10-06-1958: certificate of surface water right, certificate record no. 15, permit no. 10760

L

CERTIFICATE RECORD NO. 15, PAGE NO. 7311

STATE OF WASHINGTON, COUNTY OF Jefferson

CERTIFICATE OF SURFACE WATER RIGHT

(In accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.)

This is to certify that OLYMPIC NATIONAL PARK *of* Port Angeles *State of* Washington, *has made proof to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the waters of* Kalaloch Creek, *a tributary of* Pacific Ocean, *with point or points of diversion within the* NE¼NE¼ *Sec.* 9, *Twp.* 24 *N., R.* 13 *W., W. M., under and subject to provisions contained in* Appropriation *Permit No.* 10760 *issued by the State Supervisor of Water Resources, and that said right to the use of said waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume* 15, *at Page* 7311, *on the* 6th *day of* October, 19 58 *that the priority date of the right hereby confirmed is* April 12, 1956; *that the amount of water under the right hereby confirmed, for the following purposes is limited to an amount actually beneficially used and shall not exceed* 0.10 of a cubic foot per second for domestic supply.

A description of the lands under such right to which the water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

All that part of SE¼, sec. 4; NE¼, sec. 9; NW¼, sec.10; and W½SW¼, sec. 3 designated as Kalaloch Resort area within Olympic National Park, and T. 24 N.,R. 13 W.W.M.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this 6th *day of* October, 19 58.

M. A. Walker
State Supervisor of Water Resources.

ENGINEERING DATA
O.K.

Permit No. 159190 10760

Certificate of Surface Water Right

Recorded in the office of State Supervisor of Water Resources, Olympia, Washington, in Book No. 15 *of Water Right Certificates, on Page* 7311 *, on the* 6th *day of* October *,* 19 58.

STATE OF WASHINGTON,
County of Jefferson } ss.

I certify that the within was received and duly recorded by me in Volume 8 *of Book of Water Right Certificates, Page* 536 *on the* 8 *day of* October, 19 58

HELEN J. EADS JEFFERSON COUNTY AUDITOR
Doris Dalgardno
Dep. Auditor

STATE PRINTING PLANT, OLYMPIA, WASH.

RECORDED ☐ INDEXED ☐ PROOF READ ☐

OLYMPIC NATIONAL PARK RECEIVED OCT 17 1958

O. N. PARK
P.O. Box 591

10-06-1958: certificate of surface water right, certificate record no. 15, permit no. 10760

S. F. No. 7355—J-37—5M. 49737. O.S.

COPY

Proof of Appropriation of Water

Original mailed Sept 18, 1951

Application No. 13842 Permit No. 10760

1. Name of Permittee Olympic NATIONAL PARK
2. Postoffice address 600 EAST PARK, PORT ANGELES, WASH
3. Source of appropriation KALALOCH CREEK
4. Name or number of works (if any)
5. For what purpose or purposes is water used? DOMESTIC, RECREATIONAL & FIRE PROTECTION
6. Give date of beginning of construction
7. Give date of completion of construction work, including water distribution system
8. Give date when water was completely applied to proposed use SEPT. 1, 1951
9. If used for irrigation:
   Give number of acres described in permit NOT applicable
   Give number of acres actually irrigated NOT applicable
10. If used for power: HP actually developed NOT Applicable
11. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED:
    ALL THAT PART OF SE 1/4, SEC. 4; NE 1/4 SEC. 9; NW 1/4, SEC 10; AND W 1/2 SW 1/4, SEC. 3 DESIGNATED AS KALALOCH RESORT AREA, WITHIN Olympic NATIONAL PARK, AND T. 24 N., R. 13 W.W.M.
12. During what months is water used? Throughout ENTIRE YEAR
13. Does map filed with your application show correctly the location of well or point of diversion for withdrawal of water, and area of land where water is used? YES
14. If the dimensions, location or type of structure do not correspond to those described in your permit, state what changes have been made, giving dimensions, etc.
15. Actual measured discharge or diversion of permanent system: .10 (gpm or cfs)

(Sign certification on reverse side)

STATE PRINTING PLANT OLYMPIA, WASHINGTON

STATE OF WASHINGTON,
County of } ss.

I, ... , being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this ..... day of ....., 19.....

.....

Subscribed and sworn to before me this ..... day of ....., 19.....

.....
Notary Public.

Form 10. S. F. No. 370—3-53—75C. 34101.

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
Division of Water Resources

Permit to Appropriate Public Waters of the State of Washington

Book No. 29 of Permits, on Page 10760 Under Application No. 13842

OLYMPIC NATIONAL PARK

of Port Angeles, Washington

is hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the following limitations and provisions: Permittee shall construct and maintain at his own expense a weir, or other suitable device, for measuring any water granted herein for irrigation purposes and such appropriation shall be subject to a reasonable rotation system if ordered by the State Supervisor of Water Resources. Diversion intake shall be tightly screened at all times with wire having a mesh opening not larger than .125 (1/8) inch, and no dam shall be constructed in connection with this diversion.

Priority date of this permit is April 12, 1956

Source of the proposed appropriation is Kalaloch Creek

tributary of Pacific Ocean

The quantity of water appropriated shall be limited to the amount which can be beneficially applied and not to exceed .10 cubic feet per second, or its equivalent in case of rotation, to be used for the following purposes: Domestic, recreational & fire protection

as more definitely set out below.

The approximate point of diversion is located south 72°18' west 797 feet from northeast corner, sec.9, T.24N., R.13 W.W.M.

being within NE¼NE¼ Sec. 9, Twp. 24 N., Rge. 13 W. W. M.,

county of Jefferson

The use, or uses, to which water is to be applied:

FOR DOMESTIC SUPPLY AND MISCELLANEOUS USES: .10 cubic feet per second during entire year for domestic to be used within land described below Sec. , Twp. N., Rge. W. M.,

FOR IRRIGATION: cubic feet per second, from to

each year, for irrigation of acres, described as follows:

All that part of SE¼, sec.4; NE¼, sec.9; NW¼, sec.10; and W½SW¼, sec.3 designated as Kalaloch Resort area within Olympic National Park, and T.24N., R.13 W.W.M.

FOR POWER: ..... cubic feet per second continuously each year. Total power to be developed ..... theoretical horse power. Total fall to be utilized ..... feet.

Nature of works by means of which power is to be developed .....

.....

Works to be located in ..... Sec. ....., Twp. ..... N., Rge. ..... W. M.

Water to be returned to .....

Point of return ..... Sec. ....., Twp. ..... N., Rge. ..... W. M.

Use to which power is to be applied .....

FOR MUNICIPAL SUPPLY: ..... cubic feet per second during entire year to supply .....

.....

DESCRIPTION OF DIVERSION WORK

Sump type. Equipment is to be enlarged to 100,000 gallon tank and 50 gpm pump - 2 HP electric pump.

Height of dam ..... ft.; Length on top ..... ft.; Length on bottom ..... ft.

Material to be used and character of construction .....

.....

Description of headgate .....

CANAL SYSTEM

AT HEADGATE: Width on top (at water line) ..... ft.; Width on bottom ..... ft.; Depth of water ..... ft.; Grade ..... ft. fall per one thousand feet.

AT ..... MILES FROM HEADGATE: Width on top (at water line) ..... ft.; Width on bottom ..... ft.; Depth of water ..... ft.; Grade ..... feet per one thousand feet.

(Please read carefully provisions below)

Construction work shall begin on or before Already started and shall thereafter be prosecuted with reasonable diligence and completed on or before Completed and complete application of water to proposed uses shall be made on or before September 1, 1958

Given under my hand and the seal of this office at Olympia, Washington, this 19th day of September, 19 57

State Supervisor of Water Resources

11-09-1956: memorandum to regional director, region four from chief, water resources section regarding water right application 13

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

Fue

IN REPLY REFER TO:
I54TL
RECEIVED
NPS, REGION FOUR OFFICE
NOV 19 1956

November 9, 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		
Lands		

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 13842, for Kalaloch Creek Resort Water System, Docket 7, Olympic

We have received the copies of the letter of September 4 to Mr. Werner Mayr from the Assistant Supervisor, Washington Division of Water Resources, concerning the former's protest of the subject application, or warning of potential pollution of the source, and Mr. Overly's letter of October 23 on the same subject.

Mr. Russell does not seem to have considered Mr. Mayr's letter to be a formal protest, and he may have granted the permit by the time you receive this memorandum. Accordingly, the following information is only offered for use if necessary.

Section 90.04.020 of the statutes specify that "nothing in this title (90 Water Rights) shall lessen, enlarge, or modify the rights of riparian owners existing as of June 6, 1917, or any rights however acquired existing as of that date, . . .". Chapter 90.48 Water Pollution Control, provides state authority for the prevention of pollution which will be injurious to public water supplies or make the water unfit for other beneficial purposes.

Lot 1 (fractional $NW\frac{1}{4}$ $NE\frac{1}{4}$) of Section 9, and part of adjacent Section 4, T 24 N, R 13 W, WM were patented to James Brown under final certificate 2004 of February 24, 1901. The $NE\frac{1}{4}$ $NE\frac{1}{4}$ and Lot 2 ($S\frac{1}{4}$ $NE\frac{1}{4}$) Section 9 were patented to G. W. Brown under final certificate 2041 of June 13, 1901. The patents were subject to railway rights of way which are no longer considered. Lot 1, and the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 9 were developed as Becker's Resort, with domestic water diverted at the point designated in Application 13842 when title passed to the United States in 1940.

Lapsed Water Right Application 4104, which is in Part II of Docket 7, was filed with the Supervisor of Hydraulics by Bill Becker on May 10, 1935, for the diversion and nonconsumptive use of water in $SW\frac{1}{4}$ $SW\frac{1}{4}$ Section 4, about half a mile above the point of domestic diversion to provide power "for private community use". The application and supporting map indicate that the site previously covered by Application 2366, Permit 1248, was initiated by E. J. Nixon in 1928, although no development had been made by May 10, 1935.

Note - One copy put in Docket 7.
McClellan has copies this memo

Application 13842 includes the statement, under remarks on page 3, that "nothing in this application constitutes a waiver of any other rights which the United States may have to the same water".

We have not drawn the files on the two aforesaid patents out of Archives to see what improvements were described in the proof because we doubt if they would be specific enough to be helpful. I also know nothing about former improvements other than Becker's Resort, which may have existed on the various parcels of land which the United States has now acquired in Sections 3, 4, 9 and 10. I have not obtained a copy of Application 2366 but I did obtain the Supervisor's statement some years ago, that there were no recorded domestic water rights for Becker's Resort.

Since Messrs. Nixon and Becker seem to have filed applications for power diversion and none for domestic use they probably considered that they had adequate vested rights to the latter based on use prior to June 6, 1917, and probably prior to 1901. If the Superintendent can determine from old timers when Kalaloch Creek water was first used on the Resort Area, and when the first diversion was made at the approximate point designated in Application 13842, those records should be prepared for inclusion in the four assemblies of the docket. If possible the same statement should include a description of area irrigated, population and normal number of head of stock using water prior to June 6, 1917. There may have been a railroad or logging camp as well as one or more farms or resorts.

If there is continued controversy with Mr. Mayr, either in connection with Application 13842 or subsequent logging operations which may affect the potability of the water used at the Kalaloch Resort, the Field Solicitor may wish to consider the extent to which the state water pollution control laws can provide protection for the public water supply which has been in existence since any date which the Superintendent can determine.

McClellan has copy BFM

This memorandum is being sent to you, the Superintendent and the Western Office of Design and Construction in duplicate, in order that one copy can be filed in Part III of Docket 7 as partial definition of vested rights which the United States may have in addition to those established by Application 13842. It does not seem necessary to clutter the docket with the letters of September 4, and October 23, unless a formal protest develops.

A. van V. Dunn

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: Superintendent, Olympic (2)
Western Office of Design and Construction (2)
Field Solicitor McClellan (2)

10-23-1956: letter to assistant supervisor, dept. of conservation and development from superintendent regarding s. w. application

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

RECEIVED
NPS, REGION FOUR OFFICE
OCT 2[illegible] 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		

October 23, 1956

Mr. Robert H. Russell
Assistant Supervisor
Department of Conservation and Development
General Administration Building
Olympia, Washington

Re: S. W. Application #13842

Dear Mr. Russell:

Through an oversight we failed to reply promptly to your letter of September 4, 1956, in connection with S. W. Application #13842. You advised us that Mr. Werner Mayr of Hoquiam, Washington has protested the subject application because he and his brother are owners of approximately 850 acres of land on the Kalaloch Creek watershed and that they wish to make it known that they plan to remove timber from some of these lands and as a result they believe that it may rile or muddy the creek to an extent that it may make it undesirable as a source of domestic water.

Even though the land owned by Mayr Brothers is to be logged it is my opinion that this does not constitute grounds for a protest on the filing of a S. W. application. I am further of the opinion that the laws of the state of Washington prohibit the use of equipment for the moving of logs in such a manner as to alter stream beds or even interfere with the even flow of the water.

I am forwarding your letter to our regional office and you may expect to hear from them further on the matter.

Sincerely yours,

(Sgd) FRED J. OVERLY

Fred J. Overly
Superintendent

Copy to: Director w/copies of Mr. Russell's letters to Mayr Bros & Olympic
Regional Director, Region Four w/above letters

09-11-1956: letter to supervisor, division of water resources from superintendent regarding an affidavit of publication of surface wa

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

L3031

RECEIVED
NPS, REGION FOUR OFFICE
SEP 12 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
MAINT.		
COOP. ACT.		
INTERP.		
LEGAL		

Lands Br 9/12

September 11, 1956

Mr. M. G. Walker, Supervisor
Division of Water Resources
Department of Conservation and Development
Transportation Building
Olympia, Washington

Dear Mr. Walker:

Enclosed is an Affidavit of Publication of Surface Water Application No. 13842. The affidavit was published in the Port Townsend Leader on August 16th and 23rd as provided in Chapter 90.20 RCW.

Sincerely yours,

(Sgd) FRED J. OVERLY
Fred J. Overly
Superintendent

Attachment

CC: Director
Regional Director, Region Four
w/c of attachment

09-04-1956: letter to olympic national park from assistant supervisor regarding s. w. application #13842

STATE OF WASHINGTON
Department of Conservation and Development
W. A. Galbraith, Director
General Administration Building
Olympia

September 4, 1956

C
O
P
Y

Olympic National Park
P. O. Box 591
Port Angeles, Washington

Gentlemen: Re: S. W. Application #13842

This is to advise you that we have received in the form of protest a letter from Mr. Werner Mayr of Hoquiam, Washington stating that he and his brother are owners of approximately 850 acres of land on the Kalaloch Creek watershed and that they wish to make it known that they plan to remove timber from some of these lands and as a result they believe that it may rile or muddy the creek to an extent that it may make it undesirable as a source of domestic water.

If you have not already discussed this with the Mayr Brothers Logging Company, it might be advisable to do so before you start actual development of the source of water in question.

Yours very truly,

DIVISION OF WATER RESOURCES

/s/ Robert H. Russell

ROBERT H. RUSSELL
Assistant Supervisor

RHR/leo

09-04-1956: letter to mr. werner mayr, mary bros. logging co., inc. from assistant supervisor regarding s. w. application #13842

September 4, 1956

C
O
P
Y

Mr. Werner Mayr
Mary Bros. Logging Co., Inc.
Route #3, Box 4
Hoquiam, Washington

Dear Sir: Re: S. W. Application #13842
Olympic National Park

Receipt is acknowledged of your letter of August 30, 1956 advising that you and your brother own approximately 850 acres of timber and land in the Kalaloch Creek drainage and that you are taking the opportunity of submitting a protest against subject application in order that you may bring to the attention of the applicant the possibility that the source of water from which the proposed diversion is to be made may be subject to disturbance and perhaps pollution as the result of contemplated logging operations on your property.

Although your letter is not actually a protest against the appropriation of water we will accept it and place it on file in our records relative to subject application and the contents of your letter will be made known to the applicant in order that it may be considered during the planning stages of the Park Services development of the proposed water supply.

Yours very truly,

DIVISION OF WATER RESOURCES

ROBERT H. RUSSELL
Assistant Supervisor

RHR/leo
cc: Olympic National Park

08-27-1956: affidavit of publication for water right application #13842

7 1384

STATE OF WASHINGTON
Office of Supervisor of Water Resources, Olympia
NOTICE OF WATER RIGHT APPLICATION NO. 13842

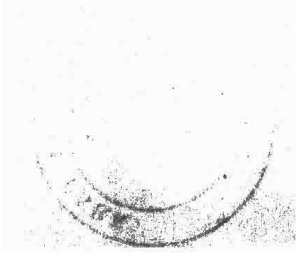
TAKE NOTICE: That OLYMPIC NATIONAL PARK of Port Angeles, Washington on April 12, 1956, filed application for permit to divert the public waters of Kalaloch Creek tributary of Pacific Ocean, in the amount of 0.10 second foot, subject to existing rights, continuously each year for the purpose of domestic supply, recreattional and fire protection; that the approximate point of diversion is within NE¼NE¼ of Section 9, Township 24 N., Range 13 W., W.M., in Jefferson County.

Any objections must be accompanied by a two dollar ($2.00) recording fee and filed with the State Supervisor of Water Resources within thirty (30) days from August 23, 1956.

Witness my hand and official seal this 7th day of August, 1956.

M. G. WALKER,
State Supervisor of Water Resources.

814 8-23



Affidavit of Publication

STATE OF WASHINGTON }
COUNTY OF JEFFERSON } ss.

RICHARD F. McCURDY, being sworn, says he is the publisher of the Port Townsend Leader, a weekly newspaper which has been established, published in the English language and circulated continuously as a weekly newspaper in the town of Port Townsend, in said county and State, and of general circulation in said county for more than six (6) months prior to the date of the first publication of the Notice hereto attached, and that the said Port Townsend Leader was on the 27th day of June, 1941, approved as a legal newspaper by the Superior Court of said Jefferson County, and that the annexed is a true copy of the.....

Water right application # 13842

as it appeared in the regular and entire issue of said paper itself and not in a supplement thereof

for a period of two consecutive weeks, beginning on the 16th day of August, 195 6, and ending on the 23rd day of August, 195 6, and that said newspaper was regularly distributed to its subscribers during all of this period. That the full amount of $ 5.84 has been paid in full, at the rate of $2.40 a hundred words for the first insertion and $1.80 a hundred words for each subsequent insertion.

Richard F. McCurdy

Subscribed and sworn to before me this 27 day of August, 195 6

G. D. Hunt

Notary Public in and for the State of Washington, residing at Port Townsend.

07-24-1956: letter to supervisor, division of water resources from superintendent regarding an affidavit of publication of surface wa

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

L3031

July 24, 1956

RECEIVED
NPS, REGION FOUR OFFICE
JUL 27 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		

Mr. M. G. Walker, Supervisor
Division of Water Resources
Department of Conservation and Development
Transportation Building
Olympia, Washington

Dear Mr. Walker:

I am enclosing an Affidavit of Publication of Surface Water Application No. 13842. It will be noted that the publication was in the Jefferson County Herald on July 3 and July 10, 1956.

Sincerely yours,

(Sgd) FRED J. OVERLY

Fred J. Overly
Superintendent

Enclosure
CC: Director
Regional Director, Region Four
w/c of enclosure

07-10-1956: affidavit of publication for notice of water right application no. 13842

STATE OF WASHINGTON
[redacted]

NOTICE OF WATER RIGHT APPLICATION NO. 13842

TAKE NOTICE:

That OLYMPIC NATIONAL PARK of Port Angeles, Washington on April 12, 1956, filed application for permit to divert the public waters of Kalaloch Creek tributary of Pacific Ocean, in the amount of 0.10 second foot, subject to existing rights, continuously each year for the purpose of domestic, recreational and fire protection; that the approximate point of diversion is located within NE¼NE¼ of Section 9, Township 24 N., Range 13 W. W. M., in Jefferson County.

Any objections must be accompanied by a two dollar ($2.00) recording fee and filed with the State Supervisor of Water Resources within thirty (30) days from July 10, 1956.

Witness my hand and official seal this 17th day of May, 1956.
(Seal)

M. G. WALKER
State Supervisor of Water Resources
(July 3-10, 1956)

Affidavit of Publication

STATE OF WASHINGTON)
COUNTY OF JEFFERSON) ss.

No. 13842

Olympic Printing Co., Inc., being first duly sworn, on oath deposes and says that it is the publisher of the JEFFERSON COUNTY HERALD, a weekly newspaper. That said newspaper is a newspaper of general circulation in Jefferson County, and it is now and has been for more than six moths prior to the date of the publication hereinafter referred to, published in the English language continually as a weekly newspaper in Port Townsend, Washington, and it is now and during all of said time was printed in an office maintained at the foresaid place of publication of said newspaper.

That the annexed is a true copy of a Notice of Water Right Application, as it was published in regular issues (and not in supplement form) of said newspaper once each week for a period of two consecutive weeks, commencing on the 3rd day of July, 1956, and ending on the 10th day of July, 1956, both dates inclusive, and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is the sum of $ 6.00, which amount has been paid in full.

James W. Weir
Manager

Subscribed and sworn to before me this 10th day of July, 1956.

[illegible]
Notary Public in and for the State of Washington,
Residing at Port Townsend.

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

BFM L54-

File – DOCKET NO.7 OLYMPIC

RECEIVED
NPS, REGION FOUR OFFICE
APR 12 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		

April 10, 1956

Mr. M. G. Walker, Supervisor
State Division of Water Resources
Transportation Building
Olympia, Washington

Dear Mr. Walker:

Enclosed are an application for the appropriation of 0.1 sec. ft. of the waters of Kalaloch Creek in the coastal strip at Olympic National Park, three photostatic reductions of supporting Drawing NP-OLY-6960, and a voucher and purchase order to cover the filing fee. The drawing was reduced to 400 feet to the inch, or twice the scale of your standard plats, as a result of your letter of January 23 to A. van V. Dunn, Chief of our Water Resources Section in Washington.

The voucher should be signed and returned to the Director, National Park Service, Washington 25, D. C., for payment. It is also requested that you send copies of all future correspondence to the Director in order that Mr. Dunn and I may both be informed as soon as possible.

This water claim and the development are on what was formerly known as Beckers Resort for which Application 4104 was formerly claimed for power, and for which parts of the domestic and recreational water supply were developed without an apparent appropriation. For this reason, we also enclose a marked print of sheet 3 of Drawing OLY-8016 which shows the parcels of land in the Kalaloch Area which have been acquired by the United States, and marked copies of the Judgement and Declaration of Taking of June 26, 1940 which covers title to tracts J-241, J-242, J-245B and J-246 on pages 26-28; the Judgement and Declaration of Taking of August 14, 1940 covers title to tracts J-247, J-248, J-250, J-252- J-253, J-254, J-255, J-256, J-256A, J-257 and J-258 on pages 5 to 8; the deed of January 30, 1941, order of November 20, 1940, Removing Restrictions, letter of January 10, 1942 from the Attorney General, acceptance of title, all relating to tract J-251; and the Court Order of September 24, 1941, and letter of October 7, 1941, from the Attorney General concerning the Judgement and Declaration of Taking of Tract J-249.

Sincerely yours,
(Sgd) FRED J. OVERLY
Fred J. Overly
Superintendent

CC: Director (2)
Regional Director, Reg.4
WODC

Form 10. S. F. No. 370-A—8-54—5M. 39178.

Please send $10.00 minimum statutory examination fee with application.

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
Division of Water Resources

APPLICATION FOR A PERMIT
To Appropriate Public Waters of the State of Washington

(Read directions on last page carefully before filling out this form)

Application No. 13842

I, The United States of America by Fred J Overly Superintendent
(Name of applicant)

of Olympic National Park P O. Box 591 Port Angeles. Washington
(Complete postoffice address)

do hereby make application for a permit to appropriate the following described public waters of the State of Washington subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. *The source of the proposed appropriation is* Kalaloch Creek
(Name of stream)

tributary of Pacific Ocean

2. *The amount of water which the applicant intends to apply to beneficial use is* 0 1

cubic feet per second, ——— *acre-feet per year.*

3. *The use to which the water is to be applied is* Domestic, recreational and fire protection at Kalaloch Resort area of Olympic National Park
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *Time during which water will be required each year* January 1 to December 31

5. *The approximate point of diversion is located* S 72°18' W. 797 feet from NE Corner Sec. 9 T 24 N R 13 W WM
(Give distance and bearing to section corner)

being within the NE ¼ NE¼ *of Sec.* 9, *Tp.* 24 *N., R.* 13 *W. M.,*
(Give smallest legal subdivision) (E. or W.)

in the county of Jefferson

6. *The* main diversion pipe *to be* 300 *ft. or miles in length, terminating*
(Main ditch, canal, or pipe line)

in the NE¼ NE¼ *of Sec.* 9, *Tp.* 24 *N., R.* 13 *W. M.,*
(Smallest legal subdivision) (E. or W.)

the proposed location being shown on the accompanying map.

7. *Estimated cost of development necessary to utilize fully the appropriation herein asked for* $ 75,000

8. *Does the stream from which you wish to appropriate water flow through the tract of land on which the water is to be used?* Yes

9. **DESCRIPTION OF WORKS:**

(a) DIVERSION WORKS—

(1) *Height of diversion dam* none *; length on top* ——— *feet; length on bottom* ——— *feet; material to be used and character of construction*

(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(2) *Description of headgate* Water is diverted by 16 gpm centrifugal pump, driven by 2 HP electric motor. The unit will be replaced by 50 gpm pump and comparable intake pipe and motor unit
(Timber, concrete, etc., number and size of openings)

When storage works are contemplated a storage permit must be filed in addition to the above. These forms can be secured, together with instructions, by addressing the State Supervisor of Water Resources, Olympia, Washington.

(b) *Description of Ditch or Pipeline System* 4" galvanized steel diversion pipe. Existing 30,000 gallon elevated tank and 6,500' of 1" to 4 distribution mains to be replaced by 100,000 gallon reservoir and approximately 10,000 feet of 6" mains.

10. **IRRIGATION:** *Number of acres to be irrigated* incidental lawn sprinkling

11. **MUNICIPAL OR COMMUNITY WATER SUPPLY:**

To supply the city or community of Kalaloch Resort area (Name) Jefferson (Name) *County, having a* peak *present population of* 500 *and an estimated* peak *population of* 1,000 *in 19*65

(a) *Estimated present requirement* 0.03 sec.ft.

12. **LEGAL DESCRIPTION OF PROPERTY** *on which water is to be used,* ***for all purposes*** *other than Municipal Supply or Power (Copy legal description from deed)*

The Kalaloch Resort area in SE¼ Sec. 4 and NE¼ Sec. 9 is part of federally owned land in Olympic National Park, title having been acquired in two judgments of June 26, 1940 and August 14, 1940, on Declarations of Taking in Case No. 218 in the U.S. District Court, Western District of Washington, of Tracts Nos. J-241, J-242, J-245B, J-246, J-247, J-248, J-249, J-250, J-251, J-252, J-253, J-254, J-255, J-256, J-257 and J-258. Copies of the judgments and a supporting map, Drawing NP-OLY-8016, Sheet3, are attached.

(a) *What interest do you have in the above described property* land owned, developed and operated by the United States and its authorized concessioners.

(b) *Are there any existing water rights appurtenant to the above described property* No

If so, from what source So far as known, the only appropriative claim to Kalaloch Creek under Application 4104, Permit 2229 was filed by Bill Becker, former owner of Tract J-245B and was cancelled. This application covers past and future Federal enlargements of water system which formerly served all or parts of above listed tracts under undetermined claims

13. **POWER:** or rights.

(a) *Total amount of power to be developed* ..... (Theoretical horsepower) *H. P.*

(b) *Total fall to be utilized* ..... (Head) *feet.*

(c) *The nature of the works by means of which the power is to be developed*

(d) *Such works to be located in* ..... (Legal subdivision) *of Sec.* ....., *Tp.* ..... *N., Rge.* ..... (E. or W.) *W. M.*

(e) *To what stream is the water to be returned?*

(f) *Locate point of return* ..... *Sec.* ....., *Tp.* ..... *N., Rge.* ..... (E. or W.) *W. M.*

(g) *The use to which power is to be applied is*

14. WORK SCHEDULE:

(a) *Construction work* ~~will begin~~ was begun *on or before* 1928

(b) *Construction work will be completed* ~~on~~ in *or before* 1965

Triplicate maps of the proposed ditch or other work, prepared in accordance with the rules of the State Supervisor of Water Resources, accompany this application. Drawing No. NP-OLY-6960

(SIGN HERE) Fred J. Overly, Superintendent, Olympic National Park Address P.O.Box 591, Port Angeles, Washington

(SIGN HERE) Fred J. Overly, Superintendent, Olympic National Park (Owner of Land in item 12) Address P.O.Box 591, Port Angeles, Washington

Signed in the presence of us as witnesses:

(1) ..... (Name) ....., ... (Address of witness)

(2) ..... (Name) ....., ... (Address of witness)

Remarks: Nothing in this application constitutes a waiver of any other rights which the United States may have to the same water.

STATE OF WASHINGTON, }
COUNTY OF THURSTON. } *ss.*

This is to certify that I have examined the foregoing application together with the accompanying maps and data, and return the same for correction or completion, as follows: .....

In order to retain its priority, this application must be returned to the State Supervisor of Water Resources, with corrections, on or before ....., *19*.....

WITNESS my hand this .....*day of* ....., *19*.....

.....
State Supervisor of Water Resources.

DIRECTIONS FOR PREPARING APPLICATIONS

Initial examination fee of $10.00 should accompany each application. If additional fee is required, you will be notified.

1. Write plainly in ink or use typewriter.

2. Read carefully all questions. Answer only those that apply to your project.

3. Under Question 2 estimate quantity in cubic feet per second or gallons per minute.

1 cubic foot per second equals 450 gallons per minute and is sufficient to irrigate from 40 to 100 acres of land.

0.1 of a cubic foot per second equals 45 gallons per minute and is sufficient for domestic supply and irrigation of 5 to 10 acres of land.

0.05 of a cubic foot per second equals 22 gallons per minute or 31,700 gallons per day. This is ample for a domestic supply and for irrigation of lawn and garden up to 1 or 2 acres.

0.01 of a cubic foot per second equals 4.5 gallons per minute or 6,500 gallons per day. This is ample for an ordinary domestic supply and for irrigation of about ½ acre.

4. Maps, showing the location of the stream, point of diversion and place of use, must be made in triplicate (3) on the enclosed section plats. If for irrigation, show the approximate area to be irrigated.

5. In answering Question 5 give approximate distance and direction of diversion point from nearest 40-acre corner, as

"320 feet North and 1100 feet East from South quarter corner of Section 1, Township 13 North, Range 2 East, W. M."

or

"North 36 degrees 20 minutes East 550 feet from the Northeast Corner of the Northwest Quarter of the Southwest Quarter of Section 33, Township 12 North, Range 3 East, W. M."

6. **Right-of-Way.** If you wish to divert water from or across land not owned by you it will be necessary to secure from the owner the right-of-way needed. The State cannot help you in this.

7. Be sure to give on the map brief directions for driving to the point of diversion from some town or easily located point on a State Highway. This is for our convenience in making the examination.

8. If you have been using water since before June 15, 1917, a State permit will be of no advantage to you for that particular use.

9. Sign application on the line indicated on page 3.

SCHEDULE OF FEES DUE IN CONNECTION WITH OBTAINING WATER RIGHTS

(Sec. 44 of Water Code—Sec. 90.04.040, RCW.)

