

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:
Transfer #:	
Date Received:	
CWRE Name:	
Priority Date (s):	

Fees Required:

- YES NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION PERMIT TRANSFER

CASH CHECK # _____ OTHER (IDENTIFY) _____ TOTAL RECD \$ _____

1083 TREASURY 4178 MISC CASH ACCT.

0407 COPIES _____ \$ _____
 OTHER: (IDENTIFY) _____ \$ _____

0243 Instream Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

1083 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS

0407 COPY & TAPE FEES 4611 \$ _____

0410 RESEARCH FEES \$ _____

0409 MISC REVENUE (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS EXAM FEE RECORD FEE

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION EXAM FEE RECORD FEE

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT \$ _____ 0220 \$ _____

OTHER (IDENTIFY) COBU \$ 230.00

0607 TREASURY 0487 HYDROELECTRIC

0233 POWER LICENSE FEE (FWWRD) LIC NUMBER _____ \$ _____

0231 HYDRO LICENSE FEE (FWWRD) _____ \$ _____

HYDRO APPLICATION \$ _____

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT -- LETTER ATTACHED

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted



Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Dennis Miller
35208 Spicer Dr Lebanon OR 97355

Transaction Type: Claim of Ben Use

Fees Received: \$ 230

Cash Check: Check No. 44259

Name(s) on Check: Udell Engineering & Land Surveying LLC

Address on Check: 63 East Ash Lebanon OR 97355-3317

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: J. Pierceall
(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.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.

**CLAIM OF
BENEFICIAL USE
for Reservoir Permits by
CWRE's (not self-certified)**



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

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**A fee of \$230 must accompany this form for permits
with priority dates of July 9, 1987, or later.
Claims received without the correct fee of \$200 will be returned.**

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>

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>

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # R- 85057	PERMIT # (IF APPLICABLE) R- 13429	PERMIT AMENDMENT # (IF APPLICABLE) n/a
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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Dennis Miller		PHONE NO. 541-926-3838	ADDITIONAL CONTACT NO. n/a
ADDRESS 35208 Spicer Drive			
CITY Lebanon	STATE OR	ZIP 97355	E-MAIL barefooterdm@gmail.com

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 holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD Dennis Miller			
ADDRESS 35208 Spicer Drive			
CITY Lebanon	STATE OR	ZIP 97355	

ADDITIONAL PERMIT HOLDER OF RECORD n/a			
ADDRESS n/a			
CITY n/a	STATE n/a	ZIP n/a	

4. Date of Site Inspection:

9/28/2021

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Dennis Miller	9/24/2021	Owner/applicant

6. County

Linn

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 n/a			
ADDRESS n/a			
CITY n/a	STATE n/a	ZIP n/a	

Add additional tables for owners of record as needed

**SECTION 2
SIGNATURES**

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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 Kyle W. Latimer		PHONE NO. 541-451-5125	ADDITIONAL CONTACT NO. n/a
ADDRESS 63 East Ash Street			
CITY Lebanon	STATE OR	ZIP 97355	E-MAIL kyle@udelleng.com

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer 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
see attached signature page			

**SECTION 2
SIGNATURES**

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CWRE Statement, Seal and Signature

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

Seal and Signature

CWRE NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			
CITY	STATE	ZIP	E-MAIL

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer 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
<i>Dennis E. Miller</i>	Dennis Miller	OWNER	9-24-21

**SECTION 3
CLAIM DESCRIPTION**

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1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	SOURCE	TRIBUTARY
#1 unnamed reservoir	surface runoff	Cox Creek

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
#1 unnamed reservoir	recreation	year-round	77.00
Total Quantity of Water Stored			61.80

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

No distribution system in place. The reservoir is only permitted to capture surface runoff and infiltration of ground water. See application G-19193 for proposed well installation for future reservoir maintenance of water level

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).

4. Variations:

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

YES **NO**

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

77 acre feet of water was authorized, reservoir was developed to hold 61.80 acre feet

5. Claim Summary:

RESERVOIR NAME OR #	MAXIMUM STORAGE AUTHORIZED BY PERMIT (AF)	MAXIMUM STORAGE DEVELOPED (AF)
#1 unnamed reservoir	77.00	61.80

**SECTION 4
SYSTEM DESCRIPTION**

Are there multiple reservoirs?

If "YES" you will need to copy and complete Sections A through E for each reservoir.

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

#1 unnamed reservoir

A. Reservoir Location

1. Is the reservoir on-channel?

YES NO

2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
11S	3W	WM	24	SE, SE	n/a	42	outlet location: 3702' west and 721' south of SW corner McFadden DLC no. 53

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), and Quarter-Quarters (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 the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

YES NO

If "NO" items 2 through item 5 may be deleted.

