly, this appeal is dismissed.