# BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON 

CENTRAL OREGON LANDWATCH and CALFA HOLDINGS ONE, LLC, Petitioners,
vs.
DESCHUTES COUNTY, Respondent, and

FRED NETTER, TERESA NETTER, and LOWER BRIDGE, LLC, Intervenors-Respondents.

LUBA Nos. 2018-123/124
FINAL OPINION
AND ORDER
Appeal from Deschutes County.
Rory Isbell, Bend, represented petitioner Central Oregon Landwatch.
Timothy V. Ramis, Lake Oswego, represented petitioner Calfa Holdings One, LLC.
D. Adam Smith, Bend, represented respondent.

Fred Netter, Terrebonne, represented himself.
Teresa Netter, Terrebonne, represented herself.
Tia M. Lewis, Bend, represented intervenor-respondent Lower Bridge, LLC.

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RUDD, Board Member; RYAN, Board Chair; ZAMUDIO, Board Member, participated in the decision.

## DISMISSED <br> 07/31/2019

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

Opinion by Rudd.
Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the county withdrew the decision challenged in this appeal for reconsideration on February 21, 2019. On May 13, 2019, the Board received the county's decision on reconsideration dated May 10, 2019. Pursuant to OAR 661-010-0021(5)(a), petitioners had until June 3, 2019 to either refile their 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).

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