

**CLAIM OF
BENEFICIAL USE
for Surface Water Permits
claiming more than 0.1 cfs**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

**A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page
<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>
The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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Salem, OR

SECTION 1

GENERAL INFORMATION

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1. File Information:

APPLICATION # S-87918	PERMIT # S-54848	PERMIT AMENDMENT # T-
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2. Property Owner (current owner information):

APPLICANT/BUSINESS NAME Al Jubitz		PHONE NO. (503) 799-8499	ADDITIONAL CONTACT NO.
ADDRESS 5505 SW Hewett Blvd.			
CITY Portland	STATE OR	ZIP 97221	E-MAIL aljubitz@comcast.net

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. ***Each*** permit holder of record must sign this form.

3. Permit or holder of record (this may, or may not, be the current property owner):

PERMIT HOLDER OF RECORD Al Jubitz			
ADDRESS 5505 SW Hewett Blvd.			
CITY Portland	STATE OR	ZIP 97221	

ADDITIONAL PERMIT HOLDER OF RECORD French Hill Farm			
ADDRESS 15770 NE Eilers Rd.			
CITY Aurora	STATE OR	ZIP 97002	Received DEC 23 2024

4. Date of Site Inspection:**OWRD****11/6/2024****5. Person(s) interviewed and description of their association with the project:**

NAME	DATE	ASSOCIATION WITH THE PROJECT
Michael Fyffe	11/6/2024	Facilities Manager

Received by OWRD**6. County:****DEC 23 2024****Clackamas****Salem, OR****7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):**

OWNER OF RECORD			
ADDRESS			
CITY	STATE	ZIP	

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME William E. McGill	PHONE NO. (503) 510-3026	ADDITIONAL CONTACT NO. (503) 931-0210
ADDRESS 15333 Pletzer Rd. SE		
CITY Turner	STATE OR	ZIP 97392
E-MAIL willmcgill.surveying@gmail.com		

Permit Holder of Record Signature or Acknowledgement

Each permit holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	M.A. JUEITZ JR	Co-Owner	12/11/24
		FRENCH HILL FARM LLC	

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SECTION 3

CLAIM DESCRIPTION

1. Point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)
POD 1

2. Point of diversion source and tributary:

POD NAME OR NUMBER	SOURCE	TRIBUTARY
POD 1	French Hill Reservoir	Willamette River

3. Developed use(s), period of use, and rate for each use:

POD NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
POD 1	Irrigation	Pasture	May 15 – Sep. 15	10.25 AF
Total Quantity of Water Used				10.25 AF

4. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the place of use:

Water is pumped from the reservoir by a 15 HP submersible pump which is supported by a floating platform. Water is delivered to 6 valve boxes just W of the POU by 4" buried PVC mainline. From the valve boxes, water is delivered by 2" buried PVC pipe to the POU and applied by pop-up rotor sprinklers.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, or permit amendment final order? If yes, describe below.

☒ **YES** ☐ **NO**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

The permit allowed 8.0 acres of irrigation and 4.2 acres were developed.

6. Claim Summary:

POD NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 1	No rate, 10.25 AF	0.66 cfs	*	Irrigation	8.0	4.2

*System not running at time of site inspection.

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SECTION 4
SYSTEM DESCRIPTION

Are there multiple PODs?

YES ☐ NO ☒

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

POD 1

A. Place of Use

1. Is the right for municipal use?

YES ☐ NO ☒

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
3S	1E	WM	19	NESW			Irrigation	4.2	
Total Acres Irrigated								4.2	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES ☐ NO ☒

If "NO" items 2 through item 6 may be deleted.

2. Pump Information:

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin Electric	*	*	Submersible	*	3"

*The owner nor the pump supplier had this information.

3. Motor Information:

MANUFACTURER	HORSEPOWER
Franklin Electric	15

4. Theoretical Pump Capacity:

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
15	50	0'	32'	0.66

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5. Provide pump calculations:

$$Q = (15 \times 7.04) / (127 + 32) = 0.66 \text{ cfs}$$

6. Measured Pump Capacity (using meter if meter was present and system was operating):

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
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System not running at time of site inspection.

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 13 may be deleted.

8. Mainline Information:

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
4"	1,140'	PVC	Buried
2"	2,500'	PVC	Buried

9. Lateral or Handline Information:

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
N/A			

10. Sprinkler Information:

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Rainbird 8005 Rotor (red nozzle)	50	16.1	96	4	0.14

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Drip Emitter Information:

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
N/A					

12. Drip Tape Information:

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
N/A					

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13. Pivot Information:

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
N/A				

C. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

☒ YES ☐ NO

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank
 Bulge in System / Reservoir

☒ YES ☐ NO
☒ YES ☐ NO

Complete appropriate table(s), unused table may be deleted.