EXAMINATION FEES

There is a minimum fee of $10.00 for all applications received.

Additional Examination Fees for Appropriation Applications:

$2.00 per c. f. s. over 5 c. f. s. to 500 c. f. s., inclusive.
.50 per c. f. s. over 500 c. f. s. to 2000 c. f. s., inclusive.
.20 per c. f. s. over 2000 c. f. s.

Additional Examination Fees for Reservoir Applications:

1¢ per acre-foot over 1000 a. f. up to 100,000 a. f., inclusive.
1/5¢ per acre-foot over 100,000 acre-feet.

FEES FOR FILING AND RECORDING PERMITS

There is a minimum fee of $4.00 for filing and recording permit.

Additional Permit Fee for Irrigation Purposes:

20¢ per acre over 20 acres to 100 acres, inclusive.
10¢ per acre over 100 acres to 1000 acres, inclusive.
5¢ per acre over 1000 acres.

Additional Permit Fee for Power Purposes:

20¢ per theoretical horsepower over 20 H. P. to 1000 H. P., inclusive.
4¢ per theoretical horsepower over 1000 H. P.

Permit Fee for Other Uses:

For all other beneficial purposes the fee is **twice** the amount of the examination fee, except for individual household and domestic use; this may include water for the irrigation of a family garden, for which the minimum fee of $4.00 is charged.

FILING AND RECORDING FINAL WATER RIGHT CERTIFICATE

In office of Supervisor of Water Resources.. $3.00
In office of County Auditor..... 1.25

COPY

S. F. No. 370—1932. Approved as to Form by Dept. of Efficiency. 11823.
Form 10

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
Division of Hydraulics

APPLICATION FOR A PERMIT
To Appropriate Public Waters of the State of Washington

Application No. 4104 Cancelled 3-26-41 Cancelled 1-7-38 Reinstated 12-30-38 *Permit No.* 2229

I, Bill Becker (Name of applicant),

of Kalaloch, Wash. (Postoffice), *County of* Jefferson,

State of Wash., *do hereby make application for a permit to appropriate the following described public waters of the State of Washington subject to existing rights:*

If the applicant is a corporation, give date and place of incorporation .....

1. *The source of the proposed appropriation is* Kalaloch Creek (Name of stream)
tributary of Pacific Ocean

2. *The amount of water which the applicant intends to apply to beneficial use is* 10 *cubic feet per second.*

3. *The use to which the water is to be applied is* Power (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *Time during which water will be required each year* Continuously

5. *The approximate point of diversion is located* N48-08E or 1038 ft. NE from (Give distance and bearing to section corner)
SW corner of Sec. 3 Tp. 24N R13 W.W.M.

being within the SW¼ of SW¼ (Give smallest legal subdivision) *of Sec.* 3, *Tp.* 24 *N., R.* 13 W. (No. E. or W.) *W. M.,*
in the county of Jefferson

6. *The* Pipe line (Main ditch, canal, or pipe line) *to be* 200 *ft.* ~~or miles~~ *in length, terminating in the* SW¼ of SW¼ (Smallest legal subdivision) *of Sec.* 3, *Tp.* 24 *N., R.* 13 W. (No. E. or W.) *W. M., the proposed location being shown on the accompanying map.*

7. *The name of the ditch, canal or other works is* .....

8. *Estimated cost of development necessary to utilize fully the appropriation herein asked for* $ 2,000.

9. *Does the stream from which you wish to appropriate water flow through the tract of land on which the water is to be used?* Yes

10. *Do you own the required right-of-way for the proposed works?* No. State Land

DESCRIPTION OF WORKS.

DIVERSION WORKS—

11. *(a) Height of diversion dam* 2 ft. *feet; length on top* ..... *feet; length at bottom* ..... *feet; material to be used and character of construction* .....
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate concrete and timber
(Timber, concrete, etc.; number and size of openings)

When storage works are contemplated a storage permit must be filed in addition to the above. These forms can be secured, together with instructions, by addressing the State Supervisor of Hydraulics, Olympia, Washington.

Formerly appropriation - Deed 26 - Changed to Docket 7.

CANAL SYSTEM—

12. *(a) Give approximate dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: Width on top (at water line)* ..... *feet; width on bottom* ..... *feet; depth of water* ..... *feet; grade* ..... *feet fall per one thousand feet.*

(b) At ..... *miles from headgate: Width on top (at water line)* ..... *feet; width on bottom* ..... *feet; depth of water* ..... *feet; grade* ..... *feet fall per one thousand feet.*

.....

.....

.....

SUPPLY THE FOLLOWING INFORMATION ACCORDING TO USE PROPOSED:

IRRIGATION—

13. *The land to be irrigated has a total area of* ..... *acres, described as follows:* .....
(Give legal subdivision by section, township and range)

.....

.....

.....

.....

.....

.....

.....

.....
(If more space is required, attach separate sheet)

14. *Give the legal description of land when water is to be used for purposes other than irrigation, power and municipal supply* ..... *Sec.* ....., *Tp.* ..... *N., Rge.* ..... *W. M.,*
(Legal subdivisions) (E. or W.)

(a) To what stream is water returned .....

(b) Locate the point of return ..... *Sec.* ....., *Tp.* ..... *N., Rge.* ..... *W. M.,*
(Smallest legal subdivision of section) (E. or W.)

POWER—

15. *(a) Total amount of power to be developed* 9. plus *H. P.*
(Theoretical horsepower)

(b) Total fall to be utilized 8 ft *feet.*
(Head)

(c) The nature of the works by means of which the power is to be developed .....

.....

.....

(d) Such works to be located in SW¼ of SW¼ *of Sec.* 3,
(Legal subdivision)

Tp. 24 *N., Rge.* 13 W. *W. M.*
(No. E. or W.)

(e) To what stream is the water to be returned Same stream

(f) Locate point of return SW¼ of SW¼ *Sec.* 3,

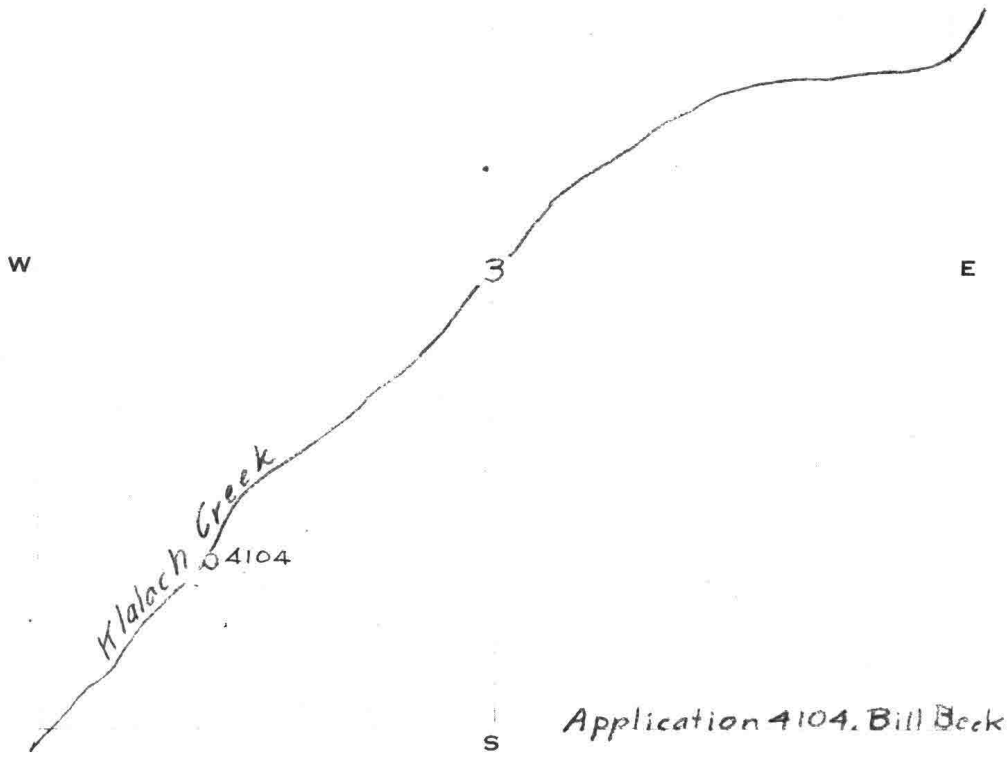
Tp. 24 N *N., Rge.* 13 W. *W. M.*
(No. E. or W.)

(g) The use to which power is to be applied is private community use

S. F. No. 1854-A—10-2-40—2M. 20188.

SECTION PLAT

Sec. 3 Twp. 24 N. R. 13 W



Be sure to show distance and bearing of point of diversion from nearest 40-acre corner. Also traveling directions from nearest town on main highway.

Scale: 1 inch = 800 feet.

App. 2366 Permit 1248 - of E. J. Nixon was cancelled.



MUNICIPAL SUPPLY—

16. *To supply the city of* ..... (Name) ....., *County, having a present population of* ..... *and an estimated population of* ..... *in 19* .....

(a) Estimated present requirement .....

(b) Estimated future requirement .....

17. *Construction work will begin on or before* Nov. 1, 1935

18. *Construction work will be completed on or before* Nov. 1, 1936

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Supervisor of Hydraulics accompany this application.

Bill Becker
(Name of applicant)

/s/ Bill Becker

Signed in the presence of us as witnesses:

(1) /s/ George A. Shaube (Name), Kalaloch, Wash. (Address of witness)

(2) ..... (Name), ... (Address of witness)

Remarks: This application covers site now held by Anderson and Ultican which was transfered to them by E. J. Nixon. This temporary permit has run since 1928 with no development. (Nixon permit cancelled)

STATE OF WASHINGTON,
COUNTY OF THURSTON. } ss.

This is to certify that I have examined the foregoing application together with the accompanying maps and data, and return the same for correction or completion, as follows: .....

In order to retain its priority, this application must be returned to the State Supervisor of Hydraulics, with corrections, on or before ....., *19* .....

WITNESS my hand this ..... *day of* ....., *19* .....

State Supervisor of Hydraulics.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions: If for irrigation, this appropriation shall be subject to such reasonable rotation system as may be ordered by the State Supervisor of Hydraulics.

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and not to exceed 10.0 *cubic feet per second, or its equivalent in case of rotation.*

The priority date of this permit is May 10th, 1935

Actual construction work shall begin on or before November 1st, 1936 Extended to 1-1-40 *and shall thereafter be prosecuted with reasonable diligence and be completed on or before* November 1st, 1937

Complete application of the water to the proposed use shall be made on or before November 1st, 1938

(SEAL)

Given under my hand and the seal of this office at Olympia, Washington, this 4th *day of* November, *19* 35

/s/ CHAS. J. BARTHOLET
State Supervisor of Hydraulics.

Application No. 4104
Permit No. 2229

PERMIT
To Appropriate Public Waters of the State of Washington

Issued to Bill Bosler
In the County of Jefferson

County of Jefferson

This instrument was first received in the office of the State Supervisor of Hydraulics, Olympia, Washington, on the 10th day of May, 35, at 2:00 o'clock P. M.

Approved November 4th, 1935

Recorded in Book No. of Permits, on Page

CHAS. J. BARTHOLET
State Supervisor of Hydraulics.

JAY THOMAS, PUBLIC PRINTER, OLYMPIA

Before your certificate of water right is issued it will be necessary for you to file with the State Supervisor of Hydraulics a copy of each of the following reports:

1st. Progress reports (in case temporary permit is issued).
2nd. Affidavit of publication of notice of water right application.
3rd. Notice of beginning of construction.
4th. Notice of completion of construction.
5th. Notice of application of water to a beneficial use.
6th. Proof of appropriation of water.

Upon a satisfactory showing that the appropriation has been perfected as provided by statute the State Supervisor of Hydraulics will issue a water right certificate.

(Blanks will be furnished by the office of State Supervisor of Hydraulics)

Land History

00-00-0000: title reviewed and found to be satisfactory for the solicitor

6B

DEPARTMENT OF THE INTERIOR
Office of the Solicitor

Title reviewed and found to be satisfactory.

For the Solicitor,

Assistant Solicitor.

DEPARTMENT OF THE INTERIOR
Office of the Secretary

FEB - 3 1942

Title accepted as recommended.

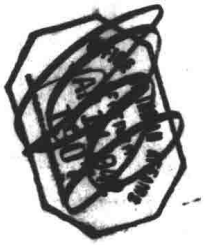
First Assistant Secretary.

01-10-1942: letter to secretary of the interior from attorney general regarding a re-examination made on the title data relating to 2.

76

Office of the Attorney General
Washington, D.C.

January 10, 1942



INTERIOR DEPT.
SECRETARY'S
MAIL CENTER
JAN 14 1942
TO OFFICE OF
INDIAN AFFAIRS

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

A re-examination has been made of the title data relating to 2.45 acres of land, more or less, Tract No. J-251, Olympic Project in Jefferson County, Washington. This land is conveyed to the United States of America under the provisions of existing legislation by Fannie DeLamater and husband under deed dated January 30, 1941, and recorded among the land records of the county on November 6, 1941, in Volume 112 of Deeds at page 336. The file number of this Department is 33-49-222-5.

The land is described in the aforesaid deed, which recites a consideration of $3,245.00.

The certificate of title, No. B-148749, dated as of December 2, 1941, was prepared by the Washington Title Insurance Company and is satisfactory.

The certificate, recorded deed, and accompanying data disclose valid title to be vested in the United States of America.

The certificate of title, abstract, consisting of 29 pages, deed and related papers are enclosed.

Respectfully,

Francis Biddle

Attorney General

Abstract Examined by G. A. O.
Date JUN 9 1942

01-30-1941: an indenture made between mr. and mrs. delamater, quinaielt indian reservation, state of washington and the united s

1-C

This Indenture, Made this 30th day of January A. D. 1941 between Fannie DeLamater and Albert Delamater, husband and wife, of the village of Queets, Quinaielt Indian Reservation, Jefferson County, State of Washington, part ies of the first part, and the United States of America

RECEIVED
JAN 31 1941
10012

part y of the second part

Witnesseth, That the said part ies of the first part, for and in consideration of the sum of Three Thousand, Two Hundred and Forty-five ($3,245.00) Dollars of the United States of America to them in hand paid by the said part y of the second part, do by these presents, grant, bargain, sell, convey and confirm unto the said part y of the second part, its successors and assigns, the following real estate, lying and being in the County of Jefferson, State of Washington, described as follows, to-wit: That part of Lot two (2) of Section nine (9), Township twenty-four (24) North, Range thirteen (13) West of the ~~Willamette Meridian,~~ described as follows: From the southwest corner of the northeast quarter of the northeast quarter (SW cor. of NE/4) of said Section 9, 297 feet east to the west line of the Olympic Highway; thence along the west line of said highway, ~~south 10° 0' east, 93 feet~~ to the center line of the Sumerlin roadway; which is the point of beginning; thence along the center line of said roadway, south 67° 30' west, 135 feet; thence along the center line of said roadway north 87° 0' west, 606.5 feet, ~~more or less,~~ to the meander line of the Ocean beach; thence along said meander line south 20° 0' east 125 feet to the tract of land heretofore sold to George Northup; thence east 120 feet, more or less; thence south 50 feet, more or less; thence east ~~607 feet, to the west line of the Olympic Highway; thence along~~ the west line of said highway, north 10° 0' west, 191 feet to the point of beginning, containing 2.45 acres, more or less,

With all and singular the hereditaments and appurtenances to the same belonging or appertaining, the reversion or reversions, the remainder or remainders, rents, issues and profits thereof.

To Have and To Hold, The above granted premises unto the said part y of the second part, its successors and assigns forever, with all the privileges and appurtenances thereto belonging.

And the said part ies of the first part do covenant for themselves and their heirs, executors, administrators and assigns to and with the said part y of the second part, its successors and assigns as follows:

1st. That the said part ies of the first part are seized of the said premises in fee simple, and ha ve good right to convey the same.
2nd. That the said part y of the second part shall quietly enjoy the said premises.
3rd. That the said premises are free from all encumbrances.

4th. That the said part ies of the first part will warrant and defend the title to the same forever against all lawful claims and demands whatsoever.

In Witness Whereof, The said part ies of the first part have hereunto set their hand s and seal s the day and year first above written.

Signed and Sealed in the presence of

Fannie DeLamater (Seal)
Albert Delamater (Seal)
(Seal)
(Seal)

Abstract Examined by G. A. G.
[illegible] 1941

A-1

State of OREGON)
County of Klamath) ss.

I, the undersigned a Notary Public in and for the State of Washington, residing at Klamath Falls Oregon in said County do hereby certify that on this 6th day of Feb A. D. 1941 personally appeared before me Fannie DeLamater and Albert DeLamater, husband and wife

[redacted]

to me known to be the individual s described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal, this 6th day of Feb, A. D. 1941.

Notary Public in and for said State,
Residing at Klamath Falls in said County.
Commission expires Nov 23 1941

(SEAL)

95906

Warranty Deed

Fannie DeLamater, et ux

TO

The United States of America

State of Washington)
County of Jefferson) ss.

I hereby certify that the within instrument was deposited and received for record in the office of the County Auditor of Jefferson County, Wash., on the 6th day of February, A. D. 1941, at 10:00 min past A. M. and at the request of Paul Coughlin was recorded in Vol. 32 on page 336 of the records of Deeds of said County.

Witness my hand and official seal this 6th day of February A. D. 1941.

Ed M. Richardson
County Auditor Jefferson County, Wash.
By Marion Fuller Deputy

RECORDED INDEXED PROOF READ

WASHINGTONIAN, PORT TOWNSEND, WASH.

3-B

UNITED STATES

DEPARTMENT OF THE INTERIOR

OFFICE OF THE SECRETARY

WASHINGTON

BUREAU OF INDIAN AFFAIRS
RECEIVED
FEB 17 1941
10012

NOV 20 1940

ORDER REMOVING RESTRICTIONS

WHEREAS, by deed dated April 21, 1936, W. A. Sumerlin, Agnes Sumerlin, and Jack B. Thompson conveyed to Fannie DeLamater, an Indian under the jurisdiction of the Taholah Indian Agency, Hoquiam, Washington, the following described land:

> That part of Lot 2 of Section 9, Township 24 North, Range 13 West of the Willamette Meridian, described as follows: From the southwest corner of the northeast quarter of northeast quarter of said Section 9, 297 feet east to the west line of the Olympic Highway; thence along the west line of said highway, south 10°0' east, 93 feet to the center line of the Sumerlin roadway, which is the point of beginning; thence along the center line of said roadway, south 67°30' west, 135 feet; thence along the center line of said roadway north 87°0' west, 606.5 feet, more or less, to the meander line of the Ocean beach; thence along said meander line, south 20°0' east 125 feet to the tract of land heretofore sold to George Northup; thence east 120 feet, more or less; thence south 50 feet, more or less; thence east 607 feet, to the west line of the Olympic Highway; thence along the west line of said highway, north 10°0' west, 191 feet to the point of beginning, containing approximately 2.5 acres; and

WHEREAS, the conveyance of the above described land to Fannie DeLamater was made subject to the condition that while the title thereto was in the grantee or her heirs the property therein described shall not be alienated or encumbered without the consent of the Secretary of the Interior;

WHEREAS, the said Fannie DeLamater has applied to have the restrictions against alienation or encumbrance of the above described property removed, and upon examination, consideration, and investigation, it is found that the best interests of the applicant will be served by removing the restrictions from the said above described lands:

48



NOW, THEREFORE, by virtue of the authority conferred upon the Secretary of the Interior by the above mentioned deed, I hereby declare that all restrictions against alienation or encumbrance of the above described premises are hereby removed to take effect only and simultaneously with the execution of a deed or other instrument of conveyance by the said Fannie DeLemater.

Oscar L Chapman
[redacted] Assistant Secretary

Abstract Examined by G. A. G.
Date JUN 9 1942

11-20-1940: stamped and signed, order

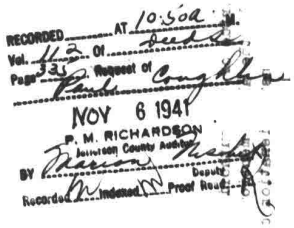
95905

Order

United States

To

Frank de Lesdernier



535 Central Bldg.

Seattle, Wn.

10-07-1941: letter to secretary of the interior from attorney general regarding a certificate of the clerk of the court showing the depo

Deed No 8

Office of the Attorney General
Washington, D.C.

October 7, 1941

NATIONAL PARK SERVICE
RECEIVED
OCT 9 - 1941
MAILS AND FILES

INTERIOR DEPT
SECRETARY'S
MAIL CENTER
OCT - 8 1941
TO SOLICITOR

INTERIOR DEPT.
SECRETARY'S
MAIL CENTER
OCT - 8 1941
TO NATIONAL
PARK SERVICE

Honorable Harold L. Ickes
Secretary of the Interior
Washington, D. C.

My dear Mr. Secretary:

Enclosed is a certificate of the clerk of the court showing the deposit of the sum of $670.00 into the registry of the court, pursuant to a deficiency judgment dated June 25, 1941, concerning the acquisition of Tract No. J-249, 1.92 acres, of the Olympic Project, included in the condemnation proceeding entitled United States of America v. John B. Aaker, et al., No. 218 at Law, in the District Court of the United States for the Western District of Washington, Northern Division.

The title to Tract No. J-249 has heretofore vested in the United States of America as stated in the opinion of this Department, dated August 18, 1941. The above-mentioned judgment is now satisfied and the acquisition of Tract No. J-249 is completed.

Also enclosed is a certified copy of the order directing the clerk to pay the deficiency judgment and the final certificate of title.

Respectfully,

Francis Biddle
Attorney General.

09-24-1941: an order directing clerk to pay judgement in tract j-249 in the district court of the u.s. for the western district of washin

21 A

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF WASHINGTON

NORTHERN DIVISION

UNITED STATES OF AMERICA, Petitioner, v. JOHN B. AAKER, et al. J. W. McNUALTY and CARRIE S. McNUALTY, his wife, Respondents.	NO. 218 ORDER DIRECTING CLERK TO PAY JUDGMENT IN TRACT J-249

This matter coming on regularly before the Court this 24th day of September, 1941, Henry I. Kyle, Special Attorney of the Department of Justice, appearing for the petitioner, the United States of America; and it appearing to the Court that on the 25th day of June, 1941 a judgment in the amount of Six Hundred Seventy Dollars ($670.00) was signed and entered in favor of J. W. McNualty and Carrie S. McNualty, his wife, in full settlement of all claims against the United States of America and as final award of just compensation for the taking of the real property designated as Tract J-249 and more particularly described in the judgment on file herein; and it further appearing to the Court that on the 22nd day of September, 1941 the amount of Six Hundred Seventy Dollars ($670.00) was paid by the Department of the Interior, Public Works, to the Clerk of the United States District Court for the Western District of Washington and is now on deposit in the registry of said Court; and the Court being fully advised in the premises, now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the Clerk of the United States District Court for the Western District of Washington be, and he is hereby, authorized and directed to pay to J. W. McNualty and Carrie S. McNualty, his wife, 308 E. Baldwin, Spokane, Washington,

Paid #8

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the sum of Six Hundred Seventy Dollars ($670.00), and it is further

ORDERED, ADJUDGED and DECREED that the payment of said judgment, in said total sum of Six Hundred Seventy Dollars ($670.00) shall constitute full settlement of all claims against the United States of America and final award of just compensation for the taking of said real estate designated as Tract J-249, and it is further

ORDERED, ADJUDGED and DECREED that the title to Tract J-249 is vested in the United States of America, free and clear of any and all charges, interests, claims, taxes, liens and encumbrances of any kind or character whatsoever, except for those rights in the property set forth in the petition for condemnation filed in this action as exceptions to the fee simple title to be taken by the United States of America.

DONE IN OPEN COURT this 24th day of September, 1941.

LLOYD L. BLACK
United States District Judge

Presented by:

HENRY L. KYLE
Special Attorney
Department of Justice

The foregoing is a full, true and correct copy of an original Order
filed on the 24th day of Sept. 1941
WITNESS my hand and official seal this 24th day
of Sept. 1941
MILLARD P. THOMAS, Clerk
By C. R. Fitzgerald
DEPUTY

06-26-1940: showing clerk paying based on order

DEPARTMENT OF JUSTICE

UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK
WESTERN DISTRICT OF WASHINGTON
Seattle, Washington

June 26, 1940

I, MILLARD P. THOMAS, Clerk of the United States District Court for the Western District of Washington, do hereby certify that I have this day received from G. F. Allen, Int. Dept. of Public Works the sum of EIGHT HUNDRED NINETY NINE THOUSAND TWO HUNDRED SIXTY ONE and 60/100 ($899,261.60) DOLLARS, estimated value in Declaration of Taking proceedings for the acquisition of 35041.26 acres of land situate in Clallam and Jefferson Counties, Washington, Cause No. 218, United States of America, Petitioner, vs. John Doe, et al., Respondents.

I further certify that I have this day deposited the aforesaid moneys in the registry of this Court.

WITNESS my hand and official seal at Seattle, Washington, this 26th day of June, 1940.

Millard P. Thomas

MILLARD P. THOMAS, Clerk

J. 241, 242, 245 B + 246

6/26/40

pages 26-28

06-26-1940: a judgement on declaration of taking in the district court of the u.s. for the western district of washington northern divi

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE WESTERN DISTRICT OF WASHINGTON

NORTHERN DIVISION

UNITED STATES OF AMERICA, Petitioner	)	NO. 218
VS.	)	JUDGMENT ON DECLARATION OF TAKING
JOHN B. AAKER, et al., Respondents,	)	

This cause coming on to be heard at this term of Court upon the motion of the petitioner, the United States of America, to enter a judgment on the Declaration of Taking filed in the above-entitled cause on June 26, 1940, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof and of the condemnation petition filed herein, said Declaration of Taking, the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the Acting Under Secretary of the Interior, the authority empowered by law to acquire the lands described in said petition, and also under authority of the Attorney General of the United States;

THIRD: That said petition and Declaration of Taking state the authority under which, and the public use for which said lands were taken, that the Acting Under Secretary of the Interior is the person duly authorized and empowered by law to acquire lands such as are described in the Petition for the purpose of providing for the construction of roads, trails, fire-breaks, lookout towers, rangers' cabins, public beach facilities and

utilities including sewer, water and telephone systems in connection with the Olympic Project of the National Park Service of the Department of the Interior, as authorized by law, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the said lands taken for said public use;

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of Eight Hundred Ninety-Nine Thousand, Two Hundred Sixty-One and 60/100 Dollars ($899,261.60), and that said sum was deposited in the Registry of this Court, for the use of the persons entitled thereto, upon and at the time of the filing of said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate award of compensation, for the taking of said property, in the opinion of the said Acting Under Secretary of the Interior, will probably be within the limits of allocations and allotments made and provided for the purpose of said property; it is therefore, this 26th day of June, 1940.

ADJUDGED, ORDERED AND DECREED that the title to the following described lands situate in Clallam and Jefferson Counties in the State of Washington in fee simple, reserving, however, to the State of Washington or other owners the existing public highways, and the existing accesses thereto, and reserving the existing easements for public utilities, and reserving the rights of the public to navigate on and over all navigable waters included within said lands, vested in the United States of America upon the

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filing of said Declaration of Taking and the depositing in the Registry of this Court of the said sum of Eight Hundred Ninety-Nine Thousand, Two Hundred Sixty-One and 60/100 Dollars, ($899,261.60), as hereinabove recited, the said lands are deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the property taken, upon the filing of the Declaration of Taking and making of the deposit, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law:

The lands situate in Clallam County are described as follows:

2-2 Government Lot Six (6) in Section thirty (30) in Township thirty-one (31) north of Range fifteen (15) west of the Willamette Meridian, containing 29.50 acres, more or less,

2-3 Government Lots two (2), three (3), four (4), five (5), eight (8), nine (9), ten (10) and eleven (11) and the Southwest quarter of the Southeast quarter, of Section thirty (30) in Township thirty-one (31) north of Range Fifteen (15) West of the Willamette Meridian; Also Government Lots one (1), two (2), six (6), seven (7), nine (9) and the Southeast quarter of the Southeast quarter of Section twenty-five (25) in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 387.35 acres, more or less,

2-4 Government Lot five (5), the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, and the Northeast quarter of the Southwest quarter, of Section six (6) in Township thirty (30) North, of Range fifteen (15) West of the Willamette Meridian.

Government Lot twelve (12) and the Southeast quarter of the Southwest quarter of Section thirty (30) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian.

Government Lot two (2) of Section thirty-one (31) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, except the following described tract:- Beginning at the meander post on the west side of the Ozette River on the section line between Sections 30 and 31 in said township and range; thence west along said section line 100 feet; thence south 200 feet; thence east to the meander line of said Ozette River; thence following the meander line of said river in a northwesterly direction to the point of beginning; Also excepting from said Lot two (2) the tract described as follows:- Beginning at the meander post on the west side of the Ozette River on the section line between Sections 30 and 31 in said township and range; thence West along said section line 300 feet to the true point of beginning of this tract; thence West 660 feet; thence South 330 feet; thence East 660 feet; thence North 330 feet to said true point of beginning.

Government Lots three (3), four (4), five (5), seven (7), the West half of the Northeast quarter, the East half of the Northwest quarter, the Northwest quarter of the Southeast quarter, and the East half of the Southwest quarter, of Section thirty-one (31) in Township thirty-

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C-4 one (31) North of Range fifteen (15) West of the Willamette Meridian.

Government Lot three (3) of Section thirty-two (32) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian.

Government Lots one (1), two (2), three (3), four (4), the Southeast quarter of the Northwest quarter, the South half of the Northeast quarter, the East half of the Southeast quarter, and the Southwest quarter of the Southeast quarter, of Section one (1) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian.

That portion of Government Lot two (2) of Section twelve (12) in Township thirty (30) north of Range Sixteen (16) West of the Willamette Meridian, described as follows:

Beginning at the Northeast corner of said Lot 2; thence West along the Section line 200 feet; thence South to the meander line of the Pacific Ocean; thence southeasterly along said meander line to a point where said meander line intersects the East boundary line of said Lot 2; thence North along the East boundary line of said Lot 2 to the point of beginning.

The Northeast quarter of the Northeast quarter of Section twelve (12) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian.

The Northeast quarter of the Northeast quarter, and Government Lots one (1), two (2), three (3), and four (4), of Section thirty-five (35) in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian.

Shore lands of the second class situate in front of, adjacent to or upon that portion of the Government meander line lying in front of the following described uplands:

In front of Government lot two (2) of Section thirty-one (31) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, except that portion thereof described as follows:

Beginning at the meander post on the West side of the Ozette River on the section line between Sections 30 and 31 in said township and range; thence West along said section line 100 feet; thence South 200 feet; thence East to the meander line of said Ozette River; thence following the meander line of said river in a northwesterly direction to the point of beginning.

In front of Government Lot five (5) of Section thirty-one (31) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian.

In front of Government Lot three (3) of Section thirty-two (32) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, containing 1,375.36 acres, more or less.

C-11 The Northeast quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southeast quarter, of Section thirty-one (31); and Government Lots seven (7) and eight (8) of Section thirty-two (32); all in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, containing 163.80 acres, more or less.

C-12 Government Lot six (6) of Section thirty-one (31), in Township thirty-one (31), North of Range fifteen (15), West of the Willamette Meridian,

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C-12 containing 38.19 acres, more or less.

C-13 Government Lot Eight (8) in Section twenty-five (25), Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 3.00 acres, more or less.

