

LAND USE  
BOARD OF APPEALS

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

SEP 27 10 46 AM '83

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2  
3 THE STEAMBOATERS, a nonprofit )  
Oregon corporation, NICK )  
4 MURPHY, and BILL LOGAN, )

5 Petitioners, )

LUBA NO. 83-070

6 v. )

7 OREGON WATER RESOURCES )  
DEPARTMENT, an Oregon State )  
8 Agency; and JAMES SEXSON, )  
OREGON WATER RESOURCES )  
9 DIRECTOR, )

10 Respondent. )

FINAL OPINION  
AND ORDER

11 THE STEAMBOATERS, an Oregon )  
nonprofit corporation, and )  
12 NICK MURPHY, )

13 Petitioners, )

LUBA NO. 83-067 "

14 v. )

15 WATER POLICY REVIEW BOARD, )

16 Respondents. )

17  
18 Appeals from Oregon Water Resources Department and water  
19 Policy Review Board respectively.

20 Allen L. Johnson  
21 Bill Kloos  
21 915 Oak Street  
22 Suite 200  
22 Eugene, OR 97401  
23 Attorney for  
23 Petitioners

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Assistant Attorney General  
100 Justice Building  
Salem, OR 97310  
  
Attorney for  
Respondents

1 Susan M. Quick  
Ball, Janik & Novack  
2 101 SW Main Street, Suite 1470  
Portland, OR 97204  
3 Attorney for Intervenor  
Electra Power Corporation and  
4 Winchester Water Control District

5 Bagg, Board Member.

6 Dismissed 9/27/83

7 You are entitled to judicial review of this Order.  
Judicial review is governed by the provisions of Oregon Laws  
8 1979, ch 772, sec 6(a), as amended by Oregon Laws 1981, ch 748.

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1 BAGG, Board Member.

2 Intervenors have filed a motion to dismiss on the ground  
3 the petitions for review in the combined cases were not filed  
4 within the 20 day time allowed in 1979 Or Laws, ch 772, sec 4,  
5 as amended. Intervenor also cites to the Board's Procedural  
6 Rule stating:

7 "Failure to file a petition for review within the time  
8 required will result in dismissal of the appeal and  
9 forfeiture of the filing fee and deposit for costs to  
10 the governing body."

11 Petitioners make no response to this motion.

12 It is ordered these consolidated appeals are dismissed, and  
13 petitioners' \$150 deposit for costs and \$50 filing fee in each  
14 case shall be awarded to Respondents Oregon Water Resources  
15 Department and Water Policy Review Board. Gordon v. Beaverton,  
16 52 Or App 937, 630 P2d 366, aff'd 292 Or 228, 637 P2d 125  
17 (1981).  
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