2. Pump Information

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

6. Additional notes or comments related to the system:

n/a

C. 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

If "NO", items 2 through 4 relating to this section may be deleted

Attach measurement notes.

D. 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

If "NO", items 2 through 4 relating to this section may be deleted.

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Attach measurement notes.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

YES

NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted.

If "NO", skip items 2; answer items 3 through 8.

2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
n/a			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)
7'	5'	12.18	61.8

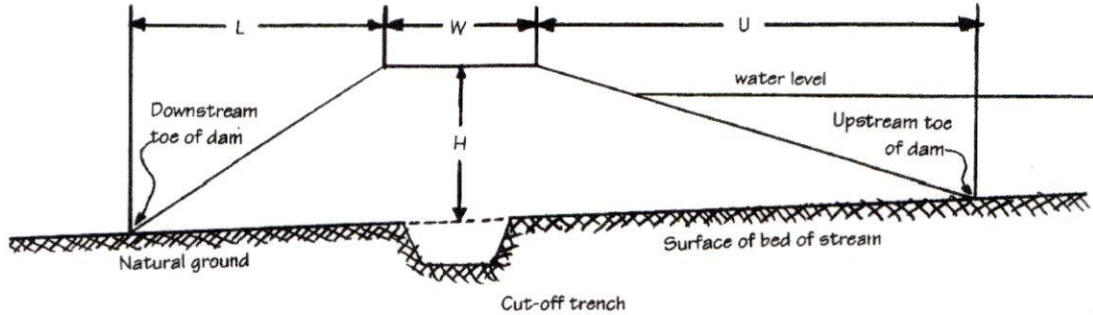
4. Provide reservoir volume calculations:

approximately 175 wide; 3,010 feet long with 95' radius arcs on each end. total water surface area = 12.18 acres. 7' deep with a 80' flat bottom. approximately 7:1 side slopes. total volume calculated in CAD using above parameters

5. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE
5'	9.0'	33'	68'	-5.7' from top	27%	18%

Example Dam Profile This box may be deleted from the form



6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

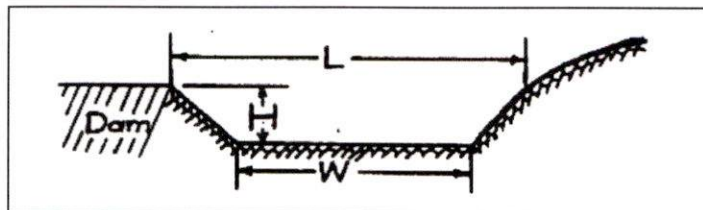
see attached

7. Describe the outlet works (size and type of the outlet conduit and location):

18" corrugated plastic culvert with expanded metal grate sloping from northwest corner of pond to existing ditch 68' northwesterly at -12% to an existing drainage ditch

8. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
n/a		



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**SECTION 5
CONDITIONS**

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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 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 extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	October 31, 2002		
BEGIN CONSTRUCTION (A)	October 31, 2003	July 2003	begin reservoir excavation
COMPLETE CONSTRUCTION (B)	October 1, 2006	October 2003	complete reservoir excavation
COMPLETE APPLICATION OF WATER (C)	October 1, 2006	April, 2004	fully submerge reservoir area

* 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 or appropriation.

b. Has a meter been installed?

YES **NO**

c. Meter Information

see notes regarding meter in narrative

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
n/a					

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

YES **NO**

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
n/a		

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
n/a		

4. Recording and reporting conditions

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

If "NO", item b relating to this section may be deleted.

5. Outlet Pipe

a. Is the water user required to install a minimum 8" outlet pipe/conduit? YES NO

see narrative for outlet information

DESCRIBE HOW THE WATER USER PLANS TO EVACUATE THE RESERVOIR	HAS THIS PLAN BEEN APPROVED BY THE DEPARTMENT?	BY WHOM?
no plan in place	YES NO	

6. 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.

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7. 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.

8. 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 letter from an engineer required prior to storage of water? YES NO
- d. Was submittal of a water management and conservation plan required? YES NO
- e. 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):

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
narrative	a brief summary of existing conditions and miscellaneous notes
dam x-section	per section E.6

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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.