C-14 The Southwest quarter of the Northeast quarter, the Northwest quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, and Government Lot Five (5) of Section twenty-five (25) in Township thirty-one (31) North of Range sixteen (16), West of the Willamette Meridian, containing 170.46 acres, more or less.

C-15 The Southwest quarter of Section twenty-five (25) in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-17 Government Lots three (3), four (4) and five (5) in Section twenty-six (26) in Township thirty-one (31) North of Range sixteen (16) West of Willamette Meridian, containing 145.26 acres, more or less.

C-18 Government Lot six (6) and the Northeast quarter of the southeast quarter, the Northwest quarter of the Southeast quarter and the Southeast quarter of the Southeast quarter of Section twenty-six (26) in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 169.96 acres, more or less.

C-19 All of Section thirty-six (36) in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 640.00 acres, more or less.

C-20 Government Lots five (5), six (6), the Northwest quarter of the Southeast quarter, and the Southeast quarter of the Southwest quarter of Section one (1) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 145.10 acres, more or less.

C-22 Government Lot seven (7) of Section one (1) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, except the North one hundred (100) feet thereof, containing 17.40 acres, more or less.

C-23 Government Lot one (1) of Section two (2) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 1.20 acres, more or less.

C-24 Government Lots one (1), two (2), three (3) and four (4) of Section six (6) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 155.06 acres, more or less.

C-25 Government Lots one (1) three (3) and four (4) and the Southeast quarter of the Northeast quarter of Section twelve (12) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 127.76 acres, more or less.

C-26 All of Government Lot five (5) of Section twelve (12) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, except that portion thereof conveyed to James V. Thompson, by deed dated June 29, 1954, recorded in Volume 126 of Deeds at page 55, and described as follows: - Beginning at the southeast corner of Government Lot five (5) of said Section twelve (12); thence North 660 feet; thence West to the meander line of the Pacific Ocean; thence southerly along said meander line to the point of intersection of said meander line with the section line between Sections 12 and 13 in said

C-26 township and range; thence East along said section line to the point of beginning, containing 10.90 acres, more or less.

C-27 That portion of Government Lot five (5) of Section twelve (12) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, described as follows:

Beginning at the southeast corner of Government Lot five (5) of said Section twelve (12); thence North 660 feet; thence West to the meander line of the Pacific Ocean; thence southerly along said meander line to the point of intersection of said meander line with the section line between Sections 12 and 13 in said township and range; thence East along said section line to the point of beginning, containing 7.50 acres, more or less.

C-28 Government Lots four (4), five (5), six (6), seven (7), the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter of Section five (5); Government Lots six (6), seven (7), the Southeast quarter, and the Southeast quarter of the Southwest quarter of Section six (6); the Northeast quarter, the Northeast quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the North half of the Southeast quarter, the Southeast quarter of the Southeast quarter, the Northeast quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, and Government Lots one (1), two (2), three (3) and four (4), of Section seven (7); Government Lots one (1), two (2), three (3), four (4) and six (6), of Section eight (8); Government Lot one (1) of Section nine (9); Government Lots three (3) and four (4) of Section seventeen (17); Government Lots one (1), two (2), three (3), four (4), the Northeast quarter of the Northwest quarter, the Southeast quarter and the East half of the Southwest quarter, of Section eighteen (18); Government Lots one (1), two (2), three (3), four (4); the North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, and the Southeast quarter, of Section nineteen (19); Government Lot four (4), the West half of the Northwest quarter, and the West half of the Southwest quarter, of Section twenty (20); Government Lots two (2), three (3), the Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter, of Section twenty-nine (29); Government Lot four (4) of Section twenty-nine (29) except the portion thereof conveyed by John J. Jacobsen and Lovise Jacobsen, his wife, to James E. Steadman, by deed dated October 19, 1925, filed for record November 9, 1925 and recorde in Volume 113 of Deeds at page 133, described as follows:-That portion of Lot four (4), Section 29 in Township 30 North of Range 15 West W.M., described as follows:-Beginning at a point on the West shore of Ozette Lake at a point 200 feet distant in a southerly direction and in a straight line from the northeast corner of said lot, thence west 310 feet; thence south 310 feet; thence east to the west shore of Ozette Lake; thence north along shore line to place of bdginning.

Government Lots one (1), two (2), the North half of the Northeast quarter, and the East half of the Northwest quarter, of Section thirty (30): Government Lots one (1), two (2), the East half of the Northwest quarter, the South half of the Northeast quarter, and the North half of the Southeast quarter, of Section thirty-one (31), Government Lot one (1) of Section thirty-two (32); all of the above described land being in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian.

Government Lot two (2) of Section twenty-five (25) in Township thirty

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(30) North of Range sixteen (16) West of the Willamette Meridian, containing 3,225.24 acres, more or less.

C-29 Government Lots one (1), two (2) and three (3), the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section five (5) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 155.79 acres, more or less.

C-31 The Southeast quarter of the Northeast quarter of Section eight (8); Government Lot two (2) of Section nine (9); all in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 82.45 acres, more or less.

C-32 Government Lot seven (7) of Section eight (8) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 47.65 acres, more or less.

C-33 Government Lot three (3) of Section nine (9) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, except that portion thereof subdivided and designated as Ozette Acre Tract, plat of said subdivision being recorded in Volume 4 of Plats at page 21.

Also tracts numbered three (3) to twelve (12), both inclusive, and Tracts numbered sixteen (16), seventeen (17) and eighteen (18) of Ozette Acre Tract, as per plat recorded in Volume 4 of Plats at page 21, records of Clallam County, Washington, containing 37.72 acres, more or less.

C-34 That portion of Government Lot three (3) of Section nine(9) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, described as follows:

Commencing at a point where the quarter section line between Government Lots two (2) and three (3) of said Section nine (9) intersects the shore line of Lake Ozette; thence West along said quarter section line a distance of twenty (20) rods; thence South eight (8) rods; thence East paralleling said quarter section line a distance of twenty (20) rods to the shore line of said Lake Ozette; thence Northerly along the shore line of Lake Ozette to the point of beginning, containing 1.06 acres, more or less.

C-35 Tracts one (1) and two (2) of Ozette Acre Tract, as per plat recorded in Volume 4 of Plats at page 21, records of Clallam County, Washington, containing 1.89 acres, more or less.

C-36 Tract thirteen (13) of Ozette Acre Tract, as per plat recorded in Volume 4 of Plats at page 21, records of Clallam, Washington, containing 1.10 acres, more or less.

C-37 Tract fourteen (14) of Ozette Acre Tract, as per plat recorded in Volume 4 of Plats at page 21, records of Clallam County, Washington, containing .81 acres, more or less.

C-38 Tract numbered fifteen (15) of Ozette Acre Tract, as per plat recorded in Volume 4 of Plats at page 21, records of Clallam County, Washington, containing 1.12 acres, more or less.

C-39 Government Lot two (2) of Section seventeen (17); the South half of the Northeast quarter and the Southeast quarter of the Northwest quarter of Section eighteen (18), all in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian,

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containing 158.65 acres, more or less.

C-40 Government Lots one (1), two (2) and three (3) of Section thirteen (13) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 33.65 acres, more or less.

C-41 Government Lots one (1), two (2) and three (3) of Section twenty (20) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 44.30 acres, more or less.

C-42 The Southwest quarter of the Northeast quarter, the Southeast quarter of the Northwest quarter, and the East half of the Southwest quarter, of Section nineteen (19) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-43 Government Lots One (1) two (2) and three (3) of Section twenty-four (24), Government Lot One (1) of Section twenty-five (25), all in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 124.20 acres, more or less.

C-44 Government Lots three (3) and four (4) of Section thirty (30) in Township thirty (30) North of Range fifteen (15); and Government Lots three (3) and four (4) of Section twenty-five (25) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 182.76 acres, more or less.

C-45 The Southwest quarter of the Southeast quarter and the East half of the Southwest quarter of Section thirty (30); and the Northwest quarter of the Northeast quarter of Section thirty-one (31); all in Township thirty (30), North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-46 The South half of the Northeast quarter and the North half of the Southeast quarter of Section thirty (30) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-47 The Southeast quarter of the Southeast quarter of Section thirty (30) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian;

The Northeast quarter of the Northeast quarter of Section thirty-one (31) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 80.00 acres, more or less.

C-48 Government Lot One (1) and the North half of the Northwest quarter of Section twenty-nine (29) in Township thirty (30) North of Range fifteen (15) West of Willamette Meridian, containing 91.55 acres, more or less.

C-49 That portion of Government Lot four (4) of Section twenty-nine (29) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, described as follows: - Beginning at a point on the West shore line of Ozette Lake, said point being 200 feet distant in a straight line in a southerly direction from the northeast corner of Government Lot four (4) in said Section twenty-nine (29); thence West 310 feet; thence south 310 feet; thence East to the West shore line of said Ozette Lake; thence Northerly along the West shore line of said Ozette Lake to the point of beginning, containing 2.20 acres, more or less.

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C-50 Government Lots one (1), two (2) and three (3) of Section thirty-six (36) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian, containing 64.60 acres, more or less.

C-51 Government Lot three (3) of Section thirty-one (31) in Township thirty (30), North of Range fifteen (15), West of the Willamette Meridian, containing 38.35 acres, more or less.

C-52 Government Lot four (4) of Section thirty-one (31) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 22.00 acres, more or less.

C-53 The East half of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section thirty-one (31) in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 120.00 acres, more or less.

C-54 Portion of:
The southeast quarter of the southeast quarter of Section thirty-one (31), in township thirty (30) North, of range fifteen (15) west of the Willamette Meridian, containing 40 acres, more or less.

C-55 The north ten (10) acres of government lot four (4) of section thirty-two (32) in township thirty (30) north, of range fifteen (15) West of the Willamette Meridian, containing 10.00 acres, more or less.

C-57 Government Lot Six (6) of Section thirty-two (32) and government Lot two (2) of section thirty-three (33), all in township thirty (30) north of range fifteen (15) West of the Willamette Meridian, containing 55.50 acres, more or less.

C-58 The Southeast quarter of the Southeast quarter of Section six (6) in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 40.00 acres, more or less.

C-59 The West eight and one-half (8½) acres of government lot two (2) of Section seven (7) in Township twenty-nine (29) North of range fifteen (15) West of the Willamette Meridian, containing 8.50 acres, more or less.

C-60 The Southwest quarter of the Southwest quarter of Section eight (8), the West half of the Northwest quarter of Section seventeen (17) and government Lot one (1) of Section eighteen (18); all in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 163.40 acres, more or less.

C-61 The Southwest quarter of the Southwest quarter of Section seventeen (17); government lots one (1) and two (2) of Section nineteen (19); the West half of the Northwest quarter, and the east half of the Southwest quarter, of Section twenty (20); all in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 245.75 acres, more or less.

C-62 The Southeast quarter of the Northwest quarter of Section twenty (20) in Township twenty-nine (29) north of Range fifteen (15) West of the Willamette Meridian, containing 40.00 acres, more or less.

C-63 Government Lots three (3) and four (4) of Section Nineteen (19) in Township twenty-nine (29) north of Range fifteen (15) West of the Willamette Meridian, containing 65.30 acres, more or less.

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C-64 The West half of the Southwest quarter of Section twenty (20); Government Lot 1 and the Northwest quarter of the Northwest quarter of Section twenty-nine (29) all in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 159.95 acres, more or less.

C-65 The West half of the Northeast quarter and the East half of the Northwest quarter of Section twenty-nine (29) in township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-66 The West half of the Southeast quarter, and the East half of the Southwest quarter of Section twenty-nine (29); and the East half of the Northwest quarter, the Northeast quarter of the Southwest quarter, and Government Lot five (5), in Section thirty-two (32); all in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 315.20 acres, more or less.

C-68 Government Lots two (2) and three (3) of Section twenty-nine (29); and Government Lots one (1), two (2), three (3) and four (4) of Section thirty-two (32); all in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 118.60 acres, more or less.

C-69 Government Lots one (1) and two (2) of Section thirty (30) in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 30.65 acres, more or less.

C-71 A portion of:
Government Lots one (1), two (2), three (3) and four (4) of Section five (5) in Township twenty-eight (28), North of Range fifteen (15), West of the Willamette Meridian, containing 159.35 acres, more or less.

C-72 A portion of:
The Southwest quarter of Section four (4); the East half of the Southeast quarter of Section five (5); the East half of the Northeast quarter of Section eight (8); the North half of the Southwest quarter, the Southeast quarter of the Southwest quarter and Government Lot one (1) of Section nine (9); the Northeast quarter, the East half of the Southeast quarter, Government Lots one (1), two (2), three (3) and four (4) in Section Sixteen (16), all in Township twenty-eight (28) North, Range fifteen (15) West of the Willamette Meridian, containing 795.50 acres, more or less.

C-73 Government Lots three (3) and four (4), the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section four (4) in Township twenty-eight (28) (erroneously designated in Declaration of Taking as "Township twenty-eight (29") North of Range fifteen (15) West of the Willamette Meridian, containing 163.59 acres, more or less.

C-74 The Southeast quarter of the Northeast quarter of Section five (5), in Township twenty-eight (28), North of Range fifteen (15) West of Willamette Meridian, (erroneously designated in Declaration of Taking as "Willamette County") containing 40.00 acres, more or less.

C-75a Government Lots one (1), two (2) and three (3) of Section eight (8), Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 79.85 acres, more or less.

C-75b The Northwest quarter and the Southeast quarter of Section Nine (9), Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 320 acres, more or less.

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C-76 Government Lot (2) of Section twelve (12) in Township thirty (30) North of Range sixteen (16) West of the Willamette Meridian except that portion thereof described as follows:

Beginning at the northeast corner of said Lot two (2); thence west along the section line 200 feet; thence south to the meander line of the Pacific Ocean; thence southeasterly along said meander line to a point where said meander line intersects the East boundary line of said Lot two (2); thence North along the east boundary line of said Lot two (2) to the point of beginning, containing 10.05 acres, more or less.

C-77 A portion of:
Government Lot three (3) of Section fifteen (15) and that portion of Government Lot four (4) lying within the Southwest quarter of said Section fifteen (15) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian.

That portion of Government Lot three (3) of Section twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, bounded and described as follows:

Commencing at the northwest corner of Government Lot Three (3) of said Section twenty-two (22); thence Easterly along the North line of said Lot three (3) to the West bank of the Dickey River; thence southerly along said West bank of the Dickey River to the Quillayute River; thence Westerly along the North bank of the Quillayute River to the West line of said Lot three (3); thence Northerly along the West line of said Lot three (3) to the point of beginning, excepting therefrom a tract of land bounded and described as follows:
Beginning at a point 1333 feet due South from the United States survey quarter section post on the section line running East and West between Sections 22 and 15 of said township and range; thence due East 915 feet to the Dickey River; thence following the West bank of the Dickey River until it strikes the Quillayute River; thence following the Quillayute River bank (South and West) until due South from the starting point; thence due North to the point of beginning, containing 125.96 acres, more or less.

C-78 That portion of Government Lot three (3) of Section twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, bounded and described as follows:

Beginning at a point 1333 feet due South of the United States Survey quarter section post on the section line running East and West between Sections Twenty-two (22) and Fifteen (15) in said township and range; thence due East 915 feet to the Dickey River; thence following the West bank of the Dickey River until it strikes the Quillayute River; thence following the Quillayute River bank (South and West) until due South from the starting point; thence due North to the point of beginning, containing 10.00 acres, more or less.

C-79 The West half of the Southwest quarter of Section fifteen (15), Government Lot one (1) of Section twenty-one (21) and the Northwest quarter of the Northwest quarter of Section twenty-two (22), all in Township twenty-eight (28) North, of Range fifteen (15) West of the Willamette Meridian, containing 167.60 acres, more or less.

C-81 Government Lots one (1) and two (2) of Section twenty-two (22), Government Lots one (1), three (3), four (4), the Southwest quarter of the Northeast quarter, the Northwest quarter of the Northwest quarter and the Southeast quarter of the Northwest quarter of Section twenty-three (23); all in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 303.55 acres, more or less.

C-82 The Northeast quarter of the Northwest quarter of Section twenty-three (23) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 40.00 acres, more or less.

C-83 The North half of the Northeast quarter, and the Southeast quarter of the Northeast quarter of Section twenty-three (23), in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 120.00 acres, more or less.

C-84 A portion of:
Government Lot nine (9), and that portion of Government Lots five (5) and six (6) lying South of a line beginning at a stake forty (40) rods North of the southeast corner of said Lot five (5) and running west to the meander line of the Dickey River, and beginning at the same stake and running East to the meander line of the Quillayute River, all in Section twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, (erroneously designated in Declaration of Taking as "Willamette River") containing 42.70 acres, more or less.

C-85 Government Lot five (5) of Section twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, except the portion thereof conveyed by William F. Taylor and Fannie Taylor, his wife, to Harvey B. Smith, by deed dated June 7, 1920, filed for record September 2, 1920, and recorded in Volume 104 of Deeds at page 141, records of Clallam County, Washington, and described therein as follows: That portion of Lots 5 and 6 lying south of a line beginning at a stake forty rods North of the southeast corner of said Lot five (5) and running west to the meander line of the Dickey River, and beginning at the same stake and running East to the meander line of the Quillayute River, all in Section Twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 17.50 acres, more or less.

C-86 Government Lot six (6) in Section twenty-two (22) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, except that portion thereof conveyed to Harvey B. Smith by deed dated June 7, 1920, recorded in Volume 104 of Deeds at Page 141, records of Clallam County, Washington, and described therein as follows: That portion of Lots five (5) and six (6) lying south of a line beginning at a stake forty rods North of the southeast corner of said Lot five (5) and running west to the meander line of the Dickey River, and beginning at the same stake and running East to the meander line of the Quillayute River, all in Section Twenty-two (22) in Township twenty-eight (28) North of Range Fifteen (15) west of the Willamette Meridian, containing 8.20 acres, more or less.

C-87 A portion of:
Government Lots eleven (11) and twelve (12) of Section twenty-two (22); the Northwest quarter of the Northeast quarter, and the Northeast quarter of the Northwest quarter, of Section twenty-seven (27); all in Township twenty-eight (28) North of Range

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fifteen (15) West of the Willamette Meridian, containing 160.60 acres, more or less.

C-88 Government Lot eight (8), and the East half of the Southeast quarter, of Section twenty-two (22); Government Lot eight (8), and the Southwest quarter of the Southwest quarter of Section twenty-three (23); and the Northwest quarter of the Northwest quarter of Section twenty-six (26); all in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 200.85 acres, more or less.

C-89 Government Lots six (6) and seven (7) of Section twenty-three (23), government Lot one (1), the Southeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section twenty-six (26); all in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 211.30 acres, more or less.

C-90 A portion of:
PARCEL A: Government Lot two (2) of Section twenty-three (23) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, except the following described tract; Beginning at the point of intersection of the westerly line of said Lot two (2) with the northerly meander line of the Quillayute River; thence north along said westerly line 224 feet; thence due east 100 feet to the true point of beginning; thence due east 250 feet; thence south parallel with the westerly line of said Lot two (2) to the northerly meander line of the Quillayute River; thence westerly along said northerly meander line of said river to a point due south of the true point of beginning; thence north parallel with the westerly line of said Lot Two (2), 224 feet, more or less, to the true point of beginning; ALSO EXCEPT the following described tract:-Beginning at a point on the northerly meander line of the Quillayute River 350 feet East of the point of intersection of said meander line with the westerly line of said Lot two (2); thence northerly along the East line of a tract heretofore deeded to J. E. L. James, by deed recorded in Volume 104 of Deeds, page 203, records of Clallam County, Washington, 224 feet; thence due East 200 feet; thence South parallel with the East line of said James Tract to the Northerly meander line of the Quillayute River; thence westerly along said northerly meander line to the point of beginning. ALSO EXCEPT the following described tract:-Beginning at the northeast corner of said Lot two (2); thence west 200 feet along the north boundary line of said Lot 2; thence South to the North meander line of the Quillayute River; thence following the north meander line of said river in an easterly direction to the east line of said Lot Two (2); thence North to the point of beginning, containing 10.32 acres, more or less.

C-91 PARCEL A: That portion of Government Lot two (2) Section Twenty-three (23), Township Twenty-eight (28) North, Range Fifteen (15) West of the Willamette Meridian, described as follows: Beginning at the point of intersection of the westerly line of said Lot two (2) with the northerly meander line of the Quillayute River; thence north along said Westerly line 224 feet; thence due East 100 feet to the true point of beginning; thence due East 250 feet; thence South parallel with the Westerly line of said Lot two (2) to the Northerly meander line of Quillayute River; thence Westerly along said Northerly line to a point due South of the true point of beginning; thence North parallel with the Westerly line of said Lot two (2), 224 feet more or less to the

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true point of beginning.

PARCEL B: That portion of Government Lot Two (2), Section twenty-three (23), Township twenty-eight (28) North, Range fifteen (15) West of the Willamette Meridian, described as follows: Beginning at a point on the Northerly meander line of the Quillayute River 350 feet East of the point of intersection of said meander line with the Westerly line of said Lot two (2); thence Northerly along the East line of a tract heretofore deeded to J. E. L. James, by deed recorded in Volume 100 of Deeds, page 203, records of Clallam County, Washington, 224 feet; thence due East 200 feet; thence South parallel with East line of said James Tract to the Northerly meander line of the Quillayute River, thence westerly along said Northerly meander line to the point of beginning, containing 3.28 acres, more or less.

C-92 That portion of Government Lot two (2) of Section twenty-three (23) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, described as follows: Beginning at the Northeast corner of said Lot two (2); thence west 200 feet along the North boundary line of said Lot two (2); thence South to the Quillayute River; thence following the Quillayute River in an easterly direction to the East line of said Lot two (2); thence North to the point of beginning, containing 3.30 acres, more or less.

C-93 Government Lot five (5) of Section twenty-three (23) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 20.80 acres, more or less.

C-95 The South half of the Northwest quarter, and the North half of the Southwest quarter of Section twenty-six (26) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-96 Government Lots two (2) and three (3) of Section twenty-seven (27) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 60.00 acres, more or less.

C-98 The Northeast quarter of Section thirty-four (34) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 160.00 acres, more or less.

C-99 The North half of the Northeast quarter of the Northwest quarter of Section thirty-four (34), and all that portion of Government Lot one (1) of said Section thirty-four (34) lying north of the south boundary line of said North half of the Northeast quarter of the Northwest Quarter produced directly westward to the ocean: All in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 86.00 acres, more or less.

C-100 Government Lot two (2), the South half of the Northeast quarter of the Northwest quarter, and all that portion of Government Lot one (1) lying south of the north boundary line of said South half of the Northeast quarter of the Northwest quarter produced directly westward to the ocean; all in Section thirty-four (34) in Township twenty-eight (28) North of Range fifteen (15) West of the Willamette Meridian, containing 70.30 acres, more or less.

C-104 Government lots one (1) and two (2) of Section thirty-one (31) in Township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 82.22 acres, more or less.

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C-105 East half of the northwest quarter of section thirty-one (31) in Township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 80 acres, more or less.

C-106 Government lots three (3) and four (4), and the East half of the southwest quarter of section thirty-one (31), in township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 160.40 acres, more or less.

C-107 The north half of the northeast quarter and the Southeast quarter of the northeast quarter of section thirty-one (31) in township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 120 acres, more or less.

C-108 Southwest quarter of the northeast quarter of section thirty-one (31) in township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 40 acres, more or less.

C-109 Southeast quarter of Section thirty-one (31) in township twenty-eight (28) north of range fourteen (14) west of the Willamette Meridian, containing 160 acres, more or less.

C-56 Portion of:
Government lots three (3), four (4), the north half of the southwest quarter, and the south half of the southwest quarter, of section five (5); Government lots one (1), two (2), three (3) and four (4), and the northeast quarter of the southeast quarter, of section six (6); Government lot one (1), Government lot two (2) except the west eight and one-half (8½) acres, thereof, Government lots three (3) and four (4), and the northeast quarter of the northeast quarter of section seven (7); the northwest quarter, the north half of the southwest quarter, and the Southeast quarter of the Southwest quarter, of section eight (8); the east half of the northwest quarter, the north half of the southwest quarter, and the southeast quarter of the Southwest quarter, of section seventeen (17); Government lots two (2), three (3) and four (4) of section eighteen (18); and the northeast quarter of the northwest quarter of section twenty (20); all in township twenty-nine (29) north of range fifteen (15) west of the Willamette Meridian, containing 1271.81 acres.

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The lands situate in Jefferson County are described as follows:

J-2 Government lots two (2), three (3), four (4), five (5), six (6) and seven (7), section two (2); and Government lot three (3), section three (3); All in township twenty-seven (27) north, range fifteen (15) west, W.M., containing 191.10 acres, more or less.

J-5 Government lots seven (7) and eight (8); southeast quarter of northeast quarter; and Northeast quarter of southeast quarter; All in section one (1), township twenty-seven (27) north, range fifteen (15) west, W. M.; ALSO

Government lot seven (7), section six (6), township twenty-seven (27) north, range fourteen (14) west, W. M., containing 160.98 acres, more or less.

J-6 Government lot one (1), section twelve (12), township twenty-seven (27) north, range fifteen (15) west, W. M., containing 8.90 acres, more or less.

J-8B Government lots one (1) and two (2); South half of northeast quarter; and north half of southeast quarter; All in section six (6), township twenty-seven (27) north, range fourteen (14) west, W.M., containing 239.11 acres, more or less.

J-9 Government lots nine (9) and ten (10), section six (6), township twenty-seven (27) north, range fourteen (14) west, W. M., containing 76.47 acres, more or less.

J-10 Government lots one (1), two (2) and three (3); and Northwest quarter of northeast quarter; All in section seven (7), township twenty-seven (27) north, range fourteen (14) west, W.M., containing 149.85 acres, more or less.

J-11 Northeast quarter of northeast quarter of section seven (7), township twenty-seven (27) north, range fourteen (14) west, W. M., containing 40 acres, more or less.

J-12 Southeast quarter of northeast quarter; and Northeast quarter of southeast quarter; All in section seven (7), township twenty-seven (27) north, range fourteen (14) west, W.M.; ALSO

Southwest quarter of northwest quarter; and Northwest quarter of southwest quarter; All in section eight (8), township twenty-seven (27) north, range fourteen (14) west, W. M., containing 160 acres, more or less.

J-13 Government lot four (4); and Southeast quarter of southeast quarter; All in section seven (7); North half of northwest quarter; and South half of southwest quarter; All in section eight (8); Northwest quarter of Northwest quarter; North half of northeast quarter; Southeast quarter of northeast quarter; All in section seventeen (17); All in township twenty-seven (27) north, range fourteen (14) west, W. M., containing 399.60 acres, more or less.

J-16 East half of northwest quarter; and Southwest quarter of northeast quarter; All in section seventeen (17), township twenty-seven (27) north, range fourteen (14) west, W. M., containing 120 acres, more or less.

J-18 East half of southeast quarter of section seventeen (17),

township twenty-seven (27) north, range fourteen (14) west, W.M., containing 80 acres, more or less.

J-20 North half of northeast quarter; and North half of Northwest quarter; all in Section twenty-one (21), Township twenty-seven (27) North, Range fourteen (14) West, W.M., containing 160 acres, more or less.

J-21 Portion of:
Government Lots one (1), two (2) and three (3); and North half of Northeast quarter; all in Section twenty (20); Government Lots one (1) and two (2) and Southeast quarter of Northwest quarter, EXCEPT tract described as follows:
All that strip of land 200 feet wide, being 50 feet wide on each side of the center line of Grays Harbor & Puget Sound Railway, as the same is surveyed, located and staked out, through, upon, over and across Government Lot 2, Southeast quarter of Northwest quarter, and Government Lot 1, all in Section twenty-one (21), Township twenty-seven (27) North, Range fourteen (14) West, W.M., said center line being more particularly described as follows:
Beginning at a point in the east line of Government Lot three (3), in said Section 21, 218 feet south of the Northeast corner of said Government Lot 3; thence North 69°30' west, 488 feet more or less to survey station 525+08; thence on a curve of 6° to the right 90 feet more or less to survey station 526+78 at a point in the south line of said Government Lot 2, 535 feet west of Southeast corner of said Government Lot 2 and the true place of beginning, from the point thus found continue on the same curve of 6° to the right 706.7 feet more or less to survey station 534+84.7; thence north 16°30' west 1190.3 feet, more or less, to survey station 546+65 tapering thence on a 6° curve to the left 1425 feet, more or less, to survey station 560+90; thence north 90° west 350 feet, more or less, to survey station 564+30 and the west line of said Section 21; also two additional strips of land, each 25 feet wide, lying on each side of and adjoining the above mentioned 100 foot strip of land, extending from the west line of said Section 21, at survey station 564+80; thence south 90° east 350 feet to survey station 560+90; Also, two additional strips of land each 25 feet wide on each side of, and adjoining the first described, hereinbefore mentioned 100 foot strip of land, extending from survey station 542+50 on the north line of said Government Lot 2; thence 1572 feet, more or less, to survey station 526+78 and the south line of said Government Lot 2; South half of Northeast quarter; and Northeast quarter of Southeast quarter; All in Section twenty-one (21); Southwest quarter of Northwest quarter; Northwest quarter of Southwest quarter; Northeast quarter; Southeast quarter, East half of Northwest quarter; East half of Southwest quarter; All in Section twenty-two (22);

All of Section twenty-six (26); Government Lots one (1), three (3), four (4), five (5) and six (6); Northeast quarter of northeast quarter; All in Section twenty-seven (27); Government Lot one (1), Section thirty-four (34); Northeast quarter; Southeast quarter; Government Lot one (1); North half of Northwest quarter, Southeast quarter of Northwest quarter; Government Lots two (2) and three (3); and East half of Southwest quarter; All in Section thirty-five (35); All in Township twenty-seven (27) North, Range fourteen (14) West, W.M., containing 2550.69 acres, more or less.

J-22A All that portion of Government Lot three (3) Section twenty-one (21), Township twenty-seven (27) North, Range fourteen (14) west,

W.M., lying north of line parallel with and 75 feet southerly measured at right angles to center line of railroad, said center line being described as follows:

Beginning at engineer's station 521+00 on east line of Government Lot 3 which is also north and south quarter line of said Section 21, 218 feet south of northeast corner of Government Lot 3; thence north 68° 30' west 488 feet to engineer's station 525+88; thence northwesterly along 6° curve to right for 90 feet to engineer's station 526+78 on north line of Government Lot 3 distant 535 feet; more or less west of northeast corner of said Government Lot 3, containing 2.36 acres, more or less.

J-22B All that strip of land 100 feet wide, being 50 feet wide on each side of the center line of Grays Harbor & Puget Sound Railway, as the same is surveyed, located and staked out, through, upon, over and across Government Lot two (2), southeast quarter of northwest quarter, and Government Lot one (1), all in Section twenty-one (21), Township twenty-seven (27) north, Range fourteen (14) West, W.M., said center line being more particularly described as follows:
Beginning at a point in the east line of Government Lot three (3), in said Section 21, 218 feet south of the northeast corner of said Government Lot 3; thence north 68° 30' west 488 feet more or less to survey station 525+88; thence on a curve of 6° to the right 90 feet more or less to survey station 526+78 at a point in the south line of said Government Lot 2, 535 feet west of southeast corner of said Government Lot 2 and the true place of beginning, from the point thus found continue on the same curve of 6° to the right 786.7 feet more or less to survey station 534+64.7; thence north 16° 30' west 1190.3 feet, more or less, to survey station 546+55 tapering thence on a 6° curve to the left 1425 feet, more or less, to survey station 560+80; thence north 90° west 350 feet, more or less, to survey station 564+30 and the west line of said Section 21; Also two additional strips of land, each 25 feet wide, lying on each side of and adjoining the above mentioned 100 feet strip of land, extending from the west line of said section 21, at survey station 564+30; thence south 90° west 350 feet to survey station 560+80; Also two additional strips of land each 25 feet wide on each side of, and adjoining the first described, hereinbefore mentioned 100 feet strip of land, extending from survey station 542+60 on the north line of said government lot 2; thence 1572 feet, more or less, to survey station 526+78 and the south line of said government lot 2, containing 10.81 acres, more or less.

