# SCANNING DOCUMENT IDENTIFICATION RECORD

DOCUMENT ID:	LUC19-	-72	_
DATE:	10/23/	19	_
NAMES:	Lany:	r Karen =	lyon
		· · · · · · · · · · · · · · · · · · ·	
	·		
TOWNSHIP 9 F	RANGE 4	_SECTION_ 10	_TAXLOT_20 <u>ð</u>
TOWNSHIPF	RANGE	_SECTION	_TAXLOT
TOWNSHIPR	ANGE	_SECTION	_TAXLOT
TOWNSHIPR	ANGE	SECTION	_TAXLOT
TOWNSHIPR	ANGE	_SECTION	_TAXLOT
NOTES: Water hi	ghti_		
			,
	,.	•	

## **Land Use Information Form**



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

#### NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

#### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or groundwater registration modification, and all of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

### NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land use form and return it to the WRD. If no land use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

## **Land Use Information Form**



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

}	-	/	1				PHONE	(нм)	
OND (MIK	<del>'</del> or a a	YF	<u>ι.</u>	OV.	r	<del></del>	FAX	·	1
ONE (WK	.)	•			541829	3838	. PAX		
DRESS (	3450	- D		ista	1.0				
	<u>) ()</u>	<u>بجي د</u>	ue na "	STATE	ZIP E-MAIL*			<u>.</u> .	
Mo	مورولا	-dong	لا	OR_	97351 1	alyo	n 1954	0 3 m	nail. Com
	•					,		-	
	and <u>Lo</u>								
lease inc	lude the fo	ollowing in	formation f	or all tax l	ots where water will b	e diverted (ta	aken from its	source), co	nveyed
ransporte	ed), and/or	r used or d	eveloped. A	pplicants f	or municipal use, or i	rrigation uses	s within irriga	tion`distric	ts may
ibstitute	existing a	na propose	ed service-ar	ea bounda	ries for the tax-lot inf	ormanon req			Proposed
Township	Range	Section	1/4 1/4	Tax Lot#	Rural Residential/RR-5)		Water to be:		Land Use:
( Ò	\$4	95		200	EFU	☐ Diverted	Conveyed	₩ Used	Farme
	•					☐ Diverted	☐ Conveyed	Used	
	-				-	☐ Diverted	☐ Conveyed	☐ Used	
						Diverted	☐ Conveyed	Used	
-						☐ Diversen		- V550	
,			<u>.</u>						
ist all co	unties and	cities whe	ere water is p	proposed t	o be diverted, convey				
ist all co	unties and	cities whe	ere water is p	proposed t	o be diverted, convey				
				proposed to	o be diverted, convey				
			ere water is p	oroposed t	o be diverted, convey				
I. Desc	ription (	of Propo	sed Use	ater Resou	rces Department:	ed, and/or uso	ed or develop	ed:	
I. Desc ype of ap ∤Permit t	ription of oplication of Use or St	of Propo to be filed tore Water	esed Use with the Wa	ater Resou Right Tran	rces Department: sfer	ed, and/or uso	ed or develop	ed:	tion Modifica
I. Desc ype of ap ∤Permit t	ription o	of Propo to be filed tore Water	esed Use with the Wa	ater Resou Right Tran	rces Department: sfer	ed, and/or uso	ed or develop	ed:	tion Modifica
J. Desc ype of ap ₹Permit t ] Limited	ription opplication to Use or St Water Use	of Propo to be filed tore Water	with the Waren Alloca	ater Resou Right Tran	rces Department: sfer Perr sserved Water Exc	ed, and/or uso	ed or develop  .  t or Groundwa	ed:	tion Modifica
J. Desc ype of ap Permit t Limited ource of	ription of polication of Use or Stater Use water:	of Propo to be filed tore Water License	with the Waren Alloca	ater Resou Right Tran ation of Cor	rces Department: sfer Perr sserved Water Exc	ed, and/or use nit Amendmer hange of Wate Water (name)	ed or develop  .  t or Groundwa	ed: ter Registra	tion Modifica⊓
J. Desc ype of ap Permit t Limited ource of stimated	ription of polication of Use or Stater Use water:	of Proporto be filed tore Water License Reservoir of water ne	with the Water Alloca  Pond Acceded:	ater Resou Right Tran ation of Cor	rces Department: sfer	ed, and/or use nit Amendmer hange of Wate Water (name) t per second	ed or develop  .  at or Groundwa	ed: ter Registrat	acre-fe
J. Desc ype of ap Permit t Limited ource of stimated	ription of polication to Use or St Water Use water:  quantity of the policy of the policy of the policy of the policy of water the policy of t	of Proporto be filed tore Water License Reservoir of water ne	with the Water Alloca  Pond Acceded:	ater Resou Right Tran ation of Cor Groundwa Comme Quasi-M	rces Department: sfer	ed, and/or use nit Amendmer hange of Wate Water (name) t per second	ed or developed or Groundwar  [X] gallons per  Domestic for Other	ed: ter Registrat minute house	☐ acre-fe

