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

LITTLE PUDDING RIVER)
NEIGHBORHOOD ASSOCIATION,)
)
Petitioner,)
)
vs.)
)
MARION COUNTY,)
)
Respondent,)
)
and)
)
FIVE OAK FARMS,)
)
Intervenor-Respondent.)

LUBA No. 95-110
FINAL OPINION
AND ORDER

Appeal from Marion County.

Mark D. Shipman, Salem, represented petitioner.

Jane Ellen Stonecipher, Assistant County Counsel,
Salem, represented respondent.

Kris Jon Gorsuch, Salem, represented intervenor-
respondent.

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

DISMISSED 07/27/95

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

1 Sheraton, Chief Referee.

2 Petitioner requests that this appeal be dismissed and
3 that the unused portion of its deposit for costs be
4 returned.

5 This appeal is dismissed. Respondent shall have the
6 time provided by OAR 661-10-075(1)(a) to file a cost bill.
7 After the Board acts on any cost bill filed by respondent,
8 or the time for filing a cost bill has passed, the Board
9 shall return any portion of petitioner's deposit for costs
10 not awarded to respondent. OAR 661-10-075(1)(d).