J-22: All that portion of Government Lots four (4) and five (5), Section twenty-one (21) and of Government Lot one (1), Section twenty-two (22), Township twenty-seven (27) North, Range fourteen (14) West, W.M., that lies within 75 feet on each side of the center line of railroad and also additional strip 25 feet wide immediately joining on the northerly side and also additional strip 25 feet wide immediately joining on southerly side of the strip of land hereinabove described and extending from a line drawn at right angles through the center line of railroad right of way at a point on same known as station 506+76 northwesterly a distance of 1424 feet, more or less, to the west line of Government Lot 4; said center line being particularly described as follows:

Beginning on the west line of Government Lot 4, 218 feet, more or less, southerly from the northwest corner of said Government Lot; thence south 68° 30' east 1172 feet, more or less; thence southeasterly on 3° curve to left 700 feet, more or less, said curve

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crossing in its course the west line of Government Lot 5, 722 feet south of northwest corner of Government Lot 5; thence south 89° 30' east 840 feet, more or less, to point on east line (erroneously designated in Declaration of Taking as "each line") of said Section 21, 2106 feet, more or less, southerly of quarter corner between said Sections 21 and 22; thence south 89° 31' east 550 feet, more or less; thence southeasterly on 4° curve to the right, 650 feet, more or less; thence south 63° 31' east 200 feet, more or less, to east line of said Government Lot 1, containing 15.83 acres, more or less.

J-23 Government Lots four (4) and five (5); and Northwest quarter of Southeast quarter; all in Section twenty-one (21); Government Lot one (1), Section twenty-two (22); and Government Lot one (1), Section twenty-eight (28); All in township twenty-seven (27) North, Range Fourteen (14) West, W.M;
EXCEPT portion of Government Lots 4 and 5, said Section 21, and of Government Lot 1, said Section 22, described as follows:

All that portion of Government Lots 4 and 5, said Section 21, and of Government Lot 1, said Section 22, that lies within 75 feet on each side of center line of railroad and also additional strip 25 feet wide immediately joining on the northerly side and also additional strip 25 feet wide immediately joining on southerly side of the strip of land hereinabove described and extending from a line drawn at right angles through the center line of railroad at a point on same known as station 506+76 northwesterly a distance of 142+ feet, more or less, to west line of Government Lot 4; said center line being particularly described as follows:

Beginning on west line of Government Lot 4, 218 feet, more or less, southerly from the northwest corner of said government lot; thence south 68° 30' east 1172 feet, more or less; thence southeasterly on 3° curve to left 700 feet, more or less, said curve crossing in its course the west line of Government Lot 5, 722 feet south of northwest corner of Government Lot 5; thence south 89° 30' east 840 feet, more or less, to point on east line of Section 21, 2106 feet, more or less, southerly of quarter corner between Sections 21 and 22; thence south 89° 31' east 550 feet, more or less; thence southeasterly on 4° curve to right 650 feet, more or less; thence south 63° 31' east 200 feet, more or less, to east line of said Government Lot 1, containing 145.17 acres, more or less.

J-24 Government Lot three (3), Section twenty-one (21), Township twenty-seven (27) North, Range Fourteen (14) West, W.M., EXCEPT portion described as follows:

All that portion of Government Lot 3 lying north of line parallel with and 75 feet southerly measured at right angles to center line of railroad, said center line being described as follows:

Beginning at engineer's station 521+00 on east line of Government Lot 3 which is also north and south quarter line of Section 21, 218 feet south of northeast corner of Government Lot 3; thence north 68° 30' west 488 feet to engineer's station 525+88; thence northwesterly along 6° curve to right for 90 feet to engineer's station 526+78 on north line of Government Lot 3 distant 535 feet, more or less, west of northeast corner of Government Lot 3, containing 2.94 acres, more or less.

J-25 North half of northeast quarter of northwest quarter of northwest quarter of Section twenty-two (22), Township twenty-seven (27) North, Range fourteen (14) West, W.M., containing 5 acres, more or less.

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J-26 West half of northwest quarter of northwest quarter; Southeast quarter of northwest quarter of northwest quarter; South half of northeast quarter of northwest quarter of northwest quarter; All in Section twenty-two (22), Township twenty-seven (27) North, Range fourteen (14) West, W. M., containing 35 acres, more or less.

J-28) South half of southwest quarter of Section twenty-three (23)
J-29) Township twenty-seven (27) North, Range fourteen (14) West, W.M., containing 80 acres, more or less.

J-33 Government Lot two (2), Section twenty-seven (27), Township twenty-seven (27) north, Range fourteen (14) West, W.M., containing 15.80 acres, more or less.

J-34 Government Lots four (4), five (5) and six (6), Section two (2), Township twenty-six (26) North, Range fourteen (14) West, W.M., containing 69.05 acres, more or less.

J-204 West half of Northeast quarter; Northwest quarter of southeast quarter; Northeast quarter of southwest quarter; All in Section twenty-nine (29), Township twenty-six (26) North, Range thirteen (13) West, W.M., containing 160 acres, more or less.

J-205 Government Lot one (1), Section thirty (30), Township twenty-six (26) North, Range thirteen (13) West, W.M., containing 11.45 acres, more or less.

J-206 Government Lots two (2) and four (4); Northwest quarter of Southwest quarter; and Southeast quarter of Southwest quarter; All in Section twenty-nine (29);

Government Lot two (2), Section Thirty (30);

Government Lots one (1), two (2) and three (3); Southeast quarter of Northwest quarter; and Northeast quarter of Southwest quarter; All in Section thirty-two (32);

All in Township twenty-six (26) North, Range thirteen (13) West, W.M., EXCEPT portion conveyed to the State of Washington for Olympia Highway By deed recorded in Volume 1 of Waivers, page 261, Records of said County, containing 314.39 acres, more or less.

J-207 North half of Southwest quarter of Section twenty-eight (28); and Southeast quarter of Northeast quarter and Northeast quarter of southeast quarter of Section twenty-nine (29); All in Township twenty-six (26) North, Range thirteen (13) West, W.M., containing 160 acres, more or less.

J-208 Northwest quarter of Section twenty-eight (28), Township Twenty-six (26) North, Range thirteen (13) West, W.M., containing 160 acres, more or less.

J-209 South half of southwest quarter of Section twenty-eight (28); South half of Southeast quarter of Section twenty-nine (29); Northeast quarter, North half of Southeast quarter; and Northeast quarter of Northwest quarter; All in Section thirty-two (32);

Northwest quarter; and Northwest quarter of Southwest quarter; All in Section thirty-three (33);

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All in Township twenty-six north, Range thirteen (13) West, W.M., EXCEPT right of way for Olympic Highway across said Sections 28, 32 and 33 conveyed to the State of Washington by deed recorded in volume 1 of waivers, page 267, records of Jefferson County; containing 625.10 acres, more or less.

J-210 Government Lot four (4), Section thirty-two (32), Township twenty-six (26) North, Range thirteen (13) West, W.M., EXCEPT a tract described as follows:

A strip or piece of land, being all that part of Government Lot 4, of Section 32, Township 26 North, Range 13 West, W.M., that lies within 100 feet on each side of the center line of the railway of the Grays Harbor & Puget Sound Railway Company, as the same is now surveyed, located and staked out, over and across said Government Lot 4, said line of railway being more particularly described as follows, to-wit:

Beginning at a point on the south line of Section 32, distant 406 feet west, measured along said south line, from the southeast corner of the southwest quarter of said Section 32, said township and range; thence north 8° 48' west, a distance of 1343 feet, more or less, to a point on the north line of Government Lot 4 of said Section 32, distant 1320 feet, more or less, north of, and 185 feet, more or less, west of the southeast corner of the southwest quarter of said Section 32; also EXCEPT portion condemned by the State of Washington in Jefferson County Superior Court Cause No. 3449 for right of way of Olympic Highway and EXCEPT a strip of land along southerly side of said right of way conveyed to State of Washington for borrow pit by deed recorded in book 101 of deeds, page 278, records of Jefferson County, containing 33.60 acres, more or less.

J-211 All that part of Government Lot four (4), Section thirty-two (32), Township twenty-six (26) north, Range thirteen (13) West, W.M., that lies within 100 feet on each side of the center line of the railway of the Grays Harbor & Puget Sound Railway Company, as the same is now surveyed, located and staked out, over and across said Government Lot 4, said line of railway being more particularly described as follows:

Beginning at a point on the south line of Section 32, distant 406 feet west, measured along said south line, from the southeast corner of the southwest quarter of said Section 32, said township and range; thence north 8° 48' west, a distance of 1343 feet, more or less, to a point on the north line of Government Lot 4 of said Section 32, distant 1320 feet, more or less, north of, and 185 feet, more or less, west of the southeast corner of the southwest quarter of said Section 32, containing 6.18 acres, more or less.

J-212 Government Lot two (2) and that portion of Government Lot three (3) lying east of Olympic Highway, Section five (5), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT a strip of land 150 feet in width in said Government Lot 3 conveyed to Grays Harbor & Puget Sound Railway Company, a corporation, by deed recorded in volume 64 of deeds, page 386, records of said county, said strip being 75 feet on each side of the center line described as follows:

Beginning at a point on the north line of said Section 5, distant 402 feet, more or less, westerly of the northeast corner of said Government Lot 3; thence south 8° 48' west, 296 feet, more or less thence southeasterly on a 2° curve to the left 1407.3

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feet, more or less; thence south 19° 21' east, 4056.7 feet, more or less, to a point known and designated as station numbered "L" (862) on the south line of said Section 5, Distant 857 feet easterly of the southeast corner of Government Lot six (6), said Section 5, measured along said south line of said Section 5;

South half of Southeast quarter of Section thirty-two (32); and Southwest quarter of Southwest quarter of Section thirty-three (33); All in Township twenty-six (26) North, Range thirteen (13) West, W.M., containing 191.89 acres, more or less.

J-214 Portion of Government Lots three (3) and four (4), Section five (5), Township twenty-five (25) North, Range thirteen (13) West, W.M., lying west of Olympic Highway, containing 22.89 acres, more or less.

J-215 That portion of Government Lot four (4) lying east of Olympic Highway and all of Government Lots five (5) and six (6), Section five (5), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT portion of said Government Lots 5 and 6 condemned by the State of Washington in Jefferson County Superior Court Cause No. 3448 for right of way of Olympic Highway and EXCEPT the portion thereof lying within a strip of land 150 feet in width conveyed to Grays Harbor & Puget Sound Railway Company, a corporation, by deed recorded in volume 64 of deeds, page 386, records of said county, said strip being 75 feet on each side of the center line described as follows:

Beginning at a point on the north line of said Section 5, distant 402 feet, more or less, westerly of the northeast corner of said Government Lot 3, thence south 8° 48' west 296 feet, more or less; thence southeasterly on a 2° curve to the left 1407.3 feet, more or less; thence south 19° 21' east, 4056.7 feet, more or less, to a point known and designated as station numbered "L" (862) on the south line of said Section 5, distant 857 feet easterly of the southeast corner of Government Lot six (6), said Section 5, measured along said south line of said Section 5, containing 49.09 acres, more or less.

J-216 A strip of land 150 feet in width in Government Lots three (3) four (4) and five (5), Section five (5), Township twenty-five (25) North, Range thirteen (13) West, W.M., said strip being 75 feet on each side of the center line described as follows:
Beginning at a point on the north line of said Section 5, distant 402 feet, more or less, westerly of the northeast corner of said Government Lot 3; thence south 8° 48' west, 296 feet, more or less; thence southeasterly on a 2° curve to the left 1407.3 feet, more or less; thence south 19° 21' east, 4056.7 feet, more or less, to a point known and designated as station numbered "L" (862) on the south line of said Section 5, distant 857 feet easterly of the southeast corner of Government Lot six (6), said Section 5, measured along said south line of said Section 5, containing 11.30 acres, more or less.

J-217 Government Lot three (3); and South half of Northwest quarter, All in Section four (4);

Government Lot one (1), Southeast quarter of Northeast quarter; and Northeast quarter of Southeast quarter;

All in Section five (5);

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J-217 All in township twenty-five (25) North, Range thirteen (13) West, W.M., containing 256.57 acres, more or less.

J-218A Government Lot four (4), Section four (4), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 48.34 acres, more or less.

J-218B Portion of:
Southwest quarter of Northeast quarter and West half of Southeast quarter and Southeast quarter of Southeast quarter of Section five (5); All in Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 160 acres, more or less.

J-219 The north 200 feet of that portion of Government Lot one (1), Section eight (8), Township twenty-five (25) North, Range thirteen (13) West, W.M., lying west of Olympic Highway, containing 1.5 acres, more or less.

J-220 Government Lots one (1) and two (2); and East half of northeast quarter; all in Section eight (8), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT right of way of Olympic Highway and EXCEPT the north 200 feet of said government Lot 1 lying west of Olympic Highway, containing 167.14 acres, more or less.

J-221 North half of Northwest quarter; and Southeast quarter of northwest quarter; All in Section nine (9), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 120 acres, more or less.

J-222 Southwest quarter of northwest quarter and southwest quarter of Section nine (9), Township twenty-five (25) north, Range thirteen (13) West, W.M., EXCEPT portion of southwest quarter of southwest quarter that lies within a line 100 feet easterly, measured at right angles to the center line of the railway of the Grays Harbor & Puget Sound Railway, as the same is now surveyed, located and staked out across the Southeast quarter of the Southeast quarter of Section eight (8), said Township 25 North, Range 13 West, W. M., and the south and west lines of said Section 9; said center line of railway as surveyed, located and staked out over said Southeast quarter of southeast quarter of said Section 8 being more particularly described as follows:

Beginning at Engineer's Station "L" 890+00 on the east and west quarter line of said Section 8, distant 910 feet, more or less, west of quarter corner on the line between said Sections 8 and 9; thence south 19° 20' east for 2790 feet to Engineer's Station "L" 917+90 on the south line of said Section 8, and distant 44.7 feet, more or less, westerly from the corner common to said Sections 8 and 9;

Northeast quarter; west half of southeast quarter, east half of southwest quarter of Section sixteen (16), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT portion of east half of southwest quarter that lies within 100 feet on each side of the center line of the railway of the Grays Harbor and Puget Sound Railway Company, as the same is now surveyed, located and staked out over and across said property, being more particularly described as follows:

Beginning at engineer's station "L" 919+30 on the west line of said Section 16, distant 120 feet, more or less, southerly

from the northwest corner of said Section 16; thence south 19° 21' east for 5355 feet to Engineer's Station 972+85 on the south line of said Section 16, distant 725 feet westerly from the quarter corner on the south line of said Section 16;

Northeast quarter of Section twenty-one (21), Township twenty-five (25) north, Range thirteen (13) West, W.M., containing 672.30 acres, more or less.

J-223 A triangular piece or parcel of land lying in the Southwest corner of the Southwest quarter of the Southwest quarter of Section nine (9), Township twenty-five (25) North, Range thirteen (13) West, W.M., being all that portion of the Southwest quarter of the Southwest quarter of Section nine (9), that lies within a line 100 feet easterly, measured at right angles to the center line of the railway of the Grays Harbor & Puget Sound Railway, as the same is now surveyed, located and staked out across the southeast quarter of the southeast quarter of Section eight (8), said Township 25 North, Range 13 West, and the South and West lines of said Section 9; said center line of railway as surveyed, located and staked out over said southeast quarter of southeast quarter of said Section 8 being more particularly described as follows:

Beginning at Engineer's station "L" 890+00 on the east and west quarter line of said Section 8; distant 910 feet, more or less, west of the quarter corner on the line between Sections 8 and 9; thence south 19° 20' east for 2790 feet to Engineer's Station "L" 917+90 on the south line of Section 8, Township 25 North, Range 13 West, W.M., and distant 44.7 feet, more or less, westerly from the corner common to Sections 8 and 9 before mentioned, containing .13 acres, more or less.

J-224 All that part of the east half of the southwest quarter of Section sixteen (16), Township twenty-five (25) North, Range thirteen (13) West, W.M., that lies within 100 feet on each side of the center line of the railway of the Grays Harbor & Puget Sound Railway Company, as the same is now surveyed, located and staked out over and across said property, being more particularly described as follows:

Beginning at engineer's station "L" 919+30 on the west line of said Section 16, distant 120 feet, more or less, southerly from the northwest corner of said Section 16; thence south 19° 21' east for 5355 feet to Engineer's Station 972+85 on the south line of said Section 16, distant 725 feet westerly from the quarter corner on the south line of said Section 16, containing 7.57 acres, more or less.

J-225 Northwest quarter of Section sixteen (16), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT right of way of Olympic Highway conveyed to the State of Washington by deed recorded in volume 102 of deeds, page 8, records of said County, containing 157.35 acres, more or less.

J-226 Government Lots three (3) and four (4) and the northeast quarter of the southeast quarter of Section eight (8);

Government Lots one (1) and two (2), Section sixteen (16); and

Government Lots one (1) and two (2), Section seventeen (17);

All in Township twenty-five (25) north, range thirteen (13) West, W.M., containing 197.62 acres, more or less.

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J-228 Government Lots one (1), two (2), and three (3), Section twenty-one (21), Township twenty-five (25) north, Range thirteen (13) West, W.M., EXCEPT right of way for Olympic Highway conveyed by deed recorded in volume 95 of deeds, page 235, records of said county, and EXCEPT a tract described as follows:

A strip or piece of land that lies within 100 feet on each side of and parallel to the center line of the railway of the Grays Harbor & Puget Sound Railway Company, as the same is surveyed, located and staked out over and across said section 21, more particularly described as follows, to-wit:

Beginning at a point on the north line of said Section 21 distant 725 feet, more or less, westerly, measured along said north line, from the quarter corner common to Sections 16 and 21; thence south 19° 21' east 578 feet, more or less; thence southeasterly on a 2° curve to the right, 629.2 feet, more or less; thence south 6° 46' east 2611.8 feet, more or less; thence southeasterly on a 3° curve to the left, 736.7 feet, more or less, said 3° curve being tapered at each end for a distance of 160 feet, taper curve being measured by five 32 foot chords; thence south 24° 16' east 516.3 feet, more or less; thence southeasterly on a spiral curve, measured by six 29 foot chords, a distance of 174 feet, more or less; thence on a 4° curve to the right 229 feet, more or less, to a point on the south line of said Section 21, a distance of 6.7 feet easterly, measured along said south line from the quarter corner common to Sections 21 and 28, said township and range, containing 93.10 acres, more or less.

J-229 A strip or piece of land that lies within 100 feet on each side of and parallel to the center line of the railway of the Grays Harbor & Puget Sound Railway Company, as the same is surveyed, located and staked out over and across Section twenty-one (21), Township twenty-five (25) North, Range thirteen (13) West, W.M., more particularly described as follows, to-wit:

Beginning at a point on the north line of said Section 21 distant 725 feet, more or less, westerly, measured along said north line, from the quarter corner common to Sections 16 and 21; thence south 19° 21' east 578 feet, more or less; thence southeasterly on a 2° curve to the right, 629.2 feet, more or less; thence south 6° 46' east 2611.8 feet, more or less; thence southeasterly on a 3° curve to the left, 736.7 feet, more or less, said 3° curve being tapered at each end for a distance of 160 feet, taper curve being measured by five 32 foot chords; thence south 24° 16' east 516.3 feet, more or less; thence southeasterly on a spiral curve, measured by six 29 foot chords, a distance of 174 feet, more or less; thence on a 4° curve to the right 229 feet, more or less, to a point on the south line of said Section 21, a distance of 6.7 feet easterly, measured along said south line from the quarter corner common to Sections 21 and 28, said Township and Range, containing 18.68 acres, more or less.

Decree for 93.1 acres

Decree for 18.68 acres

J-230 North half of Southeast quarter; Southeast quarter of southeast quarter; and Government Lot four (4); All in Section twenty-one (21);

Government Lot one (1); and East half of northeast quarter; All in Section twenty-eight (28);

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All in Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 296.07 acres, more or less.

J-231 Government Lots two (2), three (3) and four (4), Section twenty-eight (28), Township twenty-five (25) North, Range thirteen (13) West, W.M., EXCEPT right of way of Olympic Highway conveyed to the State of Washington by deeds recorded in volume 1 of waivers, page 302, volume 94 of deeds, page 573 and volume 95 of deeds, page 65, records of said county, containing 85.09 acres, more or less.

J-232 Northeast quarter of southeast quarter of Section twenty-eight (28), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 40 acres, more or less.

J-233 Southeast quarter of southeast quarter of Section twenty-eight (28); and Government Lot one (1), Section thirty-three (33); All in Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 81.85 acres, more or less.

J-234 Government Lot two (2), Section thirty-three (33), Township twenty-five (25) North, Range Thirteen (13) West, W.M., EXCEPT right of way of Olympic Highway conveyed to the State of Washington by deeds recorded in volume 1 of waivers, page 302 and in volume 95 of deeds, page 65, records of said county, containing 31.39 acres, more or less.

J-235 Northwest quarter of Northwest quarter of Section thirty-four (34), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 40 acres, more or less.

J-236 Southwest quarter of northwest quarter of Section thirty-four (34), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 40 acres, more or less.

J-237 East half of Northwest quarter of Section thirty-four (34), Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 80 acres, more or less.

J-238 Government Lots three (3) and four (4) Section thirty-three (33) and North half of Southwest quarter and Government Lots three (3) and four (4), Section thirty-four (34); All in Township twenty-five (25) North, Range thirteen (13) West, W.M., containing 193.13 acres, more or less.

J-240 South half of Southeast quarter; and Southeast quarter of Southwest quarter; All in Section three (3);

Northeast quarter of Northeast quarter of Section ten (10);

All in Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 160 acres, more or less.

J-241 Government Lot three (3); South half of Northwest quarter; and West half of Southwest quarter; All in Section three (3);

Northwest quarter of Northeast quarter; East half of Northwest quarter; and Southwest quarter; All in Section ten (10);

All in Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 480.72 acres, more or less.

J-242 Government Lot four (4), Section three (3), Township twenty-four (24) North, Range thirteen (13) West, W.M.;

J-242 Southeast quarter of northeast quarter; East half of Southeast quarter; and Government Lots one (1), two (2), four (4) and five (5); All in Section four (4), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT portion conveyed to the State of Washington for right of way of Olympic Highway by deed recorded in volume 95 of deeds, page 96, records of said county, and EXCEPT that portion of said Government Lot 2 described as follows:

Beginning at a point on west side of Olympic Highway which point is 1378.10 feet west and 970.3 feet south of northeast corner of Government Lot 2, said Section 4; thence north 88° 00' West 100 feet to the meander line of Pacific Ocean thence following said meander line in northerly direction to north line of said Section 4; thence east along said north line of Section 4 to a point on the west side of Olympic Highway; thence south 18° 30' east along west side of Olympic Highway a distance of 1000 feet to point of beginning:

West half of Northwest quarter of Section ten (10), Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 379.13 acres, more or less.

J-243 That portion of Government Lot two (2), Section four (4), Township twenty-four (24) North, Range thirteen (13) West, W.M., described as follows:

Beginning at a point on the west side of Olympic Highway which point is 1378.10 feet west and 970.3 feet south of northeast corner of Government Lot 2, said Section 4; thence north 88° 00' west 100 feet to the meander line of Pacific Ocean; thence following said meander line in northerly direction to north line of said Section 4; thence east along said north line of Section 4 to a point on the west side of Olympic Highway; thence south 18° 30' east along west side of Olympic Highway a distance of 1000 feet to point of beginning; containing 4.78 acres, more or less.

J-244 Government Lot three (3), Section four (4), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT strip of land 100 feet in width conveyed to the State of Washington for Olympic Highway by deed recorded in volume 94 of deeds, page 531, records of said county; containing 38.12 acres more or less.

J-245B Government Lot one (1), and Northeast quarter of Northeast quarter of Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT right of way for Olympic Highway over northeast quarter of northeast quarter of said Section 9, conveyed to State of Washington by deed recorded in volume 1 of waivers, page 272, records of said county, EXCEPT south half of south half of northeast quarter of northeast quarter, EXCEPT portion described as follows:

Commencing at the intersection of the west line of the Olympic Highway and the north line of said Section 9, and running thence south 11° 30' east along the west line of the Olympic Highway, 454.8 feet to a point on the west line of the Olympic Highway, the place of beginning; running thence south 11° 30' east 208.7 feet; running thence at right angles south 78° 30' west 208.7 feet; running thence at right angles north 11° 30' west 208.7 feet; running thence at right angles north 78° 30' east 208.7 feet to the point of beginning;

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J-245B also; EXCEPT portion described as follows:

Commencing at the intersection of the east line of Olympic Highway and the north line of said Section 9; thence south 11° 30' east along said east line of Olympic Highway 350 feet to the true point of beginning; running thence east 11° 30' north 208.7 feet; running thence at right angles south 11° 30' east 208.7 feet; running thence at right angles west 11° 30' south 208.7 feet to Olympic Highway, running thence at right angles north 11° 30' west along the east line of said highway to the point of beginning, containing 41.65 acres, more or less.

J-246 That part of Government Lot one (1), and the northeast quarter of the northeast quarter of Section nine (9), Township twenty-four (24) north, Range thirteen (13) West, W.M., particularly described as follows:

Commencing at the intersection of the west line of the Olympic Highway and the north line of said Section 9, and running thence south 11° 30' east, along the west line of the Olympic Highway, 454.8 feet to a point on the west line of the Olympic Highway, the place of beginning; running thence south 11° 30' east 208.7 feet; running thence at right angles south 78° 30' west 208.7 feet; running thence at right angles north 11° 30' west 208.7 feet; thence running at right angles north 78° 30' east 208.7 feet to the point of beginning; containing 1 acre more or less.

J-261 Southeast quarter of Section ten (10), Township twenty-four (24) north, range thirteen (13) West, W.M., containing 160 acres, more or less.

J-262 South half of Northeast quarter of Section ten (10), Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 80 acres, more or less.

J-263 North half of Northeast quarter of Section fifteen (15) Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 80 acres, more or less.

J-264 That portion of the Northwest quarter of Section fifteen (15), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, containing 148.83 acres, more or less.

J-265 North 850 feet of Government Lot one (1); and North 850 feet of northeast quarter of Southwest quarter; All in Section fifteen (15), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT that portion of Government Lot 1 conveyed to the State of Washington for right of way of Olympic Highway by deeds recorded in volume 1 of waivers, pages 281 and 286, records of said county, containing 48.82 acres, more or less.

J-266 Government Lot one (1), EXCEPT north 850 feet; Northeast quarter of Southwest quarter, EXCEPT the north 850 feet; Government Lot two (2), EXCEPT the south 910 feet; and Southeast quarter of Southwest quarter, EXCEPT the south 910 feet;
All in Section fifteen (15), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT that portion of said Government Lots 1 and 2 conveyed to the State of Washington for right of way of Olympic Highway by deeds recorded in volume 1 of waivers, pages 281 and 286, records of said county; containing 46.85 acres, more or less.

accepted

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J-267 South 910 feet of Government Lot two (2) and the south 910 feet of the southeast quarter of the southwest quarter of Section fifteen (15), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT that portion of said Government Lot 2 conveyed to the State of Washington for right of way of Olympic Highway by deeds recorded in Volume 1 of Waivers, pages 281 and 286, records of said county; containing 45.40 acres, more or less.

J-268 West half of Southeast quarter of Section fifteen (15); and Northwest quarter of Northeast quarter of Section twenty-two (22); All in township twenty-four (24) North, Range thirteen (13) West, W.M., containing 120 acres, more or less.

J-270 Government Lots one (1) and two (2); East half of Northwest quarter; and Southwest quarter of northeast quarter; All in Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT portion thereof appropriated by the State of Washington for Olympic Highway by decree of which a certified copy was recorded in volume 104 of deeds, page 492, records of said county; containing 153.02 acres, more or less.

J-273 (a) Beginning at a point on the north line of the northeast quarter of the southwest quarter of Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., 1040 feet east of its intersection with the east line of Olympic Highway; thence south 208 feet; thence west to Olympic Highway; thence southerly along said east line to a point 417.5 feet south of the north line of said Northeast quarter of southwest quarter; thence east to the east line of said Northeast quarter of southwest quarter; thence south 208.9 feet; thence west to Olympic Highway; thence southerly along said highway to a point 250 feet northerly (measured along the east line of said highway) of south line of said northeast quarter of southwest quarter; thence easterly at right angles to said east line of highway 110 feet; thence southerly at right angles 50 feet; thence westerly at right angles 110 feet to Olympic Highway; thence southerly along said highway 200 feet to the south line of said northeast quarter of southwest quarter; thence east to the southeast corner of the northwest quarter of the southeast quarter of said section; thence north to the northeast corner of said northwest quarter of southeast quarter; thence west to point of beginning:

J-273 (b) Beginning at the quarter corner on the south line of Section 22, Township 24 North, Range 13 West, W.M., thence north 500 feet; thence west to Olympic Highway; thence northerly along said highway to the north line of Government lot four (4), said Section; thence east to the northeast corner of the southwest quarter of the southeast quarter of said Section; thence south to the southeast corner of said southwest quarter of the southeast quarter; thence west to point of beginning; containing 121.68 acres, more or less.

121.68

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Q-1B Government lot two (2), Section twenty-seven (27), Township twenty-four (24) North, Range Thirteen (13) West of the Willamette Meridian, containing 5.31 acres, more or less.

Q-2 Government lot four (4), section twenty-six (26); and Government lot one (1), Section twenty-seven (27); all in Township twenty-four (24) north, Range thirteen (13) West of the Willamette Meridian, containing 31.15 acres, more or less.

Q-5 Portion of Government lot two (2), Section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, described as follows:
Beginning at a point on the north line of said section 1750 feet west of the northeast corner thereof; thence west on section line 559 feet to a point on Clearwater River; thence south 30° east along the bank of said river 353 feet; thence east 39° north 490 feet to point of beginning, containing 1.93 acres, more or less.

Q-6 Government lot one (1), section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, EXCEPT county road and EXCEPTING therefrom tract described as follows:
Beginning at a point on east line of said government lot, 1009 feet south of northeast corner thereof; thence west parallel to north line of said lot, 150 feet; thence south to bank of Clearwater River; thence easterly along said bank to east line of said government lot; thence north to point of beginning; and

Government lot two (2), Section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, EXCEPT county road and EXCEPTING therefrom tract described as follows:
Beginning at a point on north line of said government lot, 1750 feet west of northeast corner of said Section thirty (30); thence west on said line 559 feet to a point on Clearwater River; thence south 30° east along bank of said river 353 feet; thence east 39° north 490 feet to point of beginning, containing 59.53 acres, more or less.

Q-7 That portion of government lot one (1), Section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, described as follows:
Beginning at a point on the east line of said government lot one (1), 1009 feet south of the northeast corner thereof; thence westerly 150 feet parallel to the north line of said Government lot; thence south parallel to the east line of said Government lot, 577 feet; thence east 150 feet parallel to north line of said government lot to the east line of said Government lot; thence north to point of beginning, EXCEPT county road, containing 2.00 acres, more or less.