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
French Hill Reservoir	*	17

*Reservoir was constructed by excavating into natural ground. No dam involved.

D. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

☒ YES ☐ NO

E. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

☒ YES ☐ NO

F. Additional notes or comments related to the system:

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SECTION 5

CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or permit extension of time:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12/26/2013		
BEGIN CONSTRUCTION (A)	N/A	N/A	N/A
COMPLETE CONSTRUCTION (B)	12/26/2018	October 2013	Application was made on an existing irrigation system.
COMPLETE APPLICATION OF WATER (C)	12/26/2018	July 2014	Completed irrigation of all areas being claimed.

* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

YES ☒ NO ☐

3. Measurement Conditions:

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device?

YES ☒ NO ☐

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.

b. Has a meter been installed?

YES ☒ NO ☐

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 1	Netafim	WSTp1-3"-12-15501	Working	13515000	Oct. 2013

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4. Recording and reporting conditions:

a. Is the water user required to report the water use to the Department? YES ☐ NO ☐

5. Fish Screening:

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? ☐ YES ☐ NO

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES ☐ NO* ☐

***Waiver obtained from ODFW.**

c. When was the fish screening installed?

DATE	BY WHOM
N/A	

Reminder: If the permit was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump and the total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? ☐ NA ☐ YES ☐ NO

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx> complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump or the total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? ☐ NA ☐ YES ☐ NO

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

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6. By-pass Devices:

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

☒ YES ☐ NO

If "NO", items b and c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass devices been installed?

☒ YES ☒ NO*

***Waiver obtained from ODFW.**

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
N/A		

7. Other conditions required by permit, permit amendment final order, or extension final order:

a. Was the water user required to restore the riparian area if it was disturbed?

☒ YES ☐ NO

b. Was a fishway required?

☒ YES ☒ NO

c. Was submittal of a water management and conservation plan required?

☒ YES ☒ NO

d. Other conditions?

☒ YES ☒ NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

Restore riparian areas disturbed by constructing POD: POD is a floating platform in the middle of the reservoir, so no riparian areas were disturbed.

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SECTION 6
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Pictures (x10)	Taken at 11/6/2024 site inspection.
ODFW Letter	ODFW waiver letter for fish screening and passage

SECTION 7
CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Survey method used was aerial photo provided by Maxar Technologies.
Source Date: 4/27/2023

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☐ N/A Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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Jubitz COBU 11-6-24 Platform with 15 HP pump.

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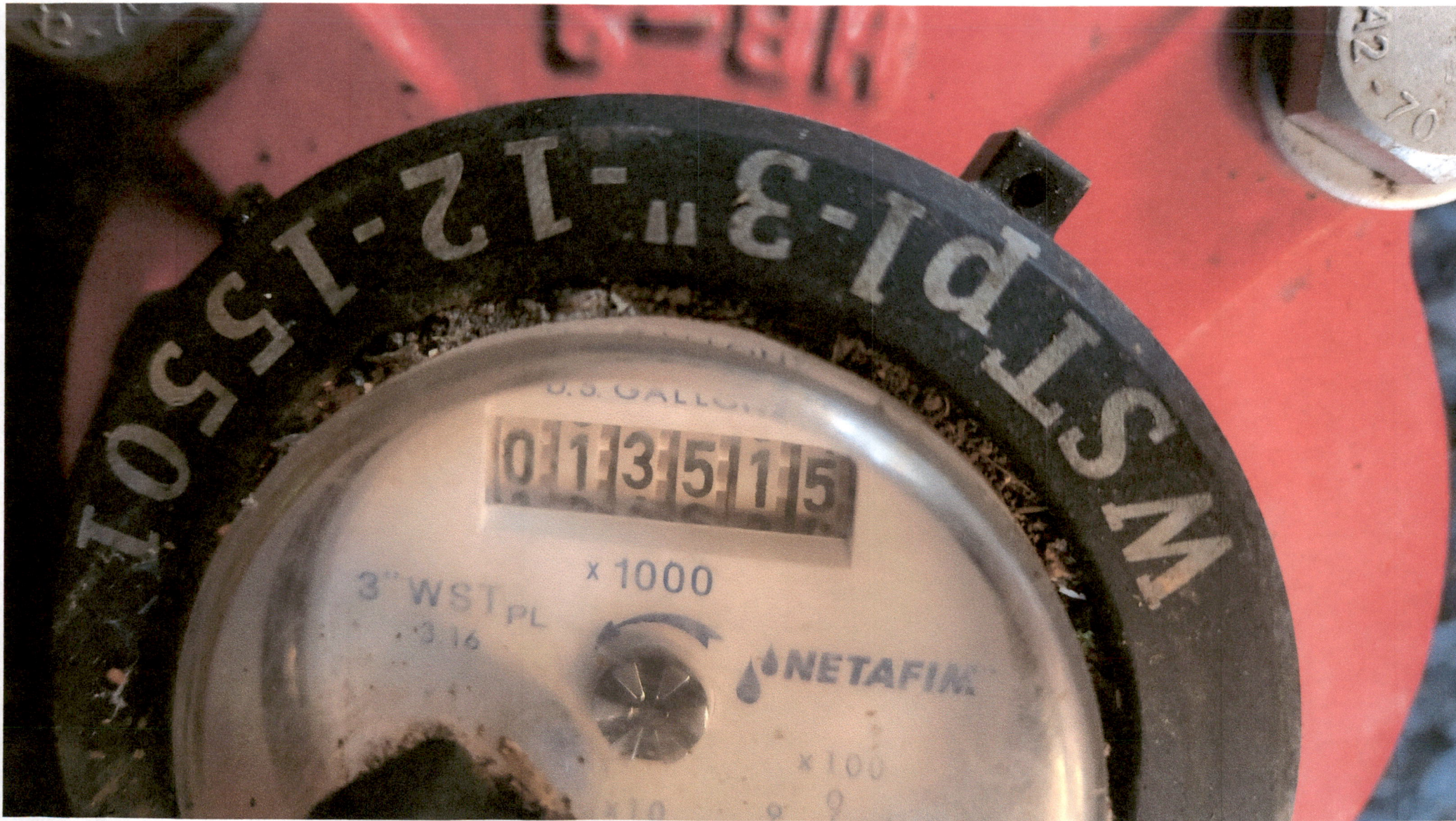
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Jubitz COBU 11-6-24 Pump control Panel.



