

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 CASEY JONES WELL DRILLING, INC.,)

5 and CASEY JONES, JR.,)

6)
7 Petitioners,)

8)
9 vs.)

10)
11 CITY OF LOWELL,) LUBA Nos. 97-113 AND 97-114

12)
13 Respondent,) FINAL OPINION

14) AND ORDER

15 and)

16)
17 SHADE TREE, INC., ROY M. NELSON,)

18 MIA M. NELSON and RICHARD D.)

19 JOHNSON,)

20)
21 Intervenors-Respondent.)

22
23
24 Appeal from City of Lowell.

25
26 Meg E. Kieran, Springfield, represented petitioners.

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28 Jerome Lidz and Emily K. Newton, Eugene, represented
29 respondent.

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31 Douglas M. DuPriest, Eugene, represented intervenor-
32 respondent.

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

36
37 DISMISSED 08/05/97

38
39 You are entitled to judicial review of this Order.
40 Judicial review is governed by the provisions of ORS
41 197.850.

1 Livingston, Referee.

2 The parties stipulate to the dismissal of this
3 consolidated appeal. The parties further stipulate that
4 respondent be awarded the costs for preparation of the
5 record, in the amount of \$150.

6 Accordingly, this appeal is dismissed. Respondent is
7 awarded costs for preparation of the record, in the amount
8 of \$150, to be paid from petitioners' deposits for costs.