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

DEPARTMENT OF LAND CONSERVATION )  
AND DEVELOPMENT, )  
Petitioner, )  
vs. )  
UNION COUNTY, )  
Respondent. )

LUBA No. 97-084  
FINAL OPINION  
AND ORDER

Appeal from Union County.

Richard M. Whitman, Assistant Attorney General, Salem,  
represented petitioner.

Russell B. West, La Grande, represented respondent.

HANNA, Chief Referee; GUSTAFSON, Referee; LIVINGSTON,  
Referee, participated in the decision.

DISMISSED 05/19/97

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

1           Hanna, Chief Referee.

2           Petitioner moves to dismiss its appeal and requests  
3 return of its deposit for costs. Accordingly, this appeal  
4 is dismissed. The Board will return petitioner's \$150  
5 deposit for costs.