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

## For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

	ds have not ended, check "Being pursu	ed."	cient.) If approvals		
Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	Land Use Approval:		
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued		
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued		
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursucd		
		☐ Obtained ☐ Denied	☐ Being Pursued☐ Not Being Pursued		
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued		
See attachment	cial land use concerns or make recommenter below, or on a separate sheet.				
Miranda Muller	•	TITLE:	tarb Plannic		
Strike / //	PHONE: 503-623-9237	DAȚE:	123/19		

comprehensive plans.

\*The applicant indicated that the well would be located outside the floodplain in the LOMA area of the subject property. However, this serves as notification that the subject property is located within the Special Flood Hazard Area (SFHA). Any non-structural floodplain development, such as excavating, drilling, removal or fill material, etc., within the SFHA would require a land use application and approval prior to conducting the non-structural floodplain development activities. The applicable review and decision criteria for non-structural floodplain development can be found in the Polk county Zoning Ordinance Chapter 178.

The subject properties also contain wetlands identified on the NWI map. According to the SRA map the wetlands are not inventoried as being fish bearing, however this serves as notification to the property owners of the presence of wetlands. Any development within the inventoried wetland areas may require permits from the Oregon Department of State Land (DSL).



## Federal Emergency Management Agency

Washington, D.C. 20472

April 12, 2019

MR. THEODORE LANGTON NORTHSTAR SURVEYING 720 NW 4TH ST CORVALLIS, OR 97330 CASE NO.: 19-10-0684A

COMMUNITY: POLK COUNTY, OREGON

(UNINCORPORATED AREAS)

COMMUNITY NO.: 410186

DEAR MR. LANGTON:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Sincerely,

Luis V. Rodriguez, P.E., Director

Engineering and Modeling Division
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator Community Map Repository Region

(88 DVAN)

(88 **GVAN**)



### Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT

DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION					LEGAL PROPERTY DESCRIPTION					
COMM	IUNITY	СОМ		A parcet of land, as described in the Warranty Deed recorde  (Unincorporated Areas)  A parcet of land, as described in the Warranty Deed recorde  Document No. 2009-012658, in the Office of the County Cler  County, Oregon  The portion of property is more particularly described by the metes and bounds:						
	CTED		BER: 41053C0428	5F 						
FLOODING SOURCE: WILLAMETTE RIVER				RIVER	APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY:44.811346, -123.158321 SOURCE OF LAT & LONG: LOMA LOGIC DATUM: NAD 83					
					DETERMINATION	ON	1			
LOT	BLO0 SECT	- 1	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION	LOWEST ADJACENT GRADE ELEVATION	LOWEST LOT ELEVATION (NAVD 88)	

-- -- 8455 Buena Vista Portion of X -- -- 167.9 feet Road Properly (shaded)

Special Flood Hazard Area (SFHA) - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