Q-8 That portion of Government lot one (1), Section thirty (30) Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, described as follows:
Beginning at a point 1586 feet south of northeast corner of said Government lot one (1), being in the center line of county road; thence west 150 feet; thence south to the bank of Clearwater River; thence easterly along said bank to the east line of said Government lot one (1); thence north to point of beginning, EXCEPT county road, containing 1.0 acres, more or less.

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Q-9 That portion of Government lot eight (8), Section thirty (30), Township twenty-four (24) North, Range Twelve (12) West of the Willamette Meridian, described as follows:
Beginning at the point of intersection of the north line of said Government lot eight (8) and the west bank of Clearwater River; thence west 300 feet; thence south 400 feet; thence south 47° east 309 feet; thence north 26° 30' east 500 feet to the bank of said river; thence northwesterly along said bank to the point of beginning; containing 4.25 acres, more or less.

Q-10 That portion of Government lot eight (8), Section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, described as follows:
Beginning at a point, marked by a cedar post, north 64° 30' east 639 feet from a post driven on the east bank of Elk Creek 10 feet upstream from, and in line with, the easterly end of bridge on the county road; thence north 64° 30' east 419 feet to a cedar post; thence north 25° 30' west 208 feet to a cedar post; thence south 64°30' west 419 feet to a cedar post; thence south 25°30' east to point of beginning, (lines run at a variation of 23° east), containing 2.00 acres, more or less.

Q-11 Government lots eight (8) and nine (9), Section thirty (30), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, EXCEPTING from said Government lot eight (8) the following described tracts:

Beginning at a point marked by a cedar post north 64°30' east 639 feet from a post driven in the east bank of Elk Creek, 10 feet upstream from and in line with, the easterly end of bridge on the county road; thence north 64° 30' east 419 feet to a cedar post; thence north 25° 30' west 208 feet to a cedar post; thence south 64° 30' west 419 feet to a cedar post; thence south 25° 30' east to point of beginning; (lines run at a variation of 23° east);
Beginning at point of intersection of the north line of said government lot and the west bank of Clearwater River; thence west 300 feet; thence south 400 feet; thence south 47° east 309 feet; thence north 26° 30' east 500 feet to the bank of said river; thence northwesterly along said bank to point of beginning, containing 49.00 acres, more or less.

Q-12 Northwest quarter of northwest quarter; Government lots four (4), seven (7), eight (8); All in Section twenty-nine (29), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 96.20 acres, more or less.

Q-13 West half of lot six (6), section twenty-nine (29), township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 3.67 acres, more or less.

Q-14 West half of east half of government lot six (6), section twenty-nine (29), Township twenty-four (24) North, Range Twelve (12) West of the Willamette Meridian, containing 1.85 acres, more or less.

Q-15 East half of east half of government lot six (6), Section twenty-nine (29), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 1.83 acres, more or less.

Q-17 Government lots two (2), three (3) and six (6) and the South-

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Q-17 east quarter of the Northwest quarter of Section twenty-eight (28); and Government lot one (1), Section twenty-nine (29), all in Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 160.40 acres, more or less.

Q-18 Government lot seven (7), Section twenty-eight (28), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 9.15 acres, more or less.

Q-19 Government lots nine (9) and ten (10), Section twenty-nine (29), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 22.60 acres, more or less.

Q-20 Government lot eight (8), section twenty-eight (28), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 3.40 acres, more or less.

Q-21 Government lots nine (9) and ten (10), Section twenty-eight (28); and Government lots eleven (11) and twelve (12) Section twenty-nine (29); all in Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 109.80 acres, more or less.

Q-22 Government lots four (4) and five (5); Northeast quarter of Southeast quarter; Southwest quarter of Southeast quarter; All in Section twenty-eight (28) Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian; Government lots two (2), Section thirty-three (33), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 156.35 acres, more or less.

Q-23 Government lot one (1), Section thirty-three (33), Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 21.55 acres, more or less.

Q-24 Southwest quarter of Southwest quarter of Section twenty-seven (27); Southeast quarter of Southeast quarter of Section twenty-eight (28); and Government lots one (1) and two (2), Section thirty-four (34); All in Township twenty-four (24) North, Range twelve (12) West of the Willamette Meridian, containing 159.25 acres, more or less.

Q-27 Southwest quarter of southeast quarter of section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W.M., EXCEPT tract described as follows:

Beginning 1000 feet east from the northwest corner of the southwest quarter of the southeast quarter of said section 27, and extending thence east 208.7 feet; thence south 208.7 feet; thence west 208.7 feet; thence north 208.7 feet to the starting point;

Government lot four (4); and North half of northeast quarter; All in section thirty-four (34), township twenty-four (24) north, range twelve (12) west, W. M., containing 151.60 acres, more or less.

Q-28 Government lot three (3), section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W. M., containing 9.25 acres, more or less.

Q-29 Southeast quarter of southeast quarter; Northeast quarter

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Q-29 of southeast quarter EXCEPT the following described tract:

Beginning at northeast corner of said northeast quarter of southeast quarter; thence south on section line 490 feet; thence west at right angles 555.6 feet; thence north at right angles 490 feet to north line of northeast quarter of southeast quarter; thence east 555.6 feet to beginning; All in section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W. M., containing 77.50 acres, more or less.

Q-30 Government lots four (4) and five (5), section twenty-six (26), township twenty-four (24) north, range twelve (12) west, W. M.;

Government lot seven (7) and the following described tract: Beginning at the northeast corner of the northeast quarter of the southeast quarter of section twenty-seven (27), township twenty-four north, range twelve (12) west, W.M.: thence south on section line 490 feet; west at right angles 555.6 feet; north at right angles 490 feet to north line of northeast quarter of southeast quarter; thence east to beginning, containing 37.15 acres, more or less.

Q-31 East 350 feet of Government lot five (5); and Government lot six (6), EXCEPT the east 300 feet; All in section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W.M., containing 18 acres, more or less.

Q-32 East 300 feet of government lot six (6), section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W.M., containing 3.05 acres, more or less.

Q-33 Government lot five (5), section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W.M., EXCEPT the east 350 feet, containing 13.70 acres, more or less.

Q-35 Government lot three (3), section thirty-four (34), township twenty-four (24) north, range twelve (12) west, W.M., containing 19.80 acres, more or less.

Q-36 Government lots one (1) and four (4), section twenty-seven (27), township twenty-four (24) north, range twelve (12) west, W.M., containing 43.35 acres, more or less.

Q-41 Southwest quarter of southwest quarter of section twenty-six (26); and North half of northwest quarter and northwest quarter of northeast quarter of section thirty-five (35); All in township twenty-four (24) north, range twelve (12) west, W.M., containing 160 acres, more or less.

Q-42 South half of southwest quarter of section twenty-five (25); and Government lot ten (10), section twenty-six (26); All in township twenty-four (24) north, range twelve (12) west, W.M., containing 123.25 acres, more or less.

Q-43 Government lot ten (10), section twenty-five (25), township twenty-four (24) north, range twelve (12) west, W.M., containing 3.80 acres, more or less.

Q-46 Government lot eleven (11), section nineteen (19); and Government lot one (1), section thirty (30); All in township twenty-four (24) north, range eleven (11) west, W.M.;

Q-46 Government lot three (3), section twenty-four (24); and Government lots one (1) and two (2), section twenty-five (25); All in township twenty-four (24) north, range twelve (12) west, W.M., containing 127.95 acres, more or less.

Q-47 Northeast quarter of southeast quarter; Southeast quarter of northeast quarter; Northwest quarter of southeast quarter; Northeast quarter of southwest quarter; Government lots seven (7), eight (8) and nine (9); All in section twenty-five (25), township twenty-four (24) north, range twelve (12) west, W.M., containing 242.95 acres, more or less.

Q-48 South half of southeast quarter of section twenty-five (25), township twenty-four (24) north, range twelve (12) west, W.M., containing 80 acres, more or less.

Q-51 Government lots eight (8), ten (10), and southeast quarter of southwest quarter of section nineteen (19); and East half of northwest quarter of section thirty (30); All in township twenty-four (24) north, range eleven (11) west, W.M., containing 164.35 acres, more or less.

Q-52 Government lots one (1) and three (3); Northwest quarter of northeast quarter; and Northeast quarter of northwest quarter; All in section nineteen (19), township twenty-four (24) north, range eleven (11) west, W.M., containing 157.04 acres, more or less.

Q-54 Government lots six (6) and seven (7); and South half of southeast quarter; All in section nineteen (19), township twenty-four (24) north, range eleven (11) west, W.M., containing 152.50 acres, more or less.

Q-55 Southwest quarter of southwest quarter of section seventeen (17); Southeast quarter of southeast quarter of section eighteen (18); Northeast quarter of northeast quarter of section nineteen (19); and Government lot four (4), section twenty (20); All in township twenty-four (24) north, range eleven (11) west, W.M., containing 162.70 acres, more or less.

Q-56 Southeast quarter of southwest quarter of section seventeen (17); Government lot three (3), section twenty (20); All in township twenty-four (24) north, range eleven (11) west, W.M., containing 81.10 acres, more or less.

Q-57 Government lots five (5), six (6) and seven (7), and north half of southwest quarter of section twenty (20), township twenty-four (24) north, range eleven (11) west, W.M., containing 165.90 acres, more or less.

Q-58 Portion of:
Government lots one (1) and eight (8);
All in section twenty (20), township twenty-four (24) north, range eleven (11) west, W.M.;

Government lots two (2), three (3), four (4), five (5) and six (6); south half of north half;
All in section twenty-one (21), township twenty-four (24) north, range eleven (11) west, W.M.

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Q-58 South half of northwest quarter of section twenty-two (22), township twenty-four (24) north, range eleven (11) west, W.M., containing 368.95 acres, more or less.

Q-59 Government lot two (2), section twenty (20), township twenty-four (24) north, range eleven (11) west, W.M. containing 28.80 acres, more or less.

Q-60 West half of southwest quarter of southeast quarter of section seventeen (17), township twenty-four (24) north, range eleven (11) west, W.M., containing 20 acres, more or less.

Q-61 East half of southwest quarter of southeast quarter of section seventeen (17), township twenty-four (24) north, range eleven (11) west, W.M., containing 20 acres, more or less.

Q-62 Northeast quarter of southwest quarter; and Northwest quarter of southeast quarter; All in section seventeen (17), township twenty-four (24) north, range eleven (11) west, W.M., containing 80 acres, more or less.

Q-63 East half of southeast quarter of section seventeen (17), township twenty-four (24) north, range eleven (11) west, W.M., EXCEPT the following described tract:

Beginning on the east line of said section, 675 feet south of the quarter corner on the east side of said section; thence south on east line of said section 208.7 feet; thence west at right angles 208.7 feet; thence north at right angles 208.7 feet; thence east at right angles 208.7 feet to beginning, containing 79 acres, more or less.

Q-64 Beginning at a point on east line of northeast quarter of southeast quarter of section seventeen (17), township twenty-four (24) north, range eleven (11) west, W.M., 675 feet south of quarter corner on east side section; thence south on east line of said section 208.7 feet; thence west at right angles 208.7 feet; thence north at right angles 208.7 feet; thence east at right angles 208.7 feet to beginning; containing 1 acre, more or less.

Q-65 West 660 feet of government lot two (2), section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M., containing 20 acres, more or less.

Q-66 East 19.75 acres of government lot two (2), section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M., (Being all of said government lot EXCEPT the west 660 feet thereof); containing 19.75 acres, more or less.

Q-67 Northwest quarter of southwest quarter of section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M. containing 40 acres, more or less.

Q-68 Government lot three (3) and the northeast quarter of the southwest quarter of section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M., containing 67.60 acres, more or less.

Q-70 Northwest quarter of the southeast quarter of section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M. containing 40 acres, more or less.

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Q-71 Northeast quarter of the southeast quarter of section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M., containing 40 acres, more or less.

Q-72 Government lot one (1); South half of northeast quarter; and Northwest quarter of northeast quarter; EXCEPT portion conveyed to School District No. 31, Jefferson County, Washington, by deed recorded in volume 68 of deeds, page 138, records of said county;
All in section sixteen (16), township twenty-four (24) north, range eleven (11) west, W.M., containing 157 acres, more or less.

Q-74 Government lot one (1), section nine (9), township twenty-four (24) north, range eleven (11) west, W.M., containing 37.20 acres, more or less.

Q-75 Government lots two (2), five (5) and six (6), section fifteen (15);
Government lot one (1), section twenty-one (21); and
Government lot two (2), section twenty-two (22);
All in township twenty-four (24) north, range eleven (11) west, W.M., containing 116.10 acres, more or less.

Q-77 All of government lot seven (7), section fifteen (15) township twenty-four (24) north, range eleven (11) west, W.M.;

All of government lot one (1); West half of northeast quarter; and Northeast quarter of northwest quarter;

All in section twenty-two (22), township twenty-four (24) north, range eleven (11) west, W.M., EXCEPT the 16 foot right of way conveyed to Jefferson County by instrument recorded in volume 1 of waivers, page 259, records of said county; containing 162.15 acres, more or less.

Q-78 Government lot four (4); Southeast quarter of southwest quarter; North half of southeast quarter; and Southwest quarter of southeast quarter;

All in section fifteen (15), township twentyfour (24) north, range eleven (11) west, W.M., containing 201.10 acres, more or less.

Q-80 Government lot eight (8), section ten (10), township twenty-four (24) north, range eleven (11) west, W.M.;

Government lot one (1); Northeast quarter of northwest quarter; and Northwest quarter of northeast quarter;
All in section fifteen (15), township twenty-four (24) north, range eleven (11) west, W.M., containing 152.30 acres, more or less.

Q-81 Portion of:
Government lots six (6) and seven (7);
Southwest quarter of northeast quarter; and South half of northwest quarter;
All in section one (1), township twenty-four (24) north, range eleven (11) west, W.M.:

Government lots five (5), six (6),
All in section two (2), township twenty-four (24) north, range eleven (11) west, W.M.;

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Q-81 Government lots one (1), two (2), three (3), four (4) and nine (9);
North half of northeast quarter; North half of northwest quarter; and Southwest quarter of northwest quarter;
All in section ten (10), township twenty-four (24) north, range eleven (11) west, W.M.;

Government lots one (1), two (2), three (3), four (4) and six (6);
Southeast quarter of southwest quarter; and the northwest quarter of the southeast quarter;
All in section eleven (11), township twenty-four (24) north, range eleven (11) west, W.M.; containing 833.35 acres, more or less.

Q-82 Lot five (5), section ten (10), township twenty-four (24) north, range eleven (11) west, W.M., containing 21.30 acres, more or less.

Q-83 Government lots six (6) and seven (7); and
North half of north half of south half of southeast quarter;
All in section ten (10), township twenty-four (24) north, range eleven (11) west, W.M.;

Government lot seven (7); and
North half of north half of southwest quarter of southwest quarter of section eleven (11), township twenty-four (24) north, range eleven (11) west, W.M., containing 157.60 acres, more or less.

Q-85 Portion of the southwest quarter of the northeast quarter of section eleven (11), township twenty-four (24) north, range eleven (11) west, W.M., described as follows:

Beginning at a point 1454 feet west and 343 feet north of the quarter section corner between sections eleven (11) and twelve (12), said township 24 north, range 11 west, W.M., thence west 362 feet; thence north 361 feet; thence east 362 feet; thence south 361 feet to the point of beginning; containing 3 acres, more or less.

Q-86 Government lots five (5) and twelve (12), section one (1); and Government lot seven (7) and northeast quarter of southeast quarter of section two (2);
All in township twenty-four (24) north, range eleven (11) west, W.M.; containing 149.55 acres, more or less.

Q-88 Government lot nine (9), section one (1); and
northeast quarter of northeast quarter of section twelve (12); all in township twenty-four (24) north, range eleven (11) west, W.M., containing 75.50 acres, more or less.

Q-89 Government lot eight (8) and southeast quarter of northeast quarter of section one (1), township twenty-four (24) north, range eleven (11) west, W.M.; containing 74.70 acres, more or less.

Q-90 Government lots nine (9), twenty-three (23), twenty-four (24), twenty-six (26) and twenty-seven (27), section two (2), township twenty-four (24) north, range ten and one-half (10½) west, W.M.; containing 112.26 acres, more or less.

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Q-91 Government lots six (6), seven (7) and eight (8), section two (2), township twenty-four (24) north, range ten and one-half (10½) west, W.M., EXCEPT the east 30 acres of said government lot 7; containing 66.25 acres, more or less.

Q-92 Government lots fifteen (15) and sixteen (16), section two (2), township twenty-four (24) north, range ten and one-half (10½) west, W.M.; containing 90.76 acres, more or less.

Q-93 Government lots eleven (11), twelve (12), thirteen (13) and fourteen (14), section two (2), township twenty-four (24) north, range ten and one-half (10½) west, W.M.; containing 160 acres, more or less.

Q-94 Government lot thirteen (13), section one (1); and East 30 acres of government lot seven (7), section two (2); All in township twenty-four (24) north, range ten and one-half (10½) west, W.M., containing 70 acres, more or less.

Q-95 Government lot three (3), EXCEPT the north 11.32 acres; and All of government lot four (4); All in section one (1), township twenty-four (24) north, range ten and one-half (10½) west, W.M., containing 47.88 acres, more or less.

Q-96 North half of government lot twenty-one (21), section one (1), township twenty-four (24) north, range ten and one-half (10½) west, W.M., containing 20 acres, more or less.

Q-97 All of government lots one (1), two (2), six (6), seven (7), eight (8), nine (9), twelve (12), fourteen (14) and fifteen (15); North 11.32 acres of government lot three (3); West three-fourths of government lot eleven (11); West three-fourths of government lot sixteen (16); West half of northeast quarter and east half of northwest quarter of government lot nineteen (19); and Northwest quarter of government lot twenty (20); All in section one (1), township twenty-four (24) north, range ten and one-half (10½) west, W.M.; All of government lots four (4), five (5) and six (6), section thirty-two (32), township twenty-five (25) north, range ten west, W.M.; containing 547.02 acres, more or less.

Q-98 Government lot seven (7), section thirty-two (32), township twenty-five (25) north, range ten (10) west, W.M., containing 31.80 acres, more or less.

Q-99 Government lot one (1) and northeast quarter of northeast quarter of section thirty-two (32), township twenty-five (25) north, range ten (10) west, W.M., containing 87.60 acres, more or less.

Q-100 Government lots two (2), three (3) and four (4); and Southwest quarter of northwest quarter; All in section thirty-three (33), township twenty-five (25) north, range ten (10) west, W.M., containing 162.10 acres, more or less.

Q-101 Government lot ten (10), section thirty-three (33), township twenty-five (25) north, range ten (10) west, W.M., containing 18.29 acres, more or less.

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Q-102 Southeast quarter of southwest quarter of southwest quarter;
East half of southwest quarter of southwest quarter of southwest quarter;
Southeast quarter of northwest quarter of southwest quarter of southwest quarter;
Southwest quarter of northeast quarter of southwest quarter of southwest quarter;
Northwest quarter of southwest quarter of southeast quarter of southwest quarter; and
South half of southwest quarter of southeast quarter of southwest quarter;
All in section twenty-seven (27), township twenty-five (25) north, range ten (10) west, W.M.;

Southeast quarter of northeast quarter of northeast quarter of northeast quarter; and
Southeast quarter of northeast quarter of northeast quarter;
All in section thirty-three (33), township twenty-five (25) north, range ten (10) west, W.M.;

North half of northwest quarter of northwest quarter;
North half of south half of northwest quarter of northwest quarter;
Northwest quarter of northeast quarter of northwest quarter;
West half of southwest quarter of northeast quarter of northwest quarter;
Southeast quarter of northeast quarter of southwest quarter of northwest quarter; and
Government lot four (4);
All in section thirty-four (34), township twenty-five (25) north, range ten (10) west, W.M., containing 106.20 acres, more or less.

Q-103 Government lot one (1);
South half of government lot two (2), (shown on supplemental survey as government lot eight (8);
Southeast quarter of northeast quarter of government lot two (2);
All in section twenty-seven (27), township twenty-five (25) north, range ten (10) west, W.M., containing 47.30 acres, more or less.

Q-104 Government lot four (4), section twenty-six (26), township twenty-five (25) north, range ten (10) west, W.M.;

Government lots one (1) and five (5); and
Northwest quarter of southeast quarter of northeast quarter;
All in section thirty-four (34), township twenty-five (25) north, range ten (10) west, W.M.; and

Government lots three (3) and four (4), section thirty-five (35), township twenty-five (25) north, range ten (10) west, W.M., containing 157.15 acres, more or less.

Q-107 Southwest quarter of southeast quarter of section twenty-six (26); and
Government lot two (2), section thirty-five (35);
All in township twenty-five (25) north, range ten (10) west, W.M., containing 61.54 acres, more or less.

Q-108 Government lot five (5), section twenty-six (26), and government lot six (6), section thirty-five (35), township twenty-five (25) north, range ten (10) west, W.M., and Homestead Entry survey No. 259 embracing a portion of section twenty-

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five (25), said township and range, said Homestead Entry Survey No. 259 being more particularly described as follows:

Beginning at corner No. 1 identical with corner to said sections 25, 26 and 35; thence north 12' east 14.3 chains to corner No.2; thence meandering the left bank of Queets River north 55°30' east 5.90 chains; north 76°45' east 9.10 chains; south 73°30' east 5.50 chains; north 69°53' east 5.81 chains to corner No. 3; thence south 22°11' east 1.26 chains to corner No. 4; thence south 43°9' west 7 chains to corner No. 5; thence south 65°35' west 8.32 chains to corner No. 6; thence south 48°35' west 15.40 chains, to corner No. 7; thence north 89°18' west 1 chain to corner No. 1; containing 55.96 acres, more or less.

Q-109 Government lots eleven (11), twelve (12), thirteen (13), fourteen (14) and fifteen (15) and northeast quarter of southwest quarter of northwest quarter of southwest quarter of section twenty-five (25), township twenty-five (25) north, range ten (10) west, W.M., containing 56.23 acres, more or less.

Q-110 Government lots three (3), twelve (12), thirteen (13) and fourteen (14) and south half of the southeast quarter of northwest quarter of section twenty-four (24), township twenty-five (25) north, range ten (10) west, W.M., containing 77.18 acres, more or less.

Q-111 Government lots eighteen (18) and nineteen (19), section twenty-four (24), township twenty-five (25) north, range ten (10) west, W.M., containing 37.09 acres, more or less.

Q-4 Government lots one (1), two (2) and three (3), section twenty-five (25), township twenty-four (24) north, range thirteen (13) west, W.M.; and

Government lots three (3), four (4), five (5), six (6) and seven (7), section thirty (30), township twenty-four (24) north, range twelve (12) west, W.M., containing 252.14 acres, more or less.

Q-87 Government lots ten (10) and eleven (11), section one (1), township twenty-four (24) north, range eleven (11) west, W.M., and

Government lots one (1) and three (3); and Northwest quarter of northeast quarter; All in section twelve (12), township twenty-four (24) north, range eleven (11) west, W.M., containing 162.80 acres, more or less.

TOGETHER with all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

That the United States and its agents are hereby authorized immediately to enter upon so much of the above described property as is unoccupied and uncultivated, and to take full and complete possession thereof. That such unoccupied and uncultivated

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property, as it appears to the court (LLB) PJC is all of the property described above other than that described under the following tract numbers, which embrace the occupied or cultivated property: C-15, C-25, C-27, C-76, C-86, A portion of C-87, C-88, C-96, J-210, J-214, J-258, J-246, J-266, J-267, J-273, Q-5, Q-6, Q-7, Q-8, Q-9, Q-10, Q-11, Q-18, Q-29, Q-30, Q-31, Q-36, Q-41, Q-42, Q-46, Q-47, Q-51, Q-56, Q-57, Q-59, Q-60, Q-61, Q-65, Q-66, Q-68, Q-70, Q-71, Q-72, Q-74, Q-84, Q-85, Q-87, Q-90, Q-98, Q-102, Q-103, Q-111. (LLB) PJC

That as to such of the above described property as is occupied or cultivated, the United States and its agents are hereby authorized to take full and complete possession on ~~September~~ October 16, 1940, but the United States and its agents are hereby authorized immediately to enter upon such occupied or cultivated property and to exercise dominion over it to the extent necessary for the prosecution of the Olympic Project of the National Park Service of the Department of the Interior, and particularly to stop immediately and to prevent the cutting of timber, subject to the conditions, however, that prior to ~~September~~ October 16, 1940, the agents of the United States shall not injure, destroy or prevent the normal use of houses, barns and other improvements upon any of such occupied or cultivated property, nor injure, destroy or prevent the harvesting of crops other than timber or pasture upon any of such occupied or cultivated property. (LLB) PJC

IT IS FURTHER ORDERED that the United States Marshal be, and he is hereby directed and instructed forthwith, to serve personally upon any persons whom he may find in actual physical possession of property listed above as apparently occupied or cultivated property, a copy of a Notice to be signed by the attorneys for petitioner or, if no persons are found in actual physical possession of such occupied or cultivated property, then he is ordered to post a copy of such Notice at a conspicuous place upon said property and forthwith make due return of such service or posting PJC. LLB.

7—1404

U. S. GOVERNMENT PRINTING OFFICE

to this court, said Notice to contain in each instance a description of the particular property, a notification of the filing of the Declaration of Taking and of the vesting of title in the United States, and a brief summary of the part of this judgment bearing upon the possession of such occupied or cultivated property.

IT IS FURTHER ORDERED that the attorneys for petitioner be, and they are hereby directed, in every instance where the attorneys have an address for such respondents, to mail a similar Notice, appropriately referring to the possession of unoccupied and uncultivated property, to the respondents known to them to have any interest in the apparently unoccupied and uncultivated property, except page 178 that the attorneys shall not be required to mail such a Notice to the County in which the property lies where the only known interest of the County is in taxes assessed against the property, and forthwith to make due return of such mailing to this Court.

IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

Dated: June 26th, 1940

By the Court:

Lloyd L Black

Judge Presiding, United States District Court, Western District of Washington, Northern Division

Presented by
Paul Coughlin

The foregoing is a full, true and correct copy of the original Judgment on declaration of taking filed on the 26th day of June 1940
WITNESS my hand and official seal, this 26th day of June 1940.
MILLARD P. THOMAS, Clerk
By R. Elias DEPUTY

7—1404

U. S. GOVERNMENT PRINTING OFFICE

08-14-1940: shows payment for declaration of taking proceedings

Seattle, Washington.

August 14, 1940.

I, MILLARD P. THOMAS, Clerk of the United States District Court for the Western District of Washington, do hereby certify that I have this day received from G. F. ALLEN, Disbursing Officer of the Interior Department, Public Works, the sum of ONE HUNDRED FORTY-THREE THOUSAND, EIGHT HUNDRED SEVENTY-SEVEN and 68/100ths DOLLARS ($143,877.68), estimated value in Declaration of Taking proceedings for the acquisition of 5,256,22 acres of land situate in Clallam and Jefferson Counties, Washington, Cause No. 218, United States of America, Petitioner, vs. John B. Aaker, et al, Respondents.

I further certify that I have this day deposited the aforesaid moneys in the registry of this court.

WITNESS my hand and official seal at Seattle, Washington, this 14th day of August, 1940.

Millard P. Thomas

MILLARD P. THOMAS, Clerk.

J 247 248 250-252 258

page 8

08-14-1940: a judgement on declaration of taking in the district court of the u.s. for the western district of washington northern divi

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
NORTHERN DIVISION

UNITED STATES OF AMERICA, Petitioner, v. JOHN B. AAKER, et al., Respondents.	No. 218 JUDGMENT ON DECLARATION OF TAKING

This cause coming on to be heard at this term of court upon the motion of the petitioner, the United States of America, to enter a judgment on the declaration of taking filed in the above-entitled cause on August 14, 1940, and for an order fixing the date when possession of the property herein described is to be surrendered to the United States of America, and upon consideration thereof and of the condemnation petition filed herein, said declaration of taking, the statutes in such cases made and provided, and it appearing to the satisfaction of the Court:

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said petition;

SECOND: That a petition in condemnation was filed at the request of the acting under secretary of the interior, the authority empowered by law to acquire the lands described in said petition, and also under authority of the Attorney General of the United States;

THIRD: That said petition and declaration of taking state the authority under which, and the public use for which said lands were taken, that the acting under secretary of the interior is the person duly authorized and

empowered by law to acquire lands such as are described in the Petition for the purpose of providing for the construction of roads, trails, firebreaks, lookout towers, rangers' cabins, public beach facilities and utilities including sewer, water and telephone systems in connection with the Olympic Project of the National Park Service of the Department of the Interior, as authorized by law, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the land sought to be taken, sufficient for identification thereof, is set out in said declaration of taking;

FIFTH: That said declaration of taking contains a statement of the estate or interest in the said lands taken for said public use;

SIXTH: That a plat showing the lands taken is incorporated in said declaration of taking;

SEVENTH: That a statement is contained in said declaration of taking of a sum of money, estimated by said acquiring authority to be just compensation for said lands, in the amount of One Hundred Forty-Three Thousand, Eight Hundred Seventy-Seven and 68/100 Dollars (143,877.68), and that said sum was deposited in the Registry of this Court, for the use of the persons entitled thereto, upon and at the time of the filing of said declaration of taking;

EIGHTH: That a statement is contained in said declaration of taking that the amount of the ultimate award of compensation, for the taking of said property, in the opinion of the said acting under secretary of the interior, will probably be within the limits of allocations and

allotments made and provided for the purpose of said property; now therefore it is

ORDERED, ADJUDGED AND DECREED that the title to the following described lands situate in Clallam and Jefferson Counties in the State of Washington in fee simple, reserving, however, to the State of Washington or other owners the existing public highways, and the existing accesses thereto, and reserving the existing easements for public utilities, and reserving the rights of the public to navigate on and over all navigable waters included within said lands, vested in the United States of America upon the filing of said declaration of taking and the depositing in the Registry of this Court of the said sum of One Hundred Forty-Three Thousand, Eight Hundred Seventy-Seven and 68/100 Dollars ($143,877.68), as hereinabove recited, the said lands are deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the property taken, upon the filing of the declaration of taking and making of the deposit, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awarded in this proceeding and established by judgment herein pursuant to law:

The lands situate in Clallam County are described as follows:

C-5 Government Lot one (1) of Section thirty-one (31) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, together with shore lands of the second class situate in front of, adjacent to or abutting thereon.