Jubitz COBU 11-6-24 Flow meter.

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Jubitz COBU 11-6-24 Flow meter.

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Jubitz COBU 11-6-24 Irrigation control valves (2" pipe inside)

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Jubitz COBU 11-6-24 Irrigation system time clock

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Jubitz COBU 11-6-24 Looking NW at reservoir.

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Jubitz COBU 11-6-24 Looking East at 24 ea. 80' x 80' irrigated horse paddocks

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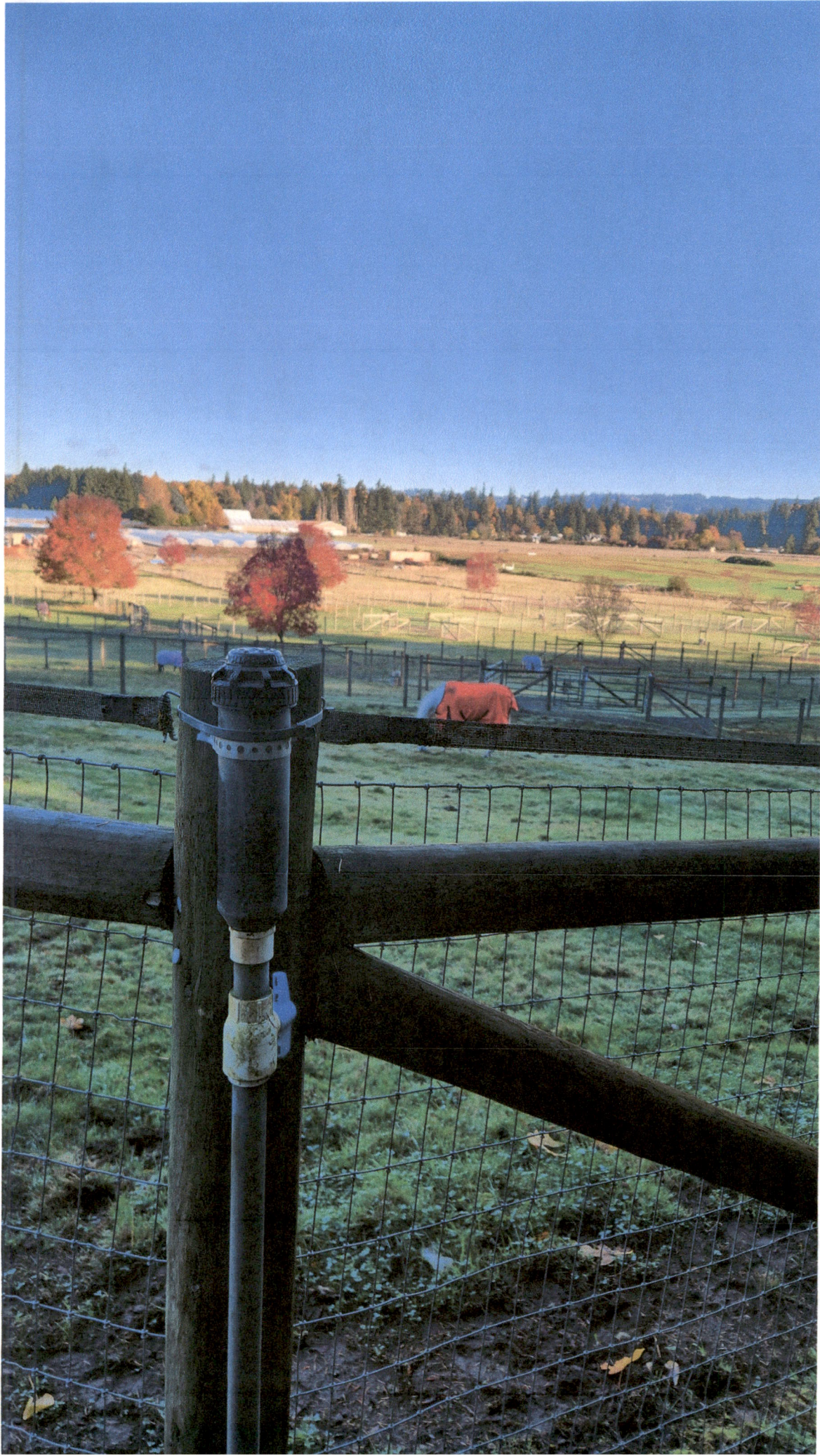


