1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	STEVE TOTMAN,
5)
6	Petitioner,)
7) LUBA No. 92-146
8	vs.)
9) FINAL OPINION
10	CITY OF GRANTS PASS, and) AND ORDER
11	JOSEPHINE COUNTY,)
12)
13	Respondents.)
14	respondenes.
15	
16	Appeal from City of Grants Pass and Josephine County.
17	Appear from erry or drained rabb and observine country.
18	Michael E. Farthing, Eugene, represented petitioner.
19	michael I. latening, hagene, represented petitioner.
20	Ulys J. Stapleton, Grants Pass, represented respondent
21	City of Grants Pass.
22	city of dranes rass.
23	James H. Boldt, Grants Pass, represented respondent
24	Josephine County.
25	obseptifie country.
26	SHERTON, Chief Referee; HOLSTUN, Referee; KELLINGTON,
27	Referee, participated in the decision.
28	Referee, participated in the decision.
29	DISMISSED 09/10/92
30	DISMISSED 09/10/92
31	You are entitled to judicial region of this order
	You are entitled to judicial review of this Order.
32	Judicial review is governed by the provisions of ORS
33	197.850.

- 1 Sherton, Referee.
- 2 Petitioner moves that this appeal be dismissed and
- 3 requests return of his \$150 deposit for costs. Respondents
- 4 do not object.
- 5 Petitioner also requests return of his \$50 filing fee.
- 6 However, although our rules authorize award of a
- 7 petitioner's filing fee to respondent in certain
- 8 circumstances (OAR 661-10-075(1)(c)), they do not provide
- 9 for return of a filing fee to petitioner.
- 10 This appeal is dismissed. The Board shall return
- 11 petitioner's \$150 deposit for costs.