Government Lots seven (7) and fourteen (14) of Section thirty (30) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, containing 45.50 acres, more or less. ✓

C-6 The Southeast quarter of the Northeast quarter of Section thirty (30), in Township thirty-one (31), North of Range Fifteen (15) West of the Willamette Meridian, containing 40 acres, more or less. ✓

C-7 Government Lot thirteen (13) of Section thirty (30) in Township thirty-one (31), North of Range fifteen (15), West of the Willamette Meridian, except the portion thereof conveyed by Owen Mulholland and Laura Mulholland, his wife, to Clallam County by deed dated October 25, 1937, filed for record November 1, 1937 and recorded in Volume 130 of Deeds on page 164, described as follows:

Beginning at the Southwest corner of Government Lot thirteen (13) of Section thirty (30) in Township thirty-one (31), north of Range fifteen (15), West of the Willamette Meridian; thence North along the West line of said Lot thirteen (13) thirty (30) feet; thence East parallel with the South line of said Lot thirteen (13) six hundred sixty (660) feet; thence North 83°00' East three hundred forty-six (346) feet more or less to the meander line of the Ozette River; thence Southerly along said meander line seventy-nine point five (79.5) feet more or less to meander corner along the South line of said Lot thirteen (13); thence West along said South line of Lot thirteen (13) to point of beginning, containing 27.51 acres, more or less. ✓

C-8 That portion of Government Lot thirteen (13) of Section thirty (30), in Township thirty-one (31) North of Range Fifteen (15) West of the Willamette Meridian, described as follows:

Beginning at the Southwest corner of Government Lot thirteen (13) of Section thirty (30) in Township thirty-one (31), North of Range fifteen (15) West of the Willamette Meridian; thence North along the West line of said Lot thirteen (13) thirty (30) feet; thence East parallel with the South line of said Lot thirteen (13) six hundred sixty (660) feet; thence North 83°00' East three hundred forty-six (346) feet more or less to the meander line of the Ozette River; thence Southerly along said meander line seventy-nine point five (79.5) feet more or less to meander corner along the south line of said Lot thirteen (13); thence West along said South line of Lot thirteen (13) to point of beginning, containing .89 acres, more or less. ✓

C-10 That portion of Government Lot two (2) of Section thirty-one (31) in Township thirty-one (31) North of Range fifteen (15) West of the Willamette Meridian, described as follows:

Beginning at the meander post on the West side of the Ozette River on the section line between Sections 30 and 31 in said township and range; thence west along said section line 100 feet; thence South 200 feet; thence East to the meander line of said Ozette River; thence following the meander line of said river in a northwesterly direction to the point of beginning, together with shore lands of the second class lying in front of and abutting upon said described tract, containing .70 acres, more or less. ✓

C-16 Government Lot four (4) in Section twenty-five (25) and Government Lots one (1) and two (2) in Section twenty-six (26), all in Township thirty-one (31) North of Range sixteen (16) West of the Willamette Meridian, containing 151.38 acres, more or less. ✓

C-30 The Southwest quarter of the Southeast quarter of Section seven (7), Government Lots five (5), eight (8), nine (9) and ten (10) and the Northwest quarter of the Southwest quarter of Section eight (8), Government Lot one (1) of Section seventeen (17) and the North half of the Northeast quarter of Section eighteen (18); all in Township thirty (30) North of Range fifteen (15) West of the Willamette Meridian, containing 303.09 acres, more or less. ✓

C-67 The East half of the Northeast quarter and the East half of the Southeast quarter of Section twenty-nine in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 160 acres, more or less. ✓

C-70 Government Lots six (6) and seven (7), the Northeast quarter and the North half of the Southeast quarter of Section thirty-two (32) in Township twenty-nine (29) North of Range fifteen (15) West of the Willamette Meridian, containing 310.40 acres, more or less. ✓

C-72 (A portion thereof)
The Northeast quarter of Section nine (9), in Township twenty-eight (28) North, Range fifteen (15) West of the Willamette Meridian, containing 160 acres, more or less. ✓

The lands situate in Jefferson County are described as follows:

J-14 Southeast quarter of northwest quarter; and Northeast quarter of southwest quarter; All in section eight (8), township twenty-seven (27) north, range fourteen (14) west, W.M., containing 80 acres, more or less. ✓

J-19 All of section sixteen (16), township twenty-seven (27) north, range fourteen (14) west, W.M., containing 640.00 acres, more or less. ✓

J-213 East half of southwest quarter of section thirty-three (33), township twenty-six (26) north, range thirteen (13) west, W.M., containing 80.00 acres more or less. ✓

J-218B (A portion thereof)
Southwest quarter of section four (4), township twenty-five (25) north, range thirteen (13) west, W.M., containing 160.00 acres, more or less. /

J-227 East half of southeast quarter of section sixteen (16), township twenty-five (25) north, range thirteen (13) west, W.M., containing 80.00 acres, more or less. ✓

J-247 Portion of the northeast quarter of the northeast quarter of section nine (9), township twenty-four (24) north, range thirteen (13) west, W.M., described as follows: ✓

J-247 (Cont.) Olympic Highway and north line of south half of south half of northeast quarter of northeast quarter of said section 9; thence east 180 feet; south 50 feet; west 98 feet more or less to Olympic Highway; thence northerly along east line of Olympic Highway to point of beginning; containing 0.11 of an acre, more or less.

J-248 South half of south half of northeast quarter of northeast quarter of section nine (9), township twenty-four (24) north, range thirteen (13) west, W.M., EXCEPT right of way for Olympic Highway conveyed to the State of Washington by deed recorded in volume 1 of waivers, page 272, records of said county, and EXCEPT portion described as follows:

That portion of northeast quarter of northeast quarter of said section 9, described as follows: Beginning at intersection of east line of Olympic Highway and north line of south half of south half of northeast quarter of northeast quarter of said section 9; thence east 100 feet south 50 feet west 98 feet, more or less, to Olympic Highway; thence northerly along east line of Olympic Highway to point of beginning, containing 9.12 acres, more or less.

J-250 Portion of government lot two (2), section nine (9), township twenty-four (24) north, range thirteen (13) west, W.M., described as follows:

Beginning at intersection of north line of said government lot and west line of Olympic Highway; thence west along said north line 397 feet to true point of beginning; thence south 100 feet; thence west 40 feet; thence north 100 feet; thence east 40 feet to point of beginning, containing 0.09 of an acre, more or less.

J-252 Portion of government lot two (2), section nine (9), township twenty-four (24) north, range thirteen (13) west, W.M., described as follows:

Commencing at the section corner common to sections three (3), four (4), nine (9) and ten (10); thence south following the section line 1320 feet; thence due west following Forty line 1571 feet; thence south 252 feet to the point of beginning; thence west 122 feet to Ocean Beach; thence following the beach 53 feet in a southerly direction to the center of an old road cut; thence east following a line between the Robert Brown and W. A. Sumerlin properties 106 feet; thence north 50 feet to point of beginning, containing 0.13 of an acre, more or less.

J-253 That portion of government lot two (2), section nine (9), township twenty-four (24) north, range thirteen (13) west, W.M., lying west of Olympic Highway, EXCEPTING therefrom the north 300 feet and the south 200 feet thereof, containing 12.30 acres, more or less.

J-254 North 400 feet of portion of Government Lot two (2), Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, containing 8.10 acres, more or less.

J-255 South 100 feet of north 500 feet of that portion of Government Lot two (2), Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, containing 1.90 acres, more or less.

J-256 That portion of Government Lot two (2), Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, except the north 500 feet and the south 200 feet thereof and except that part of said Government Lot two (2) described as follows:

Beginning at a point on the east line of said Government Lot two (2), 200 feet north of the southeast corner of said lot, thence north along the east line of said lot 100 feet, thence west along a line parallel to the south line of said lot and 300 feet distant therefrom to the Olympic Highway, thence southerly along the Olympic Highway to a point 200 feet north of the south line of said lot, thence east along a line parallel to the south line of said lot and 200 feet distant therefrom to the point of beginning, containing 9.35 acres, more or less.

(This tract is a portion of the tract designated in the petition herein as J-256. This tract is erroneously described in the declaration of taking herein as follows: "That portion of Government Lot two (2), Section nine (9), Township Twenty-Four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, EXCEPT the north 500 feet and the south 200 feet thereof, containing 10.85 acres, more or less.")

J-256A That portion of Government Lot two (2), Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M. lying east of Olympic Highway described as follows:

Beginning at a point on the east line of said Government Lot two (2), 200 feet north of the southeast corner of said lot, thence north along the east line of said lot 100 feet, thence west along a line parallel to the south line of said lot and 500 feet distant therefrom to the Olympic Highway, thence southerly along the Olympic Highway to a point 200 feet north of the south line of said lot, thence east along a line parallel to the south line of said lot and 200 feet distant therefrom to the point of beginning, containing 1.61 acres, more or less.

(This tract is a portion of tract J-256, described in the petition herein. This tract is described in the declaration of taking herein as follows: "That portion of Government Lot two (2), Section Nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, described as follows:

J-256A (Cont.) "Beginning at a point 200 feet North of the Southeast corner of Government Lot 2, extending thence North 100 feet; thence West parallel to the South line of Government Lot 2 to Olympic Highway; thence southerly along Olympic Highway to North line of Lawrence Borne property, thence east to point of beginning, containing 1.61 acres, more or less.")

J-257 & J-258 South 200 feet of Government Lot two (2), Section nine (9), Township twenty-four (24) North, Range thirteen (13) West, W.M., EXCEPT right of way of Olympic Highway conveyed by deed recorded in volume 94 of deeds, page 249, records of said county, containing 6.00 acres, more or less.

J-259 All of the Plat of Kalaloch Highway Tracts, Jefferson County, Washington, according to plat thereof recorded in volume 3 of plats, page 20, records of said county, covering all that part of Government Lots three (3) and four (4), Section nine (9) and Government Lot one (1), Section sixteen (16), all in Township twenty-four (24) North, Range thirteen (13) West, W.M., lying east of Olympic Highway, containing 23.98 acres, more or less.

J-260 Government Lot two (2), Section sixteen (16); and that portion of the following tracts lying west of Olympic Highway, to-wit:

Government Lots three (3) and four (4), Section nine (9); Government Lot one (1), Section sixteen (16); and Northwest quarter of Section fifteen (15); All in Township twenty-four (24) North, Range thirteen (13) West, W.M., containing 47.21 acres, more or less.

J-269 South half of northeast quarter; and East half of Southeast quarter; All in Section fifteen (15); East half of East half of Section twenty-two (22); All in Township twenty-four (24) North, Range Thirteen (13) West, W.M., containing 320.00 acres, more or less.

J-271 Government Lot three (3) and that portion of the Northeast quarter of the Southwest quarter of Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., lying west of Olympic Highway, EXCEPT that portion of said Government Lot 3 conveyed to the State of Washington for right of way of Olympic Highway by deed recorded in volume 1 of waivers, page 275, records of said county, containing 12.52 acres, more or less.

J-274 Portion of Government Lot four (4), Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., described as follows:

Beginning at a point where the center line of Olympic Highway intersects the north line of Quinault Indian Reservation; thence north 10° 23' west along said center line 660 feet; thence south 79° 37' west 50 feet to the west line of said highway; thence north 10°23' west along said west line 130.3 feet to the true point of beginning; thence south 85°44' west to the meander line; thence northerly along said meander

J-274 (Cont'd) line to the north line of said government Lot 4; thence east to Olympic Highway; thence southerly along west line of said highway to point of beginning, containing 6.00 acres, more or less.

J-275 That portion of the northeast quarter of the southwest quarter of Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., described as follows:

Beginning at a point on the east line of Olympic Highway, which point is 200 feet northerly from the south line of said Northeast quarter of Southwest quarter measured along the east line of said highway; thence northerly along said east line 50 feet; thence easterly at right angles 110 feet; thence southerly at right angles 50 feet; thence westerly at right angles 110 feet to point of beginning, containing 0.13 acres, more or less.

J-276 Tract in Government Lot four (4), Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., described as follows:

Beginning on meander corner on the north boundary of Quinault Indian Reservation; thence in an easterly direction along said north boundary a distance of 562½ feet to point of intersection with center line of State Road No. 9; thence north 10°23' west a distance of 660 feet; thence south 79°37' West 50 feet to point of intersection with westerly right of way line of State Road No. 9, and the true point of beginning; thence continuing south 79° 37' west 417 feet; thence north 10° 23' west 174.9 feet; thence north 85° 44' east 419.4 feet to point of intersection with westerly right of way line of State Road No. 9; thence south 10°23' east 130.3 feet to the true point of beginning, containing 1.46 acres, more or less.

J-277 Portion of Government Lot four (4), Section twenty-two (22), Township twenty-four (24) North, Range thirteen (13) West, W.M., described as follows:

Beginning at a point on the meander line where same is intersected by the north line of Quinault Indian Reservation; thence easterly along said northerly line to the Olympic Highway; thence northerly along the west line of said highway to the southeasterly corner of a tract deeded to the State of Washington by deed recorded in volume 98 of deeds, page 567, records of said county; thence south 79° 37' west 417 feet; thence north 10° 23' west 174.9 feet; thence south 85° 44' west to the meander line; thence southerly along said meander line to point of beginning, containing 6.54 acres, more or less.

J-45 Northeast quarter of Section twenty-four (24) Township twenty-four (24) north, Range twelve (12) West, W.M., containing 160 acres, more or less.

Q-49 Government Lots one (1), two (2), three (3) and four (4); Northeast quarter of Southwest quarter; North half of Southeast quarter; Northeast quarter; Northwest quarter; All in Section thirty-six (36), Township twenty-four (24) North, Range twelve (12) West, W.M., containing 582.99 acres, more or less.

Q-50 Government Lot two (2), Section thirty (30), Township twenty-four (24) North, Range Eleven (11) West, W.M., containing 35.19 acres, more or less.

Q-58 (A portion thereof)
Southeast quarter and South half of Southwest quarter, Section twenty (20), Township twenty-four (24) North, Range Eleven (11) West, W.M.,

South half Section twenty-one (21), Township twenty-four (24) North, Range eleven (11) West, W.M., containing 560 acres, more or less.

Q-75 North half of southeast quarter; and Southwest quarter of southeast quarter; All in Section nine (9), Township twenty-four (24) North, Range eleven (11) West, W.M., containing 120.00 acres, more or less.

Q-81 (A portion thereof)
Government Lots one (1), two (2), three (3), four (4), Section one (1), Township twenty-four (24) North, Range eleven (11) West, W.M.

Government Lots one (1), two (2), and eight (8), South half of northeast quarter; North half of Southwest quarter; Southwest quarter of Southwest quarter; and Northwest quarter of Southeast quarter; All in Section two (2), Township twenty-four (24) North, Range eleven (11) West, W.M.

Northeast quarter of Southeast quarter and South half of Southeast quarter, Section eleven (11), Township twenty-four (24) North, Range 11 West.

South half of northeast quarter; South half of Northwest quarter; and South half; All in Section twelve (12), Township twenty-four (24) North, Range eleven (11) West, W.M., containing 1,090.52 acres, more or less.

TOGETHER with all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

That the United States and its agents are hereby authorized immediately to enter upon so much of the above described property as is unoccupied and uncultivated, and to take full and complete possession thereof. That such unoccupied and uncultivated property appears to the court

08-14-1940: a judgement on declaration of taking in the district court of the u.s. for the western district of washington northern divi

to be all of the property described above other than that described under the following tract numbers, which embrace occupied or cultivated property: C-5, C-7, C-16; J-247, J-248, J-250, J-252, J-254, J-256, J-274, J-275.

That as to such of the above described property as is occupied or cultivated, the United States and its agents are hereby authorized to take full and complete possession on November 15, 1940, but the United States and its agents are hereby authorized immediately to enter upon such occupied or cultivated property and to exercise dominion over it to the extent necessary for the prosecution of the Olympic Project of the National Park Service of the Department of the Interior, and particularly to stop immediately and to prevent the cutting of timber, subject to the conditions, however, that prior to November 15, 1940, the agents of the United States shall not injure, destroy or prevent the normal use of houses, barns and other improvements upon any of such occupied or cultivated property, nor injure, destroy or prevent the harvesting of crops other than timber or pasture upon any of such occupied or cultivated property.

IT IS FURTHER ORDERED that the United States Marshal be, and he is hereby directed and instructed forthwith, to serve personally upon any persons whom he may find in actual physical possession of property listed above as apparently occupied or cultivated property, a copy of a Notice to be signed by the attorneys for petitioner or, if no persons are found in actual physical possession of such occupied or cultivated property, then he is ordered to post a copy of such Notice at a conspicuous place upon said property and forthwith make due return of such service or

posting to this court, said Notice to contain in each instance a description of the particular property, a notification of the filing of the declaration of taking and of the vesting of title in the United States, and a brief summary of the part of this judgment bearing upon the possession of such occupied or cultivated property.

IT IS FURTHER ORDERED that the attorneys for petitioner be, and they are hereby directed, in every instance where the attorneys have an address for such respondents, to mail a similar Notice, appropriately referring to the possession of unoccupied and uncultivated property, to the respondents known to them to have any interest in the apparently unoccupied and uncultivated property, except that the attorneys shall not be required to mail such a Notice to the County in which the property lies where the only known interest of the County is in taxes assessed against the property, and forthwith to make due return of such mailing to this Court.

IT IS FURTHER ORDERED that this cause is held open for such other and further orders, judgments and decrees as may be necessary in the premises.

Done in open court this 14th day of August, 1940.

Lloyd L Black
United States District Judge

Presented by

Paul Coughlin

The foregoing is a full, true and correct copy of an original Judgment filed on the 14th day of Aug 1940
WITNESS my hand and official seal this 14th day of August 1940.
MILLARD P. THOMAS, Clerk
By R. Elias
DEPUTY

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02-23-1966: special use permit: permit # 4:149:1763

Form 10-114
(Rev. Oct. 1958)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists of 5 pages

PERMIT NO. 4:149:1763 | EXPIRES 12/31/70
PREVIOUS PERMIT NO. 14-10-0447-502

SPECIAL USE PERMIT

Olympic National Park
(Area)

Washington State Highway Commission of P. O. Box 327, Olympia, Washington is hereby authorized during the period from January 1, 1966, thru December 31, 1970, to use the following-described ~~land in the above-named area~~ facilities: To tap Government-owned 4" water line on west side of Highway U. S. 101 opposite approximate engineer's station 280+00 in Lot 4, Section 4, Township 24 North, Range 13 West, W.M., which point of diversion is located on State-owned right-of-way covered by 25-year franchise No. 2450, dated December 27, 1954.

for the purpose of use of water surplus to Government needs from Federal Kalaloch area water system, water right application 13842, Docket 7, Olympic National Park.

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of sixty Dollars ($ 60.00), in advance ~~per annum prorated on (Monthly, semiannually, etc.), or as follows:~~ a basis of five ($5.00) per month, payable within 30 days after December 31 of each year during the term of this permit.

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at Port Angeles (City) this 23rd day of February 1966

Barrett Tillery
Superintendent.

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

TWO WITNESSES TO SIGNATURES	* PERMITTEE (SIGNATURE)
NAME X Stacklin	NAME X
ADDRESS 409 Franklin Olympia Wn 98501	ADDRESS Department of Highways Highways-Licenses Bldg., Olympia, Wash.
NAME	NAME
ADDRESS	ADDRESS

APPROVED: (If approval is required by higher authority)

NAME		DATE
	CONDITIONS	

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

Distribution: Fee Permit: Field Finance Office. No Fee Permit: To Superintendent's File.

CONDITIONS OF THIS PERMIT

1. **Regulations.**—The permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with the regulations of the Secretary of the Interior, or other authorized officer of the Government, governing the area.

2. **Definition.**—The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent as the representative of the Director.

3. **Rights of the Director.**—Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing. If it is necessary to exercise such right, every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the permittee for the purpose intended under this permit.

4. **Nondiscrimination.**—If use of the land covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees to observe the following nondiscrimination provisions in connection with the use to which the lands covered by this permit may be devoted:

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The contractor further agrees to insert the foregoing provisions in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials. (Executive Order 10557; September 3, 1954.) See attached Executive Order No. 11246, 9/24/65

5. **Damages.**—The permittee shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the permittee is authorized to make of the land described in this permit.

6. **Construction.**—No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

7. **Removal of structures and improvements.**—Upon the expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

8. **Water Rights.**—The United States reserves the rights to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

9. **Disposal of refuse.**—The permittee shall dispose of brush and other refuse as required by the Superintendent.

10. **Timber cutting.**—No timber may be cut or destroyed without first obtaining a permit therefor from the Director, National Park Service.

11. **Fire prevention and suppression.**—The permittee and his employees shall take all reasonable precautions to prevent forest, brush, grass, and structural fires and also shall assist the Superintendent in extinguishing such fires in the vicinity of any tract which may be used hereunder.

12. **Soil erosion.**—The permittee shall take adequate measures, as directed and approved by the Superintendent to restrict and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. **Benefit.**—Neither Members of, nor Delegates to Congress, or Resident Commissioners shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom: *Provided however*, That nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the benefit of such corporation.

14. **Assignment.**—This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

15. **Revocation.**—This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

U. S. GOVERNMENT PRINTING OFFICE: 1956 16—35968-5

Form 10-114a
(Dec. 1956)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA	PERMIT NO.	PAGE NO.
Olympic National Park	4:149:1763	3

16. The water line for which this permit is granted shall follow the west ditch line of Highway U. S. 101 northwesterly from approximate engineer's station 280+00 to approximate engineer's station 324, all within State-owned right-of-way, thence crossing said highway to space owned and occupied by State Highway Department in Government Lot 4, Section 33, Township 24 North, Range 13 West, W.M.

17. A portion of the water system involved is owned by the Government and a portion is owned by Marian W. Becker who operates the pumping system. Permittee agrees to pay Marian W. Becker for pumping service.

18. The water system is subject to revision and improvements. Accordingly the fee may be changed at any time in the discretion of the Superintendent.

19. The Government does not guarantee to provide a continuous water supply.

20. Permittee agrees that this permit may be revoked at any time and agrees to disconnect its pipeline from the Government pipeline when requested to do so.

21. Permittee, if required, agrees to provide necessary information, plans and data to perfect water rights in the name of the United States.

22. Nondiscrimination clause attached.

U. S. GOVERNMENT PRINTING OFFICE 16—78101-1

Form 10-114
(Rev. Oct. 1958)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists of 3 pages

SPECIAL USE PERMIT

PERMIT NO.	EXPIRES
14-10-0447-502	12/31/65
PREVIOUS PERMIT NO.	
14-10-447-343	

Olympic National Park
(Area)

Washington State Highway Commission, Box 327, Olympia, Washington is hereby authorized during the period from January 1, 1961, to December 31, 1965, to use the following-described ~~land in the above-named area~~ facilities: to tap government owned 4" water line on West side of Highway U. S. 101 opposite approximate engineer's station 280+00 in Lot 4, Section 4, Township 24 North, Range 13 West, W.M., which point of diversion is located on the state-owned right-of-way covered by a 25-year franchise, No. 2450, dated December 27, 1954,

for the purpose of use of water surplus to government needs from Federal Kalaloch area water system, water right application 13842, Docket 7, Olympic National Park,

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of sixty and no/100 Dollars ($ 60.00), ~~in advance per annum prorated (Monthly, semiannually, etc.),~~ as follows: on a basis of five ($5.00) per month payable within 30 days after December 31 of each year during the term of this permit

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at Port Angeles, Washington (City), this 16th day of March 1962

/s/ John E. Doerr
John E. Doerr — Superintendent

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

TWO WITNESSES TO SIGNATURES	* PERMITTEE (SIGNATURE)
NAME: R. L. D. (signature illegible)	NAME: R. W. Kinlake, District Engineer
ADDRESS: 3032 So. McCormick, Olympia, Washington	ADDRESS: P.O. Box 327, Olympia, Washington
NAME: E. J. Kranz	NAME:
ADDRESS: P.O. Box 327, Olympia, Washington	ADDRESS:

~~APPROVED~~

~~NAME~~	~~TITLE~~	~~DATE~~
Copy for inclusion in Water Rights Docket 7, Olympic	XXX	XXX

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for Final Opinions and Orders File of Park)

CONDITIONS OF THIS PERMIT

1. **Regulations.**—The permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with the regulations of the Secretary of the Interior, or other authorized officer of the Government, governing the area.

2. **Definition.**—The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent as the representative of the Director.

3. **Rights of the Director.**—Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing. If it is necessary to exercise such right, every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the permittee for the purpose intended under this permit.

4. **Nondiscrimination.**—If use of the land covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees to observe the following nondiscrimination provisions in connection with the use to which the lands covered by this permit may be devoted:

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The contractor further agrees to insert the foregoing provisions in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials. (Executive Order 10557; September 3, 1954.)

5. **Damages.**—The permittee shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the permittee is authorized to make of the land described in this permit.

6. **Construction.**—No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

7. **Removal of structures and improvements.**—Upon the expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

8. **Water Rights.**—The United States reserves the rights to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

9. **Disposal of refuse.**—The permittee shall dispose of brush and other refuse as required by the Superintendent.

10. **Timber cutting.**—No timber may be cut or destroyed without first obtaining a permit therefor from the Director, National Park Service.

11. **Fire prevention and suppression.**—The permittee and his employees shall take all reasonable precautions to prevent forest, brush, grass, and structural fires and also shall assist the Superintendent in extinguishing such fires in the vicinity of any tract which may be used hereunder.

12. **Soil erosion.**—The permittee shall take adequate measures, as directed and approved by the Superintendent to restrict and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. **Benefit.**—Neither Members of, nor Delegates to Congress, or Resident Commissioners shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom: *Provided however,* That nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the benefit of such corporation.

14. **Assignment.**—This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

15. **Revocation.**—This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

U. S. GOVERNMENT PRINTING OFFICE: 1956 16—35968-5

Form 10-114a
(Dec. 1950)

'TED STATES DEPARTMENT OF THE INTEI R
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA	PERMIT NO.	PAGE NO.
Olympic National Park	14-10-0447-502	3

16. The water line for which this permit is granted shall follow the west ditch line of Highway U. S. 101 northwesterly from approximate engineer's station 280+00 to approximate engineer's station 324 all within state-owned right-of-way, thence crossing said highway to space owned and occupied by State Highway Department in Government lot 4, Section 33, Township 24 North, Range 13 West, W.M.

17. A portion of the water system involved is owned by the Government and a portion is owned by C. W. Becker, Jr., who operates the pumping system. Permittee agrees to pay C. W. Becker, Jr. for pumping service.

18. The water system is subject to revision and improvements. Accordingly the fee may be changed at any time in the discretion of the Superintendent.

19. The Government does not guarantee to provide a continuous water supply.

20. Permittee agrees that this permit may be revoked at any time and agrees to disconnect its pipeline from the Government pipeline when requested to do so.

21. Permittee, if required, agrees to provide necessary information, plans and data to perfect water rights in the name of the United States.

U. S. GOVERNMENT PRINTING OFFICE 16—73101-1

02-13-1957: special use permit

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
10-114
(October 1952)
(Revised)

SPECIAL USE PERMIT

No. L-2031

Previous Permit No. None

Washington State Highway Commission, of Box 327, Olympia, Washington, is hereby authorized during the period from February 1, 1957, to December 31, 1957, to use the following-described facilities: To tap Government-owned 4" water line on west side of Highway U. S. 101 opposite approximate engineer's station 280+00 in Lot 4, Section 4, Township 24 North, Range 13 West, W.M., which point of diversion is located on the State-owned right-of-way covered by 25-year franchise No. 2450, dated December 27, 1954. (See Special Condition #15.)

for the purpose of use of water surplus to Government needs from Federal Kalaloch area water system, water right application 13842, Docket 7, Olympic National Park.

subject to the conditions on the reverse hereof and to the payment to the Government of the United States of the sum of sixty dollars ($ 60.00), per annum prorated on a basis of five ($5.00) per month, payable within 30 days after December 31 of each year during the term of this permit, payment to be made to the Superintendent by express or postal money order, certified check, or draft payable to Treasurer, United States.

Signed at

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

/s/ T. I. Pitts

*Address P. O. Box 327, Olympia, Wash.

/s/ H. F. Eichelberger

*Address P. O. Box 327, Olympia, Wash.

*/s/ J. C. Claypool

*Address P. O. Box 327, Olympia, Washington

*Address

APPROVED: Superintendent, Olympic National Park, National Park Service.

/s/ Fred J. Overly

Date 2/13/57

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, or list of witnesses.

(This copy for the Lands Division, Washington)

Renewed Jan 1 1961 (See Cond. 15) for 5 years

SPECIAL CONDITIONS OF THIS PERMIT

1. Permittee shall exercise this privilege subject to the supervision of the Superintendent and shall comply with the regulations of the Secretary of the Interior governing the area.

2. Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

3. The United States reserves the right to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

4. No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

5. Permittee shall dispose of brush and other refuse as required by the Superintendent.

6. Permittee shall pay the United States for any damage resulting from this use.

7. Permittee and his employees shall take all reasonable precautions to prevent forest fires and also shall assist the Superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder, and in the preservation of good order within the metes and bounds of the area.

8. No timber may be cut or destroyed without first obtaining permit therefor from the Director, National Park Service, in writing.

9. This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

10. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

11. Neither Members of, nor Delegates to Congress, or Resident Commissioners shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom: *Provided*, however, that nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the general benefit of such corporation.

12. All uranium, thorium and all other material determined pursuant to section 5(b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material contained in whatever concentration, in deposits in the lands covered by this permit are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

12. Permittee shall take adequate measures, as directed and approved by the Superintendent, to arrest and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. Upon expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

14. 15. The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent National Park Service as the representative of the Director.

U. S. GOVERNMENT PRINTING OFFICE 16—33968-3

Special Use Conditions Continued, Special Use Permit No. 14-10-447-343

15. At the request of the permittee this permit may be renewed for periods of one year but not beyond January 1, 1961 without execution of a new permit, at the discretion of the Superintendent.

16. The water line for which this permit is granted shall follow the west ditch line of Highway U. S. 101 northwesterly from approximate engineer's station 280+00 to approximate engineer's station 324, all within State-owned right-of-way, thence crossing said highway to space owned and occupied by State Highway Department in Government Lot 4, Section 33, Township 25 North, Range 13 West, W.M.

17. A portion of the water system involved is owned by the Government and a portion is owned by C. W. Becker, Jr. who operates the pumping system. Permittee agrees to pay C. W. Becker, Jr. for pumping service.

18. The water system is subject to revision and improvements. Accordingly the fee may be changed at any time in the discretion of the Superintendent.

19. The Government does not guarantee to provide a continuous water supply.

20. Permittee agrees that this permit may be revoked at any time and agrees to disconnect its pipeline from the Government pipeline when requested to do so.

21. Permittee, if required, agrees to provide necessary information, plans and data to perfect water rights in the name of the United States.

Other Supporting Information

Kalaloch Campground: Actions taken January and February 1999

Summary of Actions:

The issue of additional water rights for the Kalaloch Campground was taken up anew in early 1999. Several contacts were made with various agencies of the State of Washington and the Park personnel in order to assess the needs of the Park and the agency requirements for a water right.

Attached is a summary of the contacts made and the information that was exchanged. This information includes a copy of all the information the State of Washington has on file regarding the campground's present water right. It was received from Vicki Klein January 1999. The ultimate outcome to these actions was that the Park and the concessionaire needed additional time to determine the amount of additional water needed to meet the campground's future operations. (A printout of the e-mail exchanged with Jim Chambers of OLYM provides added detail.) Consequently, this issue is put on hold, per the Park's instructions, until further action is sought by the Park (estimated at about 3 years).

An issue file was created which contains some additional materials, including the applications for water rights, and the requirements for a conservation plan, and a water system plan. (See the record of contact with Richard Hoy of WA Dept of Health). The issue file also includes some WA statutes.

Kalaloch Campground—Olympic National Park

CONTACTS:

Contact: Jim Schultz
Wasn't able to provide much information about the water system or the expansion plans. Suggested I call Jim Chambers.

Contact: Vicki Klein—WA Dept of Ecology: 360-407-0278

Spoke with Vicki Klein January 15, 1999, re the WR application process. She could provide little information about the instream flow issues, but indicated that most of the instream issues were handled by the WA Fish and Wildlife Dept. If F&W had investigated the stream and determined a minimum stream level, they would then put some sort of notification on the computer as to possible limitations of any WR applications. She did look up Kalaloch Creek on their computer to see what kind of documentation there was regarding any F&W input. The computer indicated that there was no information and no holds placed on the creek by F&W.