ADDITIONAL CONSIDERATIONS (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

LEGAL PROPERTY DESCRIPTION PORTIONS REMAIN IN THE SFHA

SUPERSEDES PREVIOUS DETERMINATION

ZONE A

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the described portion(s) of the property(ies) Is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

Luis V. Rodriguez, P.E., Director Engineering and Modeling Division

Federal Insurance and Mitigation Administration



### Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### LEGAL PROPERTY DESCRIPTION (CONTINUED)

BEGINNING at a point on the north line of said Phillips tract, N 89°39'00"W 219.07 feet from a 5/8" iron rod at the northeast corner of said tract; thence continuing along said north line, N 89°39'00"W 300.75 feet; thence leaving said north line, S 38°16'46"W 532.77 feet; thence S 00°00'00"E 144.91 feet; thence S 52°12'41"E 307.81 feet; thence N 24°39'14"E 322.15 feet; thence N 74°58'40"E 189.07 feet; thence N 14°29'51"W 216.62 feet; thence N 65°35'50"E 41.83 feet; thence S 29°07'12"E 217.85 feet; thence N 59°43'56"E 131.12 feet to the westerly right-of way line of County Road No. 8420 (Buena Vista Road); thence along said right-of-way line, on the arc of a 894.93 foot radius curve left (long chord=N 22°10'11"W 47.41 feet) 47.41 feet; thence continuing along said westerly right-of-way line, N 23°41'15"W 285.48 feet to the POINT OF BEGINNING.

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 1 Property.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

#### ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

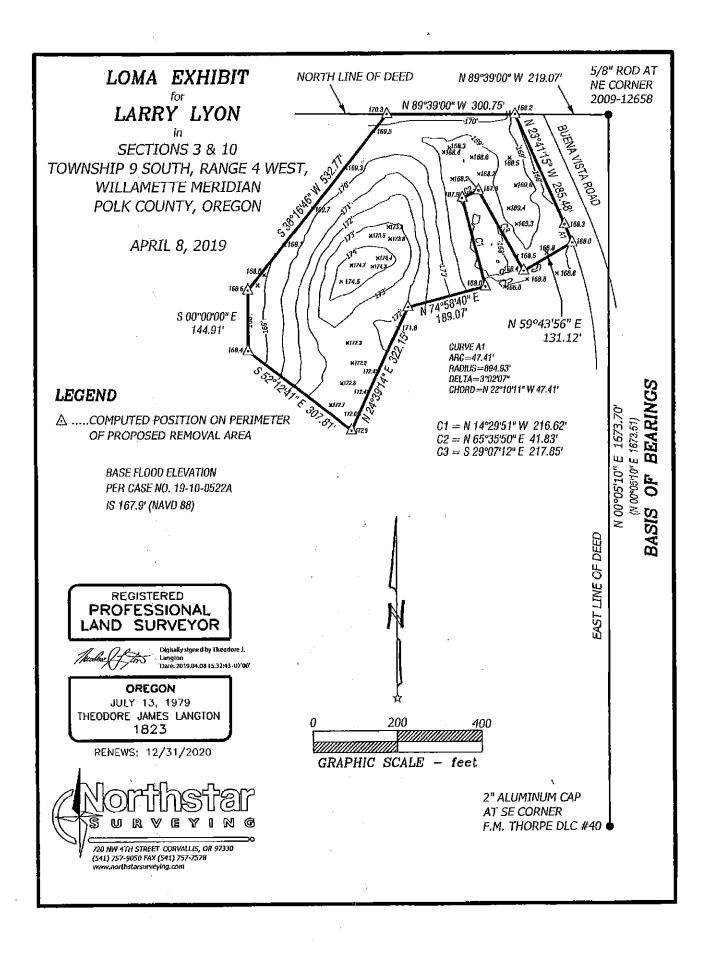
SUPERSEDES OUR PREVIOUS DETERMINATION (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This Determination Document supersedes our previous determination dated 4/3/2019, for the subject property.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Information eXchange (FMIX) toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, Engineering Library, 3601 Eisenhower Ave Ste 500, Alexandria, VA 22304-6426.