Map Checklist

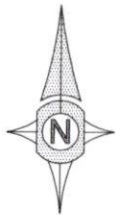
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Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- 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
- NA Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- NA Locations of meters and/or measuring devices in relationship to point of diversion
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- NA Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- NA 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



SCALE: 1" = 400'



DAM CROSS-SECTION

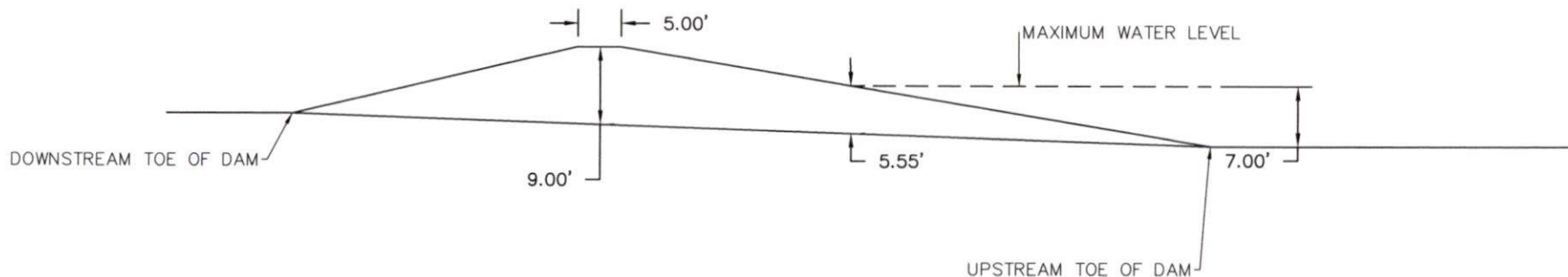
CLAIM of BENEFICIAL USE MAP
for DENNIS MILLER
located in the ALFRED POWELL DLC 44
in the SE & SW 1/4 SEC. 24, T. 11 S., R. 3 W., W.M.
LINN COUNTY, OREGON
SEPTEMBER 28, 2021

APPLICATION R-85057
PERMIT R-13429

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Udell

ENGINEERING & LAND
SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OR 97355
PH. (541) 451-5125
FAX (541) 451-1366
21-213 MILLER

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Claim of Beneficial Use Narrative

For Dennis Miller

September 28, 2021

Application R-85057

Permit R-13429

Prepared by Kyle W. Latimer

Udell Engineering and Land Surveying, LLC

The subject claim of beneficial use is for a 12.18 acre submerged surface area by an unnamed reservoir as permitted in R-13429. The reservoir is located on Linn County tax lot 403, map 11s03w24, also identified as 35208 Spicer Drive, Albany, Oregon. More specifically, the reservoir is located in the SE of the SW, SW of the SE and the SE of the SE quarters of section 24, Township 11 south, Range 3 west of the Willamette Meridian.

The maximum permitted storage volume is 77 acre-feet and the calculated developed volume of the reservoir is 61.80 acre-feet. The dam currently holds ground water and surface runoff from the cultivated field to the southwest and area immediately surrounding the reservoir. There is currently no permitted water level maintenance measures in place, however the applicant recently submitted a groundwater application for a proposed deep well (G-19193) in the area.

The permit states that a ‘meter of other suitable measuring device as approved by the Director’ be installed. The applicant has not installed a measuring device and there is no way to reasonably measure the surface runoff. The applicant proposes the installation of a fixed staff gauge near the east end (boat house) or west end (outfall) of the reservoir. Applicant also proposes, should G-19193 be approved, the installation a flow meter to record the volume of water used for reservoir maintenance purposes separately from the irrigation use that is a part of the same application.



SCALE: 1" = 400'

0' 400'



THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSION OR LOCATIONS OF PROPERTY OWNERSHIP LINES. POND WAS SURVEYED USING A GNSS RECEIVER WITH NETWORK RTK CORRECTIONS.

NORTH LINE ALFRED POWELL DLC NO. 38/42

CLAIM of BENEFICIAL USE MAP for DENNIS MILLER located in the ALFRED POWELL DLC 44 in the SE & SW 1/4 SEC. 24, T. 11 S., R. 3 W., W.M. LINN COUNTY, OREGON SEPTEMBER 28, 2021

APPLICATION R-85057 PERMIT R-13429

NW of SE

SPICER DR.

NE CORNER ALFRED POWELL DLC NO. 38

SW CORNER MCFADDEN DLC NO. 53

NE of SE

EAST LINE DLC NO. 38/42

COX CREEK

18" CPP OUTFALL 3702' WEST, 721' SOUTH OF SW CORNER OF DLC 53

4.04 ACRES

5.38 ACRES

2.76 ACRES

TAX LOT 403 MAP 11S.03W.24

EXISTING WELL* LINN #7453

SE of SW

LEGEND:



SUBMERGED RESERVOIR AREA

DLC: DONATION LAND CLAIM
R: RANGE
T: TOWNSHIP

T. 11 S.
R. 3 W.

SW of SE

SE of SE

SECTION 24
SECTION 25

STUTZMAN DR.

SOUTH LINE OF ALFRED POWELL DLC NO. 42

SOUTHEAST CORNER ALFRED POWELL DLC NO. 42

SPICER DR.

SECTION 30

T. 11 S. R. 2 W.

NW of SW

SECTION 24

SECTION 15

Udell
ENGINEERING & LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OR 97355
PH. (541) 451-5125
FAX (541) 451-1366
21-213 MILLER