

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

3
4 DEPARTMENT OF LAND CONSERVATION)
5 AND DEVELOPMENT,)

6)
7 Petitioner,)

8)
9 and)

10)
11 RICHARD H. FASHBAUGH, ROBERT J.)
12 HART, GARY OLARREA, JOANNE L. CVAR,)
13 ESTELLE ANDERSON and FRAN RECHT,)

14)
15 Intervenors-Petitioner,)

LUBA No. 95-138

16)
17 vs.)
18)
19)
20)
21 Respondent,)
22)
23 and)
24)
25 J.S. MORRILL,)
26)
27 Intervenor-Respondent.)

19 LINCOLN COUNTY,)

21 Respondent,)

23 and)

25 J.S. MORRILL,)

27 Intervenor-Respondent.)

30 Appeal from Lincoln County.

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32 Celeste J. Doyle, Assistant Attorney General, Salem,
33 represented petitioner.

34
35 Richard H. Fashbaugh, Robert J. Hart, Gary Olarrea,
36 Joanne L. Cvar, Estelle Anderson, and Fran Recht, Waldport,
37 appeared on their own behalf.

38
39 Wayne Belmont, County Counsel, Newport, represented
40 respondent.

41
42 Kurt Carstens, Newport, represented intervenor-
43 respondent.

44
45 GUSTAFSON, Referee; LIVINGSTON, Chief Referee; HANNA,

1 Referee, participated in the decision.

2

3 REMANDED 12/18/95

4

5 You are entitled to judicial review of this Order.

6 Judicial review is governed by the provisions of ORS

7 197.850.

1 Gustafson, Referee.

2 The parties move to remand this appeal. Accordingly,

3 this appeal is remanded.