- mile it a secretary the transfer of

Luls V. Rodriguez, P.E., Director Engineering and Modeling Division Federal Insurance and Mitigation Administration



## DEPARTMENT OF HOMELAND SECURITY - FEDERAL EMERGENCY MANAGEMENT AGENCY ELEVATION FORM

O.M.B. NO. 1660-0015 Expires February 28, 2014

#### PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this data collection is estimated to average 1.25 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the form. This collection is required to obtain or retain benefits. You are not required to respond to this collection of information unless a valid OMB control number is displayed on this form. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing this burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 1800 South Bell Street, Arlington, VA 20598-3005, Paperwork Reduction Project (1660-0015). NOTE: Do not send your completed form to this address.

Emergency Management Agency, 1 form to this address.	800 South Bell Stre	et, Arlington, VA	. 20598-3005, Paperwor 	k Reduction Project	1660-0015). NOTE: Do	o not send your completed		
This form must be completed for re Flood insurance Program (NFIP) Ele	equests and must be evation Cartificate	e completed and may be submitte	signed by a registered p ed hi ileu of this form fo	professional enginee or single structure re	r or licensed land surve	eyor. A DHS - FEMA National		
For requests to remove a structure ground touching the structure), income, if the request involves an area drounded to nearest tenth of a footresult in processing delays.	luding an attached lescribed by metes :	deck or garage. and bounds, pro	For requests to remove vide the lowest elevation	an entire parcel of t n within the metes a	and from the SFHA, pri nd bounds description	ovide the lowest lot elevation;		
1. NFIP Community Number:	410186 Propert	y Name or Ado	ress: 8455 Buen	a Vista Road	, Independenc	e, Oregon 97351		
	Are the elevations listed below based on existing or proposed conditions? (Check one)							
3. For the existing or propose are crawl space	For the existing or proposed structures listed below, what are the types of construction? (check all that apply)  crawl space slab on grade basement/enclosure other (explain)  N/A							
4. Has DHS – FEMA Identified If yes, what is the date	• • • • • • • • • • • • • • • • • • • •							
5. What is the elevation datum? NGVD 29 NAVD 88 Other (explain) If any of the elevations listed below were computed using a datum different than the datum used for the effective Flood Insurance Rate Map (FIRM) (e.g., NGVD 29 or NAVD 88), what was the conversion factor? NGVD 1929/47 + 3,33' = NAVD 88								
Local Elevation +/- ft. = FIRM Datum  6. Please provide the Latitude and Longitude of the most upstream edge of the structure (in decimal degrees to the nearest fifth decimal place):  Indicate Datum: WGS84 NAD83 NAD27 Lat. Long.  Please provide the Latitude and Longitude of the most upstream edge of the property (in decimal degrees to the nearest fifth decimal place):  Indicate Datum: WGS84 NAD83 NAD27 Lat. 44,811251 Long. 123,158989								
Address	Lot Number	Block Number	Lowest Lot Elevation*	Lowest Adjacent Grade To Structure	Base Flood Elevation	BFE Source		
8455 Buena Visla Rd	N/A	N/A	167.9'	N/A	167.9'	Case #19-10-0522A		
This certification is to be signed and information. All documents submit by fine or imprisonment under Title Certifier's Name:	ted in support of th	ils request are co tates Code, Secti	orrect to the best of my on 1001. License No.:	engineer, or archite knowledge. I unders	tand that any false sto	tement may be punishable		
THEODORE J. LANGTON OREGON PLS 1823 12/3 1/2 U.  Company Name: Telephone No.:								
NORTHSTAR SURVEYING Email. TLANGTON@NORTHSTARSURVEYING.	сом	f	Telephone No.: 41-757-9050 Fax No. 41-757-7578	<del></del>	─ ⊫ PRO	EGISTERED FESSIONAL SURVEYOR		



