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

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

LUBA No. 91-106  
FINAL OPINION  
AND ORDER

Appeal from Yamhill County.

Jane Ard, Salem, represented petitioner.

John M. Gray, Jr., McMinnville, represented respondent.

HOLSTUN, Referee; KELLINGTON, Chief Referee; SHERTON,  
Referee, participated in the decision.

DISMISSED 08/21/91

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

1           Holstun, Referee.

2           Petitioner moves to dismiss this appeal and for return  
3 of its \$150.00 dollar deposit for costs. Respondent does  
4 not object.

5           This appeal is dismissed. The Board shall return  
6 petitioner's \$150.00 deposit for costs.