We also discussed some of the specific requirements of the WR application form. Regarding the "current water system plan" requirement: she indicated that that issue is handled by the state health dept (360-753-2452). She said that this "plan" applied only to public water systems; given the size and seasonal nature of the campground system, she thought it wouldn't be a problem, but that I should contact the health dept to ask them directly. The same can be said of the "approved conservation plan" question on the application.

She also indicated that any reservoir permit would also be applied for through her, and that the permit would be needed only for an impoundment of greater than 10 acre feet.

She didn't know if the creek was a spawning creek.

She said that she would send me a copy of the their file as to any F&W statements re instream flows from the original application in 1956, and a copy of the application for a reservoir permit.

Contact: Vicki Klein

Received the copy of their file and an application for a reservoir permit (if needed) on January 26, 1999. The information does not show any review or limitation placed on the creek by the WA Dept of Fish and Wildlife.

Contact: Richard Hoy: WA Dept of Health (Southwest Region Drinking Water (360-586-2510)

The WR application asks wheterh there is a "current water system plan" and a "conservation plan" approved by WA Dept of Health. Rich indicated that all expanding WR need an approved "water system plan", and that the approved "conservation plan" is incorporated in this plan. He will send the needed guidelines today (1-26-99). He also stated that they will review the system plan and the engineering plan at the same time, and that both need to be approved.

Contact: Jim Chambers

After playing phone tag, I decided to email my questions to Jim. Sent list of questions on 1-18-99.

1) Amount needed: I understand that the current right is for 45 gpm; that current useage is about 100 gpm; and that the expansion will bring total need to about 200 gpm. Please inform me as to the total need.

2) Number of diversions: I understand that there is currently only one diversion. Does the expansion contemplate more than one diversion point?

3) Point of diversion: Easting, Northing.

4) Any change in proposed uses:

5) Description of system: (diversion, pumping, distribution, storage; size, capacity, location, horsepower of pumps, etc.)

6) Number of connections: The engineering report indicates that there

will be a total of 299, after expansion.

7) Impoundments: Are there any plans for impoundment. If so, what is the nature of the structure, depth, capacity, amount above grade.

8) Any groundwater use proposed:

Issues from Application Form:

Held in whose name: United States on behalf of Olympic NP.
Should we expand the present right or seek to roll excess into new right: From discussion with Vicki Klein, they don't do expansion of rights, so we should seek a new right that incorporates the expanded need and the need from the new development.
Amount Needed: 200 gpm total (155 gpm in this application)
Legal Description: Done.
Est acre feet per year:
Number of diversions: 1
Point of diversion: Points of diversion within NE1/4, NE1/4, Section 9, Township 24 North, Range 13 W, W.M.
Lands to which the right will be appurtenant: All that part of SE1/4, section 4; NE1/4, section 9; NW1/4, section 10; and W1/2WS1/4, section 3; designated as Kalaloch Resort area within Olympic National Park, and Township 24 North, Range 13 West, W.M.
Other uses: No other uses
Description of system: (Diversion, pumping, distribution, storage; proposed size, capacity, location, horsepower of pumps.)
Document existing rights:
Points of diversion within NE1/4, NE1/4, Section 9, Township 24 North, Range 13 W, W.M.
Lands to which the right will be appurtenant: All that part of SE1/4, section 4; NE1/4, section 9; NW1/4, section 10; and W1/2WS1/4, section 3; designated as Kalaloch Resort area within Olympic National Park, and Township 24 North, Range 13 West, W.M. To be used through entire year.
Recorded in Book No. 15 of Water Right Certificates, on page 7311, on October 6, 1958
Number of connections: Presently 69. Expects up to about 130.
Type of connections: Recreational; concessions; residential (park personnel).
Current water system plan approved by the WA Dept of Health:
Impoundments: None.

Summary of 1986 Engineering Report regarding the proposed expansion of the campground:

Final Report:
Water and Sewer Improvements at Kalaloch Campground:
Planned Expansion:
5 2-story buildings with 4 units
2 2-story buildings with 8 units
1 2-story buildings with 16 units
Existing Water System:
1 intake structure: flows to influent pumphouse
2 100 gpm turbine pumps push to treatment plant
2 140 gpm turbine pumps and 2,000 gallon hydropneumatic tank deliver treated water to distribution system.
Peak Capacity of Treatment: 100 gpm
Average Daily Production: 75 gpm
Proposed Needs:

Additional 52 guest units (total will be 109)
Projected Daily Maximum Use for:
Concession Area: 77,400 gallons (an increase of 37,700 gallons over previous recorded daily maximum).
Total System: 152,700 gallons
Peak Flow Projection:

Campground sites:	180
Building Units:	109
Restaurant:	10
Total	299 connections

Peak Flow: 320 gpm for 300 connections

Storage Needs:

Existing Storage:	100,000 gallons
Production:	184,500
Useage:	(292,200)
Fire Flow:	(37,800)

45,500 gallons *additional* storage needed

Other:

Statutes: Obtained all relevant WA statutes re water rights on January 2, 1999. There is not much help here in terms of filling out the application form correctly. However, the annotations did lead me to a law review article about instream flows under the reserved rights doctrine. But this doesn't look to be very applicable here.

Water Law--Quanitification of Water Rights Claimed Under the Implied Reservation Doctrine for National Forests-- United States v. New Mexico, 438 U.S. 696 (1978) (54 Wash. L. Rev. 873 (1979)).

In 1966, the Mimbres Valley Irrigation Company started a civil action in NM state court to enjoin water diversion by upstream riparian owners. The State of NM intervened and sought a general adjudication of water rights within the Mimbres system. The U.S. was joined in the action because the Mimbres w/shed contains the Gila NF. The U.S. claimed instream flows and recreational purposes within the Gila under the implied reservation doctrine. The case went to the U.S. Supreme Court, where it was decided that the reserved rights doctrine can be applied only for the limited purposes for which the national forests were created.

The majority opinion found only two permissible purposes for creation of a national forest under the Organic Act of 1897: (1) to secure favorable water flows, and (2) to furnish a continous supply of timber. The dissent argued that an additional purpose of the Act of 1897 was to "improve and protect" the forest. And so, using the the notion that the forest is an integrated ecosystem that includes wildlife, the applicatio of the implied reservation doctrine to wildlife preservation was acceptable. But the majority focused on the legislative history of the Act, and concluded that the purpose of the Act was primarily economic in nature, rather than for forest preservation.

The decision reduces the flexibility of the reservation doctrine by requiring rigid adherence to the original purposes of the Act of 1897, which insures expansion of the state's role in adjudication of water rights. This lack of flexibility prevents a court from reaching any equitable apportionment in federal-state conflicts over water by recognizing the purposes of federal reservations "as now perceived". The key to the analysis should not be a search of old legislative history, but should rather depend on an equitable balancing of the present needs and benefits of the federal reservation with the state's desire to protect private appropriators under state law. This overly restrictive interpretation could lead the U.S. to seek condemnation to ensure an adequate supply of water to meet the modern needs of the federal reservation. Many of the modern needs of the national forests provide collateral benefits to the state and private appropriators--e.g. erosion control, increased yield--and consequently, it would be inequitable to require the feds to pay for such water through condemnation.

Author: Jim Chambers at N. OLYM
Date: 2/9/1999 12:00 PM
Priority: Normal
TO: Eric Lord at NP-WASO-WR
Subject: Re: Water Rights

Jim,

I wanted to follow up and make sure you got those questions I asked on the email a week or so back. Also, has the park been working with an engineering firm on this project? The reason I ask is that the State of Washington just sent me a fairly extensive amount of material regarding the hoops we'll have to jump through (e.g. conservation plan, water system plan, coliform monitoring plan) and I need to get a sense of what is in the works at this stage.

Thanks,
Eric
NPS-WRD

Eric,

I know you're not going to believe that this could happen in the NPS but we just had a meeting this morning and it seems it's time to take a couple of steps back. There are several issues at work. First, the concessioner needs to get plans going to replace the existing lodge, which is about to slide down the bluff into the ocean. There may or may not be increased water requirements from this move. If there is it will be minor. Second, their long term plan is for expanded lodging and other services but.... we're in line for a GMP in the next two years and the Superintendent's thought is that we need to wait and see what comes out of the GMP before we tell the concessioner what we want them to do and to not do. So, the bottom line is that we don't have the information to give you to proceed with the water rights issue, and probably won't have for at least three years. I think at this point we need to put this thing on the shelf until we can give you some definite numbers and have solid plans to work with. In the mean time we'll just go on operating like we have for the last thirty years.

I'm sorry that you've spent all this time trying to get something started. My understanding is that the request went to you from our concession specialist who has a tendency to charge off in his own direction, thinking he's doing something good. In this case he seems to have wasted a lot of people's time. We most likely will be coming back to you at some time in the future and hope you haven't black balled us yet. If you want to discuss the situation further you can give me a call at 360-452-0304. Thanks for all your work.
JC

Author: Jim Chambers at NP-OLYM
Date: 1/20/1999 3:40 PM
Priority: Normal
TO: Eric Lord at NP-WASO-WR
CC: Jim Schultz, Daryl Gardner
Subject: Re: Water Rights

Jim,

Since we've had trouble with phone tag, I thought I'd try this approach. In order to complete the application for water rights to meet the expanding needs of the campground, I need to understand the nature of the proposed expansion. I have on file an engineering report from 1986 that talks about the expansion, but I'm not sure if this is still valid. (I believe the scope has been reduced considerably.) I have compiled a list of questions about the proposed expansion and the corresponding water need. If you could answer these for me I can get the water right process underway.

1) Amount needed: I understand that the current right is for 45 gpm; that current useage is about 100 gpm; and that the expansion will bring total need to about 200 gpm. Please inform me as to the total need. We can currently only process a maximum of 100 gpm. Reality is that we're only processing about 60 gpm. Since you're going to the trouble to do this we should probably go ahead with the 200 gpm number to allow for future expansion of our treatment capabilities. At this time we plan to deal with increased useage with additional storage rather than additional treatment facilities.

2) Number of diversions: I understand that there is currently only one diversion. Does the expansion contemplate more than one diversion point? No

3) Point of diversion: Easting 397317, Northing 5273157.

4) Any change in proposed uses: No change in uses, just increased amounts for current uses.

5) Description of system: (diversion, pumping, distribution, storage; size, capacity, location, horsepower of pumps, etc.)

The intake structure is a concrete channel that runs the full width of Kalaloch Creek. In the channel is horizontal perforated pipe covered with rocks. Water gravity flows to the pumping chambers. Two 3 hp vertical shaft turbine pumps alternate pumping water to the water treatment plant. Each pump was rated at 100 gpm when new. 100 gpm is the maximum amount the plant can process. There is 100,000 gallon storage capacity under the water plant. Two 10 hp vertical shaft turbine pumps alternate supplying water to the distribution system. A hydro-pneumatic tank maintains pressure in the system. The water plant has a clarifier and 2 multi-media filters. There is a 15 hp fire pump and a 3 hp pump for backwashing the filters.

6) Number of connections: The engineering report indicates that there will be a total of 299, after expansion. Current number of connections is 69. I seriously doubt that there will ever be 299. Probably more like 125-130.

7) Impoundments: Are there any plans for impoundment. No If so, what is the nature of the structure, depth, capacity, amount above grade.

8) Any groundwater use proposed: No

My thanks for your help. Also, if you can think of anybody else there that I should talk to, please let me know.

Eric Lord
NPS-WRD

Rec'd 1/26 from Vicki Klein WA Dept of Ecology

S. F. No. 269—1-37—5M. 47579. O.S.

CERTIFICATE RECORD NO. 15, PAGE NO. 7311

STATE OF WASHINGTON, COUNTY OF Jefferson

CERTIFICATE OF SURFACE WATER RIGHT

(In accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the State Supervisor of Water Resources thereunder.)

This is to certify that OLYMPIC NATIONAL PARK *of* Port Angeles, *State of* Washington, *has made proof to the satisfaction of the State Supervisor of Water Resources of Washington, of a right to the use of the waters of* Kalaloch Creek, *a tributary of* Pacific Ocean, *with point or points of diversion within the* NE¼NE¼ Sec. 9, Twp. 24 N., R. 13 W., W. M., *under and subject to provisions contained in* Appropriation *Permit No.* 10760 *issued by the State Supervisor of Water Resources, and that said right to the use of said waters has been perfected in accordance with the laws of Washington, and is hereby confirmed by the State Supervisor of Water Resources of Washington and entered of record in Volume* 15, *at Page* 7311, *on the* 6th *day of* October, 1958, *that the priority date of the right hereby confirmed is* April 12, 1956; *that the amount of water under the right hereby confirmed, for the following purposes is limited to an amount actually beneficially used and shall not exceed* 0.10 of a cubic foot per second for domestic supply.

A description of the lands under such right to which the water right is appurtenant, and the place where such water is put to beneficial use, is as follows:

All that part of SE¼, sec. 4; NE¼, sec. 9; NW¼, sec.10; and W½SW¼, sec. 3 designated as Kalaloch Resort area within Olympic National Park, and T. 24 N.,R. 13 W.W.M.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in Sections 6 and 7, Chapter 122, Laws of 1929.

WITNESS the seal and signature of the State Supervisor of Water Resources affixed this 6th *day of* October, 1958.

M. O. Walker
State Supervisor of Water Resources.

ENGINEERING DATA

O.K. [illegible]

09-18-1958: proof of appropriation of water: appl. # 13842 permit # 10760

S. F. No. 7335-A-51—5M. 40757 O.S.

Proof of Appropriation of Water

Application No. 13842 Permit No. 10760

1. Name of Permittee Olympic National Park
2. Postoffice address 600 East Park Avenue, Port Angeles, Washington
3. Source of appropriation Kalaloch Creek
4. Name or number of works (if any) None
5. For what purpose or purposes is water used? Domestic, Recreational and fire protection
6. Give date of beginning of construction
7. Give date of completion of construction work, including water distribution system
   During 1956 Cal. Yr.
8. Give date when water was completely applied to proposed use
9. If used for irrigation:
   Give number of acres described in permit Not Applicable
   Give number of acres actually irrigated Not Applicable
10. If used for power: HP actually developed Not Applicable
11. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED:
    All that part of SE¼, Sec. 4; NE¼ Sec. 9; NW¼, Sec. 10; and W½ SW¼, Sec. 3 designated as Kalaloch Resort Area, within Olympic National Park, and T. 24 N., R. 13 W.W.M.

12. During what months is water used? throughout entire year
13. Does map filed with your application show correctly the location of well or point of diversion for withdrawal of water, and area of land where water is used? Yes
14. If the dimensions, location or type of structure do not correspond to those described in your permit, state what changes have been made, giving dimensions, etc.
15. Actual measured discharge or diversion of permanent system: .10 (gpm or cfs)

issued like permit

(Sign certification on reverse side)

STATE PRINTING PLANT OLYMPIA, WASHINGTON

STATE OF WASHINGTON,
County of Clallam } ss.

I, Raymond C. Stickler, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of September, 1958

Raymond C. Stickler

Subscribed and sworn to before me this 18 day of September, 1958

Judy Tasem
Notary Public.

Form 10. S. F. No. 370—3-53—75C. 34101.

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
Division of Water Resources

Permit to Appropriate Public Waters of the State of Washington

Book No. 29 of Permits, on Page 10760 Under Application No. 13842

OLYMPIC NATIONAL PARK

of Port Angeles, Washington

is hereby granted a permit to appropriate the following described public waters of the State of Washington, subject to existing rights and to the following limitations and provisions: Permittee shall construct and maintain at his own expense a weir, or other suitable device, for measuring any water granted herein for irrigation purposes and such appropriation shall be subject to a reasonable rotation system if ordered by the State Supervisor of Water Resources. **Diversion intake shall be tightly screened at all times with wire having a mesh opening not larger than .125 (1/8) inch, and no dam shall be constructed in connection with this diversion.**

Priority date of this permit is April 12, 1956

Source of the proposed appropriation is Kalaloch Creek

tributary of Pacific Ocean

The quantity of water appropriated shall be limited to the amount which can be beneficially applied and not to exceed .10 cubic feet per second, or its equivalent in case of rotation, to be used for the following purposes: Domestic, recreational & fire protection

as more definitely set out below.

The approximate point of diversion is located south 72°18' west 797 feet from northeast corner, sec.9, T.24N., R.13 W.W.M.

being within NE¼NE¼ Sec. 9, Twp. 24 N., Rge. 13 W. W. M.,

county of Jefferson

The use, or uses, to which water is to be applied:

For Domestic Supply and Miscellaneous Uses: .10 cubic feet per second during entire year for domestic to be used within land described below Sec. , Twp. N., Rge. W. M.,

For Irrigation: cubic feet per second, from to

each year, for irrigation of acres, described as follows:

All that part of SE¼, sec.4; NE¼, sec.9; NW¼, sec.10; and W½SW¼, sec.3 designated as Kalaloch Resort area within Olympic National Park, and T.24N., R.13 W.W.M.

FOR POWER: ..... cubic feet per second continuously each year. Total power to be developed ..... theoretical horse power. Total fall to be utilized ..... feet.

Nature of works by means of which power is to be developed .....

.....

Works to be located in ..... Sec. ....., Twp. ..... N., Rge. ..... W. M.

Water to be returned to .....

Point of return ..... Sec. ....., Twp. ..... N., Rge. ..... W. M.

Use to which power is to be applied .....

FOR MUNICIPAL SUPPLY: ..... cubic feet per second during entire year to supply .....

.....

DESCRIPTION OF DIVERSION WORK

Sump type. Equipment is to be enlarged to 100,000 gallon tank and 50 gpm pump - 2 HP electric pump.

Height of dam ..... ft.; Length on top ..... ft.; Length on bottom ..... ft.

Material to be used and character of construction .....

.....

Description of headgate .....

CANAL SYSTEM

AT HEADGATE: Width on top (at water line) ..... ft.; Width on bottom ..... ft.; Depth of water ..... ft.; Grade ..... ft. fall per one thousand feet.

AT ..... MILES FROM HEADGATE: Width on top (at water line) ..... ft.; Width on bottom ..... ft.; Depth of water ..... ft.; Grade ..... feet per one thousand feet.

(Please read carefully provisions below)

Construction work shall begin on or before Already started

and shall thereafter be prosecuted with reasonable diligence and completed on or before Completed

and complete application of water to proposed uses shall be made on or before September 1, 1958

Given under my hand and the seal of this office at Olympia, Washington, this 19th day of September, 19 57

M. Walton

State Supervisor of Water Resources

REPORT OF EXAMINATION

Date of application 4-12-56 Date of examination 8-1-57 Application No. 13842

Name Olympic National Park Address P.O. Box 591; Port Angeles, Wn.

Quantity applied for 0.10 c.f.s. Use Domestic, recreational and fire protection

Source of appropriation Kalaloch Creek Tributary of Pacific Ocean

Legal sub. NE¼NE¼ Sec. 9 Twp. 24 N. Rge. 13 W. County Jefferson

Measured or estimated quantity 20 + Probable low flow

Quantity previously appropriated: W.T. 0 CWT. 0 E.T. 0

Other use made of water None

Diversion works contemplated or observed Sump type

Equipment is to be enlarged to 100,000 gallon tank and 50 gpm pump - 2 HP electric pump

Other equipment 30,000 gallon storage tank base 44' high

Irrigable acreage: Planned 0 Present Feasible 0

Other water rights appurtenant to this land None

Progress of project Complete and in use since 1929 Tank installed 1955.

Protests Werner Mayr

Quantity recommended (total) .10 c.f.s. Irrig. Dom .10 c.f.s.

Power Municipal Other uses

Department of Fisheries and Game report See below

Special remarks and provisions:

Diversion intake shall be tightly screened at all times with wire having a mesh opening not larger than .125 (1/8) inch, and no dam shall be constructed in connection with this diversion.

This application was protested by Werner Mayr, who stated that he was the co-owner of 850 acres of timber land in the Kalaloch Creek drainage area.

The protestant declared his intention to operate this land in a reasonable manner but which may indirectly lead to the contamination of this water supply.

The laws of the State of Washington do protect any water supply from direct pollution, however, the indirect pollution incident to the normal and orderly development of property is not specifically prohibited by statute. Consequently, should the conditions feared by the protestant ever materialise, the applicant could seek relief only in the civil court.

In accordance with Section 90.20.060 RCW, I find that there is water available for appropriation from the source in question and that the diversion proposed in the application will not impair existing rights or be detrimental to the public welfare. Therefore, permit should issue as recommended above subject to existing rights and indicated provisions.

Signed this 9th day of August, 1957.

SEM

STUART E. SHUMWAY, Meteorologist
Division of Water Resources

05-25-1956: letter to supervisor of water resources from department of fisheries regarding water right application no. 13842

STATE OF
WASHINGTON
ARTHUR B. LANGLIE
GOVERNOR

DEPARTMENT OF
FISHERIES
ROBERT J. SCHOETTLER
DIRECTOR

PUGET SOUND REGIONAL OFFICE
4015 20TH AVENUE WEST
FISHERMEN'S TERMINAL AT SALMON BAY
SEATTLE 99, WASHINGTON
GARFIELD 0268

May 25, 1956

Mr. Murray G. Walker
Supervisor of Water Resources
Department of Conservation & Development
Olympia, Washington

Re: Water Right Application No. 13842 - Olympic National Park
.10 from Kalaloch Creek - Jefferson County

Dear Mr. Walker:

The Department of Fisheries and the Department of Game will have no objection to the granting of this diversion providing the intake is tightly screened at all times with wire having a mesh opening not larger than 1/8 (.125) inch.

It is requested that no dam be constructed in connection with this diversion.

Very truly yours,

Robert J. Schoettler

Robert J. Schoettler, Director
DEPARTMENT OF FISHERIES

John A. Biggs

John A. Biggs, Director
DEPARTMENT OF GAME

Keep Our Waters Clean
POLLUTION KILLS FISH

10-23-1956: letter to department of conservation and development from olympic national park regarding s.w. application # 13842

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

IN REPLY REFER TO:

RECEIVED
CONSERVATION & DEVELOPMENT

October 23, 1956

Mr. Robert H. Russell
Assistant Supervisor
Department of Conservation and Development
General Administration Building
Olympia, Washington

Re: S. W. Application #13842

Dear Mr. Russell:

Through an oversight we failed to reply promptly to your letter of September 4, 1956, in connection with S. W. Application #13842. You advised us that Mr. Werner Mayr of Hoquiam, Washington has protested the subject application because he and his brother are owners of approximately 850 acres of land on the Kalaloch Creek watershed and that they wish to make it known that they plan to remove timber from some of these lands and as a result they believe that it may rile or muddy the creek to an extent that it may make it undesirable as a source of domestic water.

Even though the land owned by Mayr Brothers is to be logged it is my opinion that this does not constitute grounds for a protest on the filing of a S. W. application. I am further of the opinion that the laws of the state of Washington prohibit the use of equipment for the moving of logs in such a manner as to alter stream beds or even interfere with the even flow of the water.

I am forwarding your letter to our regional office and you may expect to hear from them further on the matter.

Sincerely yours,

Fred J. Overly
Superintendent

04-10-1956: letter to state division of water resources from olympic national park regarding appropriation of water from kalaloch cr

IN REPLY REFER TO:
L54-

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

April 30, 1956

Mr. M. G. Walker, Supervisor
State Division of Water Resources
Transportation Building
Olympia, Washington

RECEIVED
CONSERVATION & DEVELOPMENT

Dear Mr. Walker:

Enclosed are an application for the appropriation of 0.1 sec. ft. of the waters of Kalaloch Creek in the coastal strip at Olympic National Park, three photostatic reductions of supporting Drawing NP-OLY-6960, and a voucher and purchase order to cover the filing fee. The drawing was reduced to 400 feet to the inch, or twice the scale of your standard plats, as a result of your letter of January 23 to A. van V. Dunn, Chief of our Water Resources Section in Washington.

The voucher should be signed and returned to the Director, National Park Service, Washington 25, D. C., for payment. It is also requested that you send copies of all future correspondence to the Director in order that Mr. Dunn and I may both be informed as soon as possible.

This water claim and the development are on what was formerly known as Beckers Resort for which Application 4104 was formerly claimed for power, and for which parts of the domestic and recreational water supply were developed without an apparent appropriation. For this reason, we also enclose a marked print of sheet 3 of Drawing OLY-8016 which shows the parcels of land in the Kalaloch Area which have been acquired by the United States, and marked copies of the Judgement and Declaration of Taking of June 26, 1940 which covers title to tracts J-241, J-242, J-245B and J-246 on pages 26-28; the Judgement and Declaration of Taking of August 14, 1940 covers title to tracts J-247, J-248, J-250, J-252- J-253, J-254, J-255, J-256, J-256A, J-257 and J-258 on pages 5 to 8; the deed of January 30, 1941, order of November 20, 1940, Removing Restrictions, letter of January 10, 1942 from the Attorney General, acceptance of title, all relating to tract J-251; and the Court Order of September 24, 1941, and letter of October 7, 1941, from the Attorney General concerning the Judgement and Declaration of Taking of Tract J-249.

Sincerely yours,

Fred J. Overly
Superintendent

Form 10. S. F. No. 376-A—8-54—8M. 39178.

ase send $10.00 minimum statutory examination fee with application.

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
Division of Water Resources

APR 12 1956
DIVISION OF WATER RESOURCES

APPLICATION FOR A PERMIT
To Appropriate Public Waters of the State of Washington

(Read directions on last page carefully before filling out this form)

Application No. 13842

I, The United States of America by Fred J. Overly Superintendent
(Name of applicant)

of Olympic National Park P. O. Box 591 Port Angeles, Washington
(Complete postoffice address)

do hereby make application for a permit to appropriate the following described public waters of the State of Washington subject to existing rights:

If the applicant is a corporation, give date and place of incorporation

1. *The source of the proposed appropriation is* Kalaloch Creek
(Name of stream)

tributary of Pacific Ocean

2. *The amount of water which the applicant intends to apply to beneficial use is* 0.1 *cubic feet per second,* *acre-feet per year.*

3. *The use to which the water is to be applied is* Domestic, recreational and fire protection (at Kalaloch Resort area of Olympic National Park)
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. *Time during which water will be required each year* ~~January 1 to December 31~~ Continuously

5. *The approximate point of diversion is located* S 72°18' W. 797 feet from NE Corner Sec. 9, T. 24 N., R. 13 W. WM
(Give distance and bearing to section corner)

being within the NW¼ NE¼ *of Sec.* 9, *Tp.* 24 *N., R.* 13 W. *W. M.,*
(Give smallest legal subdivision) (E. or W.)

in the county of Jefferson

6. *The* main diversion pipe *to be* 300 *ft. or miles in length, terminating*
(Main ditch, canal, or pipe line)

in the NE¼ NE¼ *of Sec.* 9, *Tp.* 24 *N., R.* 13 W. *W. M.,*
(Smallest legal subdivision) (E. or W.)

the proposed location being shown on the accompanying map.

7. *Estimated cost of development necessary to utilize fully the appropriation herein asked for* $ 75,000

8. *Does the stream from which you wish to appropriate water flow through the tract of land on which the water is to be used?* Yes

9. **DESCRIPTION OF WORKS:**

(a) DIVERSION WORKS—

(1) *Height of diversion dam* none *; length on top* *feet; length on bottom* *feet; material to be used and character of construction*
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(2) *Description of headgate* Water is diverted by 1½ gpm centrifugal pump, driven by 2 HP electric motor. The unit will be replaced by 50 gpm pump and new intake pipe and motor unit
(Timber, concrete, etc., number and size of openings)

When storage works are contemplated a storage permit must be filed in addition to the above. These forms can be secured, together with instructions, by addressing the State Supervisor of Water Resources, Olympia, Washington.

OK FMR

(b) *Description of Ditch or Pipeline System* 4" galvanized steel diversion pipe. Existing 70,000 gallon elevated tank and 6,500' of 1" to 4 distribution mains to be replaced by 50,000 gallon reservoir and approximately 10,000 feet of 6" mains.

10. **IRRIGATION:** *Number of acres to be irrigated* incidental lawn sprinkling

11. **MUNICIPAL OR COMMUNITY WATER SUPPLY:**

To supply the city or community of Kalaloch Resort area (Name) *County, having a* peak *present population of* 500 *and an estimated* peak *population of* 1,000 *in 19*65

(a) *Estimated present requirement* 0.03 sec.ft.

12. **LEGAL DESCRIPTION OF PROPERTY** *on which water is to be used, for all purposes other than Municipal Supply or Power (Copy legal description from deed)* ~~Unit 2 Kalaloch Area, Sec 3, Twp 24 N, R 13 W, The Kalaloch Resort area in NE¼ Sec 4 and NW¼ Sec 3 part of federally owned land in Olympic National Park. Title having been acquired in two judgments of June 25, 1940 and August 14, 1940, on Declarations of Taking in Cause No. 218 in the District Court, Western District of Washington, U.S. Civ. Proc. Nos. J-245, J-246, J-247, J-248, J-249, J-250, J-251, J-252, J-253, J-254, J-255, J-256, J-257 and J-258. (Copies of the judgments and a supporting map, Drawing NP-OLY-8016, Sheet 3, are attached.)~~ ALL THAT PART OF SE¼, SEC 4; NE¼, Sec 9; NW¼ SEC 10; AND W½ SW¼ SEC 3 DESIGNATED AS KALALOCH RESORT AREA WITHIN OLYMPIC NATIONAL PARK T TWP 24 N, R 13 WWM.

(a) *What interest do you have in the above described property* land owned, developed and operated by the United States and its authorized concessioners.

(b) *Are there any existing water rights appurtenant to the above described property* No

If so, from what source So far as known, the only appropriative claim to Kalaloch Creek under Application 4104, Permit 2229 was filed by Bill Becker, former owner of Tract J-245B and was cancelled. This application covers past and future Federal enlargements of water system which formerly served all or parts of above listed tracts under undetermined claims or rights.

13. **POWER:**

(a) *Total amount of power to be developed* H. P. (Theoretical horsepower)

(b) *Total fall to be utilized* feet. (Head)

(c) *The nature of the works by means of which the power is to be developed*

(d) *Such works to be located in* (Legal subdivision) *of Sec.* , *Tp.* N., *Rge.* (E. or W.) W. M.

(e) *To what stream is the water to be returned?*

(f) *Locate point of return* Sec. , *Tp.* N., *Rge.* (E. or W.) W. M.

(g) *The use to which power is to be applied is*

14. WORK SCHEDULE:

(a) *Construction work ~~will begin~~ was begun on or before* 1928

(b) *Construction work will be completed on or before* in 1964

Triplicate maps of the proposed ditch or other work, prepared in accordance with the rules of the State Supervisor of Water Resources, accompany this application. Drawing No. NP-OLY-6960

(SIGN HERE) Fred J. Overly Address 600 East Park Avenue, Port Angeles, Washington
Fred J. Overly, Superintendent, Olympic National Park

(SIGN HERE) Fred J. Overly Address 600 East Park Avenue, Port Angeles, Washington
(Owner of Land in Item 12)
Fred J. Overly, Superintendent, Olympic National Park

Signed in the presence of us as witnesses:

(1) Johnnie Gallaugher (Name) 308-E-10th (Address of witness) Port Angeles, Wn

(2) Jerry B. Wilcox (Name), 627 E. Park, Port Angeles, Wash. (Address of witness)

Remarks: Nothing in this application constitutes a waiver of any other rights which the United States may have to the same water.