#### TED J. LANGTON - REGISTERED SURVEYOR

720 NW 4th Street, Corvallis, Oregon 97330; Phone 541-757-9050; FAX 541-757-7578

#### **LOMA EXHIBIT**

#### LEGAL DESCRIPTION

April 8, 2019

A portion of that certain tract conveyed to the James K. Phillips and Vida Jane Phillips Joint Revocable Living Trust dated October 14, 2009 per Instrument No. 2009 – 012658, Polk County Records, lying in Sections 3 and 10, Township 9 South, Range 4 West, Willamette Meridian, Polk County, Oregon, being more particularly described as follows:

BEGINNING at a point on the north line of said Phillips tract, N-89°39'00"W 219.07 feet from a 5/8" iron rod at the northeast corner of said tract; thence continuing along said north line, N-89°39'00"W 300.75 feet; thence leaving said north line, S-38°16'46"W 532.77 feet; thence S 00°00'00"E 144.91 feet; thence S 52°12'41"E 307.81 feet; thence N 24°39'14"E 322.15 feet; thence N 74°58'40"E 189.07 feet; thence N 14°29'51"W 216.62 feet; thence N 65°35'50"E 41.83 feet; thence S 29°07'12"E 217.85 feet; thence N 59°43'56"E 131.12 feet to the westerly right-of-way line of County Road No. 8420 (Buena Vista Road); thence along said right-of-way line, on the arc of a 894.93 foot radius curve left (long chord=N 22°10'11"W 47.41 feet; thence continuing along said westerly right-of-way line, N-23°41'15"W 285.48 feet\*to the POINT OF BEGINNING.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Meador J. Digitally signed by Theodore J. Langton Date: 2019.04.08 16:16:03-07'00'

OREGON
JULY 13, 1979
THEODORE JAMES LANGTON
1823

RENEWS: 12/31/2020



#### Land Use Compatibility

1 message

**Muller, Miranda** <muller.miranda@co.polk.or.us> To: lalyon1954@gmail.com

Tue, Oct 22, 2019 at 4:30 PM

Hello,

While reviewing the LUC submitted for the property located at 8455 Buena Vista Road, I mapped out the LOMA and compared the well location with the plot plan provided. It appears that the well is located outside the LOMA area, however at the counter, you stated that the well is located within the LOMA area. I've attached the plot plan provided and a map depicting the LOMA area. Could you please provide an updated map confirming the well's location?

Miranda Muller Community Development Assistant Planner Phone: 503-623-9237



Date: 10/21/2 This map was produced from the Polk County geographic da to support its governmental activities. This product is for infor purposes and may not have been prepared for, or be suitable



Cily Limits

This map was produced from the Polk County geographic da to support its governmental activities. This product is for infor purposes and may not have been prepared for, or be suitable



City Limits



#### Well location

1 message

**Larry Lyon** <a href="mailto:lalyon1954@gmail.com">
To: Miranda Muller < muller.miranda@co.polk.or.us>

Tue, Oct 22, 2019 at 5:04 PM

I am sorry about that. I have some land marks now and will correct and resend that map. But if you want it more precisely, perhaps you can use a site plan map for our home construction.

Assuming you have a map showing the location of our new house. The well is 45', due west from the southwest corner of our house. Essentially on a line extending from our south wall.