Jubitz COBU 11-6-24 Rainbird 8005 Sprinkler

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Jubitz COBU 11-6-24 Rainbird 8005 Sprinkler on 1" riser pipe

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Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Northwest Region

17330 SE Evelyn Street

Clackamas, OR 97015-9514

(971) 673-6000

FAX (971) 673-6070



December 17, 2024

French Hill Farm
Attn: Al Jubitz
15770 NE Eilers Rd.
Aurora, OR 97002

RE: Status of Fish Screens and Passage for S-54848

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding the fish screening condition contained in permits R-14939 (French Hill Reservoir) and S-54848 (irrigation from said reservoir) in the name of French Hill Farm. The permits allow the water user to submit evidence in writing that ODFW has determined screens and/or passage devices are not necessary.

After inspection of aerial imagery, ODFW has determined that native fish are not currently or were historically present at this location. Therefore, fish screening and passage devices are not necessary for S-54848, which allows withdrawal of water from French Hill Reservoir, constructed under R-14939. This reservoir captures runoff from a small unnamed tributary in the Willamette River basin, for the purpose of irrigation.

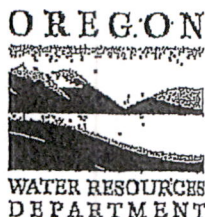
Although ODFW has determined that fish screening and passage devices are not necessary for S-54848, the permittee shall not stock fish in the associated reservoir without a fish transport permit approved by ODFW. Per ORS 498.222 and OAR 635-007-0600, all persons transporting fish in Oregon need to have a fish transport permit issued by the Oregon Department of Fish and Wildlife (ODFW). **As part of the permitting process, the permittee may need to screen the outlet of the reservoirs to ensure that fish cannot escape into public waters.** Please let me know if you need any additional information or have any further questions.

Sincerely,

Michael D. Hayworth
Assistant District Fish Biologist

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Cc: Toby Schuyler, Fish Screens and Passage Coordinator, ODFW The Dalles (via email)



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Salem, OR

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Al Jubitz

5505 SW Hewett Blvd Portland OR 97221

Transaction Type: CRL

Fees Received: \$ 230

☐ Cash, ☒ Check; Check No. 2350

Name(s) on Check: Will McGill Surveying LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Nick Deece
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

LOVRIEN Corie L * WRD

From: Will McGill <willmcgill.surveying@gmail.com>
Sent: Monday, December 30, 2024 2:00 PM
To: LOVRIEN Corie L * WRD
Subject: Fwd: Signatures

You don't often get email from willmcgill.surveying@gmail.com. [Learn why this is important](#)

Hi Corie,

Please see the statement below from Al Jubitz. Let me know if this clears it up, thanks!

--

Will McGill, PLS, CWRE
15333 Pletzer Rd SE
Turner, OR 97392
503-510-3026
mcgillwaterrights.com



----- Forwarded message -----

From: Al Jubitz <al@jubitz.org>
Date: Mon, Dec 30, 2024 at 11:14 AM
Subject: Signatures
To: Will McGill <willmcgill.surveying@gmail.com>

Will, this is verification that my name is Monroe Albin Jubitz, Jr. I am called Al. Usually I sign as Al Jubitz for simplicity. With legal documents I sometimes shorten the name by signing M A Jubitz, Jr.

I am sorry to have caused this confusion.
Sent from my iPhone