STATE OF WASHINGTON, }
COUNTY OF THURSTON. } *ss.*

This is to certify that I have examined the foregoing application together with the accompanying maps and data, and return the same for correction or completion, as follows: .....

In order to retain its priority, this application must be returned to the State Supervisor of Water Resources, with corrections, on or before ....., 19....

WITNESS my hand this ..... *day of* ....., 19....

State Supervisor of Water Resources.

02-28-1961: memorandum to olympic national park from regional chief of operations regarding water right appl. 13842

OLYMPIC NATIONAL PARK
RECEIVED
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February 28, 1961

	Supt.		
	A Supt.		
	Ad Off.		
	Accts		
	Pers		
	Mgt Asst.		
	[illegible]		
	Asst [illegible]		
	Foreste.		
	Nat		
	Engr.		
	L Arch.		
	Files		

Memorandum

To: Superintendent, Olympic

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13842, Kalaloch Creek, Docket No. 7, Olympic National Park

Files

Upon receipt of your memorandum of February 23 we looked at the subject application and supporting map with greater care. We agree that the water right does cover all present use and no further filing is necessary.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director (w/cy of Mr. Doerr's memo of 2/23/61)
Chief, WODC (2)

OLYM

Olympic National Park
Port Angeles, Washington

L54

February 23, 1961

Memorandum

To: Regional Director, Region Four

From: Superintendent, Olympic

Subject: Water Right Application 13842, Kalaloch Creek, Docket No. 7, Olympic National Park

As suggested in Mr. Wesky's memorandum of February 17, we have filed the originals of the following documents in Docket No. 7, from which they had been temporarily removed:

Permit to Appropriate Public Water No. 10760
Proof of Appropriation (incomplete copy)
Water Right Certificate No. 7311

It is our opinion that no other filing will be needed in the foreseeable future as the present certificate covers more than the Kalaloch Resort. It covers the whole Kalaloch Resort area which includes the government area and the campground plus additional area to the south, east and north. The resort and government area are contained within the N½NE¼ Section 9 and the campground is in the southern part of the SE¼ Section 4.

You will note that the description of the lands upon which water is appropriated for use is as follows: All that part of SE¼ Section 4; NE¼ Section 9, NW¼ Section 10; and the W½SW¼ Section 3 designated as Kalaloch Resort area within Olympic National Park, and T. 24 N., R. 13 W.W.M.

Apparently both the Regional Office and WODC thought that sufficient area of potential use was covered. In support of this we would like to quote the third paragraph of a memorandum pertaining to water rights dated February 15, 1956, to the Superintendent, Olympic, from Chief, Water Resources Section:

> "By copies of this memorandum, the Regional Director and WODC are requested to review the application and supporting map in Part III, and indicate concurrence to you, and this office before you sign them for transmittal. The purpose in concurrence is to be sure we have claimed

02-28-1961: letter to olympic national park from regional chief of operations regarding water right appl. 13842

OLYMPIC NATIONAL PARK
RECEIVED
MAR - 2 1961

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MAR 7 10 1961 AM '61

February 28, 1961

	Supt.		
	A Supt.		
	Ad Off.		
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	Pers		
	Mat Mgt.		
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	Forests		
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	Engr.		
	L Arch.		
	Files		

Memorandum

To: Superintendent, Olympic

From: Regional Chief of Operations, Region Four

Subject: Water Right Application 13842, Kalaloch Creek, Docket No. 7, Olympic National Park

Upon receipt of your memorandum of February 23 we looked at the subject application and supporting map with greater care. We agree that the water right does cover all present use and no further filing is necessary.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director (w/cy of Mr. Doerr's memo of 2/23/61)
Chief, WODC (2)

OLYM

10-26-1960: memorandum to olympic national park from regional chief of operations regarding completion report

~~Spaulding~~ LSS
Whitworth
~~Wosky~~
(Quiat)

October 26, 1960

L 54

Memorandum

To: Superintendent, Olympic

From: Regional Chief of Operations, Region Four

Subject: Completion Report, Kalaloch Campground, Water Right Docket 7, Olympic National Park

Attached for filing in water right docket 7 is a copy of the completion report on construction of an extension of the water system in Kalaloch campground.

FILE COPY

Regional Chief of Operations

Copy to: Director (w/cy report)
Chief, WODC (2)(w/cy report)

LSSpaulding:lq

Form 10-174
(Rev. 8-56)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

COMPLETION REPORT OF CONSTRUCTION PROJECT

REGION	AREA	COUNTY	STATE
Four	Olympic National Park	Jefferson	Washington

PROJECT OR JOB TITLE: Water System Extension — PCR NO.: W-78

LOCATION IN AREA: Kalaloch Campground — MASTER PLAN NO.: NP-Oly 3108 — BUILDING NO.:

WORKING DRAWING NO. AND TITLE: NP-Oly 3131, Water and Sewer Systems

APPROPRIATION TITLE AND SYMBOL: 14X1035 — WORK ORDER NO.: B-5

CONTRACT NO.	DATE WORK STARTED	DATE WORK COMPLETED
14-10-447-475	April 11, 1960	July 21, 1960

NAME OF CONTRACTOR	ADDRESS
Winterburn Construction Company	P.O. Box 202, Port Townsend, Wash.

COST ANALYSIS

CONSTRUCTION ITEMS	QTY.	UNIT COST IN PLACE	TOTAL COST IN PLACE
Part II, Schedule 2			
4" Cem. Lined C.I.W.L. in Place	1,260 LF	2.75	$3,465.00
2" Galv. Steel Water Line in Place	40 LF	2.50	100.00
1" Plastic Water Line in Place	1,348 LF	1.00	1,348.00
Fire Hydrant in Place	1 each	125.00	125.00
¾" Hydrants in Place	9 each	125.00	1,125.00
1" Gate Valves w/C.I. Boxes in Place	5 each	30.00	150.00
4" Gate Valves w/C.I. Boxes in Place	2 each	125.00	250.00
			$6,562.50
P.S.A.S. (19.06% of $6,562.50)			1,250.81
FISCAL CLEARANCE (SGD) EDWARD S. KAELIN Edward S. Kaelin Supervisory Accountant		TOTAL	$7,823.31

SUMMARY OF EXPENDITURES

PERSONAL SERVICES	EQUIPMENT	MATERIALS AND SUPPLIES
OTHER		

ORIGINAL CONTRACT AMOUNT	CHANGE ORDERS FIRST	SECOND	THIRD
FINAL CONTRACT AMOUNT	FOURTH	FIFTH	SIXTH

THIS PROJECT OR JOB HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED DRAWINGS, SPECIFICATIONS, AUTHORIZED CHANGES

SUBMITTED BY (Name and title)	DATE
/s/ David E. Geissinger David E. Geissinger Project Supervisor	OCT 7 1960
APPROVED BY (Name and title)	DATE
(SGD) JOHN E. DOERR John E. Doerr Superintendent	OCT 7 1960

(ATTACH NARRATIVE STATEMENT, PHOTOGRAPHS, AND "AS BUILT" DRAWINGS TO THIS FORM)

NARRATIVE STATEMENT

Water System Extension

Kalaloch Campground, Olympic National Park

Description of the work:

This project consists of an extension of the existing water system to serve campground water stations and Building No. 683, the comfort station also in this contract. Included are 1,260 LF of 4" cement lined Tyton steel water line connected to the existing water line with a 4" tee and a gate valve, 1,348 LF of 1" plastic water line to serve the north half of the old campground with nine ¾" water hydrants installed on concrete posts, and a fire hydrant connected to the 4" main by 40 LF of 2" galvanized steel water line.

Prosecution:

Construction activities began on May 3. During the first week, all materials for both 4" and 1" lines were delivered to the job, and 200' of 4" line were placed. During the second week, 850' of 4" line were placed. During the third and fourth weeks, the 4" line was completed and tested and the trench backfilled on May 26, and 80% of the trenching for the 1" line was completed. The 1" line was completed and tested by July 12, after many breakdowns by the trencher. The final inspection was made on July 21. All work was found to be complete and well done, and a usable facility was obtained.

NOTE - THE WORK COVERED BY ATTACHED PHOTOS IS A PART OF PROJECT B-205 (WORK ORDER No. B-4-OLYM)

10-05-1956: memorandum to regional director from acting assistant director regarding application of state highway commission fo

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:
L3031-L

OCT 5 1956
OCT

McClellan
Manbey
Wirth

Memorandum

To: Regional Director, Region Four

From: Acting Assistant Director

Subject: Application of State Highway Commission for Temporary Use of Water from Federal Kalaloch Area Water System, Water Right Application 13842, Docket 7, Olympic National Park

We see no objection to granting the subject permission in accordance with the letter of July 20 to Mr. Claypool from Mr. Overly, which was forwarded with copy of your memorandum of July 31 to the Superintendent. However, there are two forms of permit which might be granted by this Service. In either case the permit should be made subject to satisfactory arrangements between Mr. Becker and the Commission for the cost of pumping the water, but this Service and the permit should not be concerned with what that charge will be as long as Mr. Becker owns the pump.

The first alternative, which seems to be the one which Mr. Overly had in mind, would grant the Commission temporary use of water, which is surplus to Federal needs, from the Federal pipeline under the water right evidenced by Application 13842, the permission to tap the Federal pipeline in manner satisfactory to the Superintendent, and the use of necessary land for the pipeline lateral therefrom. It is not clear how long the "temporary" use is to be. If a short term in fact, and less than the time until full use of 0.1 sec.ft. of water is made, the water right need not be amended. However, if the use will continue for several years, and the ultimate development and water use at the resort is likely to be reached during the life of the permit, the water right might have to be amended to cover use at the Highway Camp. For that reason, we should like to know what land is occupied by the Camp.

The second alternative would be to grant a permit to use temporarily excess capacity of the pipeline, to make the same connection, and to use necessary land for the pipeline lateral. Such a permit should include a condition to provide that if the Commission complies with the state water laws, the application shall designate both the temporary point of diversion agreeing with that in Application 13842, and the independent permanent point of diversion. This permit would also have to provide for the use of alternative land when the independent pipeline and diversion are made.

NATIONAL PARK SERVICE
RECEIVED
OCT - 9 1956
REGION FOUR OFFICE

It is assumed that the Highway Camp is not on Federal land, in which case the Commission could obtain an earlier water right priority, but junior to that of rights under Application 13842, by the second type of permit. Of course, if the Camp is on Federal land, the water right should be established as soon as possible by, and in the name of the United States, and the subject permit should prescribe that the Commission supply this Service with plans for both the temporary and permanent water lines, camp development, and other data needed to prepare or amend water rights.

Samuel Q. Johnson

Acting Assistant Director

Copy to: Superintendent, Olympic National Park
Western Office of Design and Construction

Comments on Drawing NP-OLY-2105-F, Kalaloch Area Master Plan,

OLYMPIC

by

Chief, Water Resources Section

The subject plan calls for development in NE¼ Section 9, E½ SE¼ and SW¼ NE¼ Section 4, T 24 N, R 13 W, SM. The Superintendent signed and filed Water Right Application 13842 (Docket 7) on April 12 which does not cover use of water on underlined SW¼ NE¼ Section 4. This means that the water right will have to be amended when full development is made, and before final proof for water right license is made.

The required action will require manpower and funds which might have been needless if master plan and water right could have been better coordinated just 8 months ago. WODC and Superintendents should be instructed to check water rights for compliance with Master Plans.

A. van V. Dunn
Chief, Water Resources Section

WR Cathy
L54-L
Donn

November 9, 1956

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 13842, for Kalaloch Creek Resort Water System, Docket 7, Olympic

We have received the copies of the letter of September 4 to Mr. Werner Mayr from the Assistant Supervisor, Washington Division of Water Resources, concerning the former's protest of the subject application, or warning of potential pollution of the source, and Mr. Overly's letter of October 23 on the same subject.

Mr. Russell does not seem to have considered Mr. Mayr's letter to be a formal protest, and he may have granted the permit by the time you receive this memorandum. Accordingly, the following information is only offered for use if necessary.

Section 90.04.020 of the statutes specify that "nothing in this title (90 Water Rights) shall lessen, enlarge, or modify the rights of riparian owners existing as of June 6, 1917, or any rights however acquired existing as of that date, . . .". Chapter 90.48 Water Pollution Control, provides state authority for the prevention of pollution which will be injurious to public water supplies or make the water unfit for other beneficial purposes.

Lot 1 (fractional $NW\frac{1}{4}$ $NE\frac{1}{4}$) of Section 9, and part of adjacent Section 4, T 24 N, R 13 W, WM were patented to James Brown under final certificate 2004 of February 24, 1901. The $NE\frac{1}{4}$ $NE\frac{1}{4}$ and Lot 2 ($S\frac{1}{4}$ $NE\frac{1}{4}$) Section 9 were patented to G. W. Brown under final certificate 2041 of June 13, 1901. The patents were subject to railway rights of way which are no longer considered. Lot 1, and the $NE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 9 were developed as Becker's Resort, with domestic water diverted at the point designated in Application 13842 when title passed to the United States in 1940.

Lapsed Water Right Application 4104, which is in Part II of Docket 7, was filed with the Supervisor of Hydraulics by Bill Becker on May 10, 1935, for the diversion and nonconsumptive use of water in $SW\frac{1}{4}$ $SW\frac{1}{4}$ Section 4, about half a mile above the point of domestic diversion to provide power "for private community use". The application and supporting map indicate that the site previously covered by Application 2366, Permit 1248, was initiated by E. J. Nixon in 1928, although no development had been made by May 10, 1935.

Application 13842 includes the statement, under remarks on page 3, that "nothing in this application constitutes a waiver of any other rights which the United States may have to the same water".

We have not drawn the files on the two aforesaid patents out of Archives to see what improvements were described in the proof because we doubt if they would be specific enough to be helpful. I also know nothing about former improvements other than Becker's Resort, which may have existed on the various parcels of land which the United States has now acquired in Sections 3, 4, 9 and 10. I have not obtained a copy of Application 2366 but I did obtain the Supervisor's statement some years ago, that there were no recorded domestic water rights for Becker's Resort.

Since Messrs. Nixon and Becker seem to have filed applications for power diversion and none for domestic use they probably considered that they had adequate vested rights to the latter based on use prior to June 6, 1917, and probably prior to 1901. If the Superintendent can determine from old timers when Kalaloch Creek water was first used on the Resort Area, and when the first diversion was made at the approximate point designated in Application 13842, those records should be prepared for inclusion in the four assemblies of the docket. If possible the same statement should include a description of area irrigated, population and normal number of head of stock using water prior to June 6, 1917. There may have been a railroad or logging camp as well as one or more farms or resorts.

If there is continued controversy with Mr. Mayr, either in connection with Application 13842 or subsequent logging operations which may affect the potability of the water ussd at the Kalaloch Resort, the Field Solicitor may wish to consider the extent to which the state water pollution control laws can provide protection for the public water supply which has been in existence since any date which the Superintendent can determine.

This memorandum is being sent to you, the Superintendent and the Western Office of Design and Construction in duplicate, in order that one copy can be filed in Part III of Docket 7 as partial definition of vested rights which the United States may have in addition to those established by Application 13842. It does not seem necessary to clutter the docket with the letters of September 4, and October 23, unless a formal protest develops.

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Copy to: Superintendent, Olympic (2)
Western Office of Design and Construction (2)
Field Solicitor McClellan (2)
Mr. Dunn (2)

AvVDunn:lct

10-23-1956: letter to department of conservation and development from superintendent regarding s.w. application 13842

OLYMPIC NATIONAL PARK
600 Park Ave
P

1956 OCT 23 AM 5 24

October 23, 1956

Mr. Robert H. Russell
Assistant Supervisor
Department of Conservation and Development
General Administration Building
Olympia, Washington

Re: S. W. Application #13842

Dear Mr. Russell:

Through an oversight we failed to reply promptly to your letter of September 4, 1956, in connection with S. W. Application #13842. You advised us that Mr. Verner Mayr of Hoquiam, Washington has protested the subject application because he and his brother are owners of approximately 350 acres of land on the Kalaloch Creek watershed and that they wish to make it known that they plan to remove timber from some of these lands and as a result they believe that it may rile or muddy the creek to an extent that it may make it undesirable as a source of domestic water.

Even though the land owned by Mayr Brothers is to be logged it is my opinion that this does not constitute grounds for a protest on the filing of a S. W. application. I am further of the opinion that the laws of the state of Washington prohibit the use of equipment for the moving of logs in such a manner as to alter stream beds or even interfere with the even flow of the water.

I am forwarding your letter to our regional office and you may expect to hear from them further on the matter.

Sincerely yours,

Fred J. Overly
Superintendent

Copy to: Director w/copies of Mr. Russell's letters to Mayr Bros & Olympic
Regional Director, Region Four w/above letters

STATE OF WASHINGTON
Department of Conservation and Development
W. A. Galbraith, Director
General Administration Building
Olympia

September 4, 1956

C
O
P
Y

Olympic National Park
P. O. Box 591
Port Angeles, Washington

Gentlemen: Re: S. W. Application #13842

This is to advise you that we have received in the form of protest a letter from Mr. Werner Mayr of Hoquiam, Washington stating that he and his brother are owners of approximately 850 acres of land on the Kalaloch Creek watershed and that they wish to make it known that they plan to remove timber from some of these lands and as a result they believe that it may rile or muddy the creek to an extent that it may make it undesirable as a source of domestic water.

If you have not already discussed this with the Mayr Brothers Logging Company, it might be advisable to do so before you start actual development of the source of water in question.

Yours very truly,

DIVISION OF WATER RESOURCES

/s/ Robert H. Russell

ROBERT H. RUSSELL
Assistant Supervisor

RHR/leo

09-04-1956: letter to mary bros. logging co., inc. from division of water resources regarding s.w. application # 13842

September 4, 1956

C
O
P
Y

Mr. Werner Mayr
Mary Bros. Logging Co., Inc.
Route #3, Box 4
Hoquiam, Washington

Dear Sir: Re: S. W. Application #13842
Olympic National Park

Receipt is acknowledged of your letter of August 30, 1956 advising that you and your brother own approximately 850 acres of timber and land in the Kalaloch Creek drainage and that you are taking the opportunity of submitting a protest against subject application in order that you may bring to the attention of the applicant the possibility that the source of water from which the proposed diversion is to be made may be subject to disturbance and perhaps pollution as the result of contemplated logging operations on your property.

Although your letter is not actually a protest against the appropriation of water we will accept it and place it on file in our records relative to subject application and the contents of your letter will be made known to the applicant in order that it may be considered during the planning stages of the Park Services development of the proposed water supply.

Yours very truly,

DIVISION OF WATER RESOURCES

ROBERT H. RUSSELL
Assistant Supervisor

RHR/leo
cc: Olympic National Park

09-11-1956: letter to division of water resources from superintendent regarding affidavit of publication of surface water application

OLYMPIC NATIONAL PARK
[illegible]
Port Angeles, Washington

L3031

September 11, 1956

Mr. M. G. Walker, Supervisor
Division of Water Resources
Department of Conservation and Development
Transportation Building
Olympia, Washington

Dear Mr. Walker:

Enclosed is an Affidavit of Publication of Surface Water Application No. 13842. The affidavit was published in the Port Townsend Leader on August 16th and 23rd as provided in Chapter 90.20 RCW.

Attachment in water right docket.

Sincerely yours,

(Sgd) FRED J. OVERLY

Fred J. Overly
Superintendent

Attachment

CC: Director ✓
Regional Director, Region Four
w/c of attachment

OLYM

09-07-1956: memorandum to regional director, region four from chief, water resources section regarding water right appl. 13842

W R Copy

L54-L

September 7, 1956

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 13842, Docket 7, Kalaloch Area Water System, Olympic National Park

We have received a copy of the letter of July 24 by which Mr. Overly forwarded an Affidavit of Publication of Application 13842 to the State Engineer, with an attached copy of the Affidavit. A copy appears to have been sent to you, but none to the Western Office of Design and Construction.

We are forwarding a copy of the Affidavit to WODC. We are placing our copy of the Affidavit in Part III of our assembly of Docket 7, and request that all offices do the same. The cover letter should go in letter files. (We have not considered it necessary to supply WODC with copy of the letter.)

It is not clear what funds Mr. Overly used to pay the $6.00 fee for publication. Payment, or his reimbursement should be made from your Account 347. Your annual budget for allotments under that account, should include about $100 to $200 for such items.

It is also requested that each office write in "13842" after "Application" on the lower claim listed on the tab of the docket folder.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Western Office of Design and Construction, w/c of Affidavit
Superintendent, Olympic National Park
Accounts
Mr. Dunn

AvVDunn:lct

07-24-1956: letter to division of water resources from superintendent regarding affidavit of publication of surface water application

COPY L54

Olympic National Park
600 Park Avenue
Port Angeles, Washington

July 24, 1956

Mr. M. G. Walker, Supervisor
Division of Water Resources
Department of Conservation and Development
Transportation Building
Olympia, Washington

Dear Mr. Walker:

I am enclosing an Affidavit of Publication of Surface Water Application No. 13842. It will be noted that the publication was in the Jefferson County Herald on July 3 and July 10, 1956.

Sincerely yours,

/s/ Fred J. Oversly

Fred J. Overly
Superintendent

Enclosure

CC: Director
Regional Director, Region Four w/c enclosure

04-10-1956: letter to state division of water resources from superintendent regarding application for the appropriation of water from

WR Copy

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

L54-

April 10, 1956

Mr. M. G. Walker, Supervisor
State Division of Water Resources
Transportation Building
Olympia, Washington

Dear Mr. Walker:

Enclosed are an application for the appropriation of 0.1 sec. ft. of the waters of Kalaloch Creek in the coastal strip at Olympic National Park, three photostatic reductions of supporting Drawing NP-OLY-6960, and a voucher and purchase order to cover the filing fee. The drawing was reduced to 400 feet to the inch, or twice the scale of your standard plats, as a result of your letter of January 23 to A. van V. Dunn, Chief of our Water Resources Section in Washington.

The voucher should be signed and returned to the Director, National Park Service, Washington 25, D. C., for payment. It is also requested that you send copies of all future correspondence to the Director in order that Mr. Dunn and I may both be informed as soon as possible.

This water claim and the development are on what was formerly known as Seckers Resort for which Application 4104 was formerly claimed for power, and for which parts of the domestic and recreational water supply were developed without an apparent appropriation. For this reason, we also enclose a marked print of sheet 3 of Drawing OLY-8016 which shows the parcels of land in the Kalaloch Area which have been acquired by the United States, and marked copies of the Judgement and Declaration of Taking of June 26, 1940 which covers title to tracts J-241, J-242, J-245B and J-246 on pages 26-28; the Judgement and Declaration of Taking of August 14, 1940 covers title to tracts J-247, J-248, J-250, J-252- J-253, J-254, J-255, J-256, J-256A, J-257 and J-258 on pages 5 to 8; the deed of January 30, 1941, order of November 20, 1940, Removing Restrictions, letter of January 10, 1942 from the Attorney General, acceptance of title, all relating to tract J-251; and the Court Order of September 24, 1941, and letter of October 7, 1941, from the Attorney General concerning the Judgement and Declaration of Taking of Tract J-249.

Sincerely yours,
(Sgd) FRED J. OVERLY
Fred J. Overly
Superintendent

CC: Director (2)
Regional Director, Reg. 4
WODC

COPY

L54

April 2, 1956

Air Mail

Memorandum

To: Superintendent, Olympic

From: Regional Chief of Operations, Region Four

Subject: Water Rights for Kalaloch Creek Area, Docket 7, Olympic

We have your memorandum of March 27 asking if this office and the Western Office, Division of Design and Construction, concur in the subject application and supporting map in Part III.

We have reviewed the application and its attached map. It appears that the proposed water system will furnish an adequate supply for the 1000 population anticipated by 1965. Based upon the pump capacity, the supply per capita at that time would be 72 gallons per day. This would seem to be sufficient for an area having predominately day use, and with the 100,000 reservoir there would probably be a sufficient amount for fire protection.

This office concurs in the application, with the understanding that you are claiming enough water, that the point of diversion is shown at the proper location, that there is a large enough area for potential use, and that adequate ultimate regulatory storage is covered. These are the points raised by Mr. Dunn in his February 15 memorandum. Sufficient information on all of them is not available in this office, but we are confident that you and your staff have considered all of these factors.

We have discussed this with the WODC and understand that that office will shortly give its concurrence.

Letter 2 4-2-56 to Supt from WODC - general file L54

/s/ Fred T. Johnston

Fred T. Johnston
Regional Chief of Operations

03-27-1956: memorandum to regional director, region four from superintendent, olympic national park regarding water rights

COPY

OLYMPIC NATIONAL PARK
600 Park Avenue
Port Angeles, Washington

L54

March 27, 1956

Memorandum

To: Regional Director, Region Four

From: Superintendent, Olympic

Subject: Water Rights for Kalaloch Creek Area, Docket 7, Olympic

Do you and WODC concur in subject application and supporting map in Part III thereof as mentioned in Chief, Water Resources Section, A. van V. Dunn's memorandum to me of February 15, 1956?

If you concur please advise so I may sign application as instructed.

/s/ Fred J. Overly
Superintendent

02-15-1956: memorandum to superintendent, olympic national park from chief, water resources section regarding water rights

WRCdy

L54-L

February 15, 1956

Memorandum

To: Superintendent, Olympic National Park

From: Chief, Water Resources Section

Subject: Water Rights for Kalaloch Creek Area, Docket 7, Olympic

Attached are the original application with three attached prints of Drawing NP-OLY-6960 for your signature before two witnesses, an assembly of records of land title, voucher and purchase order to cover the filing fee of $10.00, and a draft of letter for you to sign to forward them to the Supervisor of the State Division of Water Resources.

Also attached is a new folder for Docket 7 containing three parts and your copies of the proper portion of the abovementioned instruments. Similar folders are being sent to the Region and the Western Office of Design and Construction. The instruments in the old docket assembly should be transferred to the new folder in your office and the Region, and the old folders should then be destroyed. A copy of the letter of January 23 from Mr. Walker is also attached.

By copies of this memorandum, the Regional Director and WODC are requested to review the application and supporting map in Part III, and indicate concurrence to you, and this office before you sign them for transmittal. The purpose in concurrence is to be sure we have claimed enough water, the proper point of diversion, and a large enough area of potential use, and that adequate ultimate regulatory storage is covered. The details of pipelines and building sites are not important since they may be changed before final water right proof is made.

When you sign the application and forwarding letter, please distribute copies of the letter as indicated on the draft, and also advise us all of the date of signature, and names and addresses of witnesses.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 3

Copy to: Regional Director, Region Two, with attachments
WODC, with attachments
Associate Director
Mr. Dunn

AvVDunn:lct

00-00-0000: letter to state division of water resources from superintendent regarding application, voucher and purchase order

DRAFT

In reply refer to:
L54-L

Mr. M. G. Walker, Supervisor
State Division of Water Resources
Transportation Building
Olympia, Washington

Dear Mr. Walker:

Enclosed are an application for the appropriation of 0.1 sec.ft. of the waters of Kalaloch Creek in the coastal strip at Olympic National Park, three photostatic reductions of supporting Drawing NP-OLY-6960, and a voucher and purchase order to cover the filing fee. The drawing was reduced to 400 feet to the inch, or twice the scale of your standard plats, as a result of your letter of January 23 to A. van V. Dunn, Chief of our Water Resources Section in Washington.

The voucher should be signed and returned to the Director, National Park Service, Washington 25, D. C., for payment. It is also requested that you send copies of all future correspondence to the Director in order that Mr. Dunn and I may both be informed as soon as possible.

This water claim and the development are on what was formerly known as Beckers Resor' for which Application 4104 was formerly claimed for power, and for which parts of the domestic and recreational water supply were developed without an apparent appropriation. For this reason, we also enclose a marked print of sheet 3 of Drawing OLY-8016 which shows the parcels of land in the Kalaloch Area which have been acquired by the United States, and marked copies of the Judgement and Declaration of Taking of June 26, 1940 which covers title to tracts J-241, J-242, J-245B and J-246 on pages 26-28; the Judgement and Declaration of Taking of August 14, 1940 which covers title to tracts J-247, J-248, J-250, J-252, J-253, J-254, J-255, J-256, J-256A, J-257 and J-258 on pages 5 to 8; the deed of January 30, 1941, order of November 20, 1940, Removing Restrictions, letter of January 10, 1942 from the Attorney General, acceptance of title, all relating to tract J-251; and the Court Order of September 24, 1941, and letter of October 7, 1941, from the Attorney General concerning the Judgement and Declaration of Taking of Tract J-249.

Sincerely yours,

Fred J. Overly
Superintendent

DISTRIBUTION

Copy to: Superintendent
Regional Director, Region Four

WODC
Director (2)

01-23-1956: letter to department of the interior from department of conservation and development regarding section plats

COPY

STATE OF WASHINGTON
Department of Conservation and Development
Transportation Building
Olympia

January 23, 1956

L54-L

United States Department
of the Interior
National Park Service
Washington 25, D. C.

Attention: Mr. A. van V. Dunn, Chief
Water Resources Section

Dear Sir:

In response to your letter of January 16, 1956 we have no objection to your discarding our section plats in favor of more comprehensive drawings or ones which are more easily reproduced.

We would prefer that the scale of the plats or some multiple of this scale be used. For instance when we desire to show four sections on the section plat we double the scale and one quarter section then becomes an entire section or to show adjoining halves of sections we move the centers to the east and west quarter corners on the plat.

At least one of the sketches always remains as part of the permanent file which is a regular legal size manila folder. Therefore, if the drawing is such that it can be flat or folded to an 8½" x 14" size it becomes less bulky.

We are enclosing to you two copies of our condensed water codes as well as our minimum design criteria for earth fill dams. Our supplementary rules and regulations are in the process of revision. As soon as they are completed we shall forward a copy to you.

Very truly yours,

DIVISION OF WATER RESOURCES

/s/ M. G. Walker

M. G. Walker, Supervisor

01-04-1956: memorandum to director from regional chief of operations, region four regarding water rights

In reply refer to WR Copy
L54

January 4, 1956

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Water Rights, Kalaloch Area, Docket 7, Olympic

Attached are five prints of sheet 3 of Drawing NP-OLY-8016, Olympic Public Works Acquisition topographic map as requested by Mr. Dunn in his December 15 memorandum.

(ESD) FRED T. JOHNSTON

Fred T. Johnston
Regional Chief of Operations

Attachment

Used in docket assembly

12-15-1955: memorandum to regional director, region four from chief, water resources section regarding water rights

L54-L

December 15, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

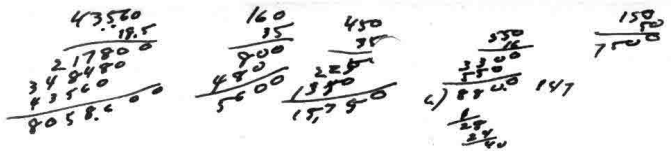
Subject: Water Rights, Kalaloch Area, Docket 7, Olympic

Please send us five prints of sheet 3 of 4 of Drawing NP-OLY-8016, Olympic Public Works Acquisition topographic map, to support proof of Federal land title for proposed water right application. The map is to show most of the Tracts J-241 to J-258 and the "government lot" numbers in N½ Sections 4 and 19, T 24 N, R 13 W, WM. It might be better to add "R 13 W" just above the township line and get photostatic enlargements at about 1000 or 1500 feet to the inch, of portion of map showing desired township and title, but any legible prints on single sheets of paper will be satisfactory.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Mr. Dunn

AvVDunn:lct



53 Trailer Stalls @ 160 people @ 35 = 5600 gpd