Sent from my iPhone



**IMG\_1162.JPG** 166K RECEIVE DOCT 2 3 2019

POLK COUNTY
COMMUNITY DEVELOPMENT



#### Land Use Compatibility

Larry Lyon <a href="mailto:Larry Lyon">Larry Lyon</a> <a href="mailt

To: "Muller, Miranda" <muller.miranda@co.polk.or.us>

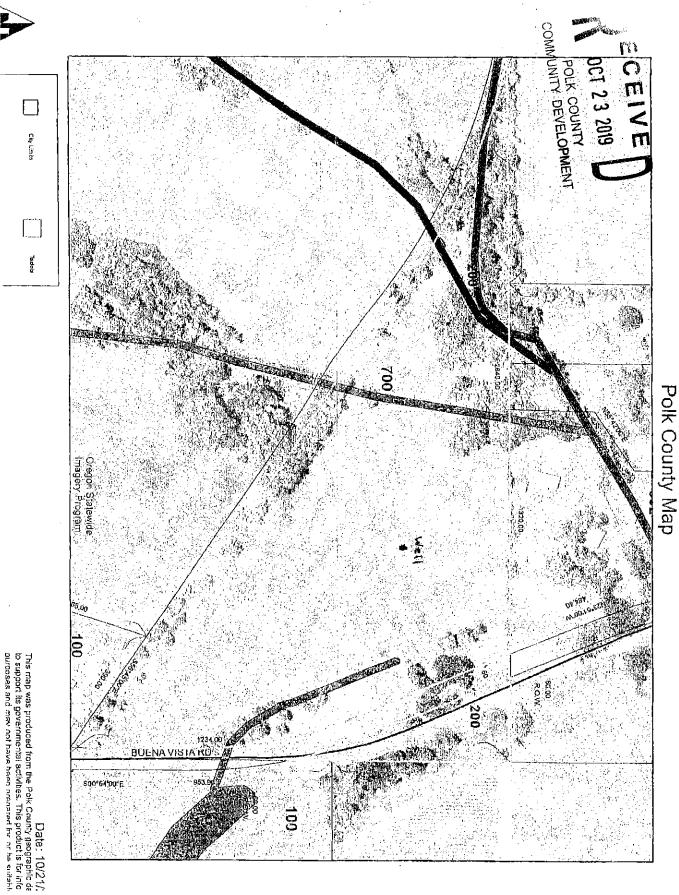
Tue, Oct 22, 2019 at 5:48 PM

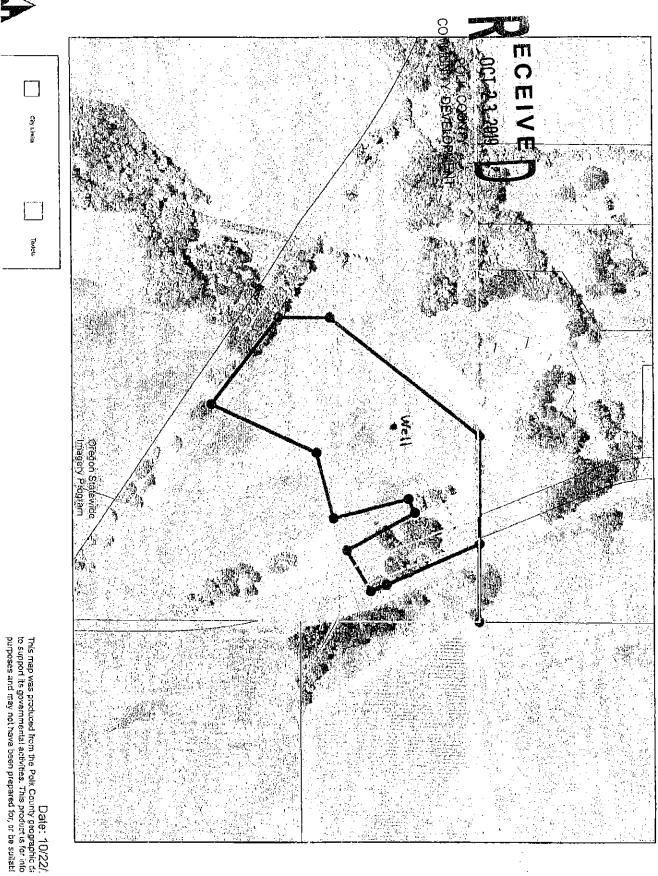
This is a much more accurate location for the well. I looked at some landmarks while on site and then marked it more accurately on the maps as attached. LL [Quoted text hidden]

Larry A. Lyon Principal Broker, Centurion Real Estate Services 1365 Commercial St. SE Salem, OR 97302 541.829.2828

Well location.pdf 1416K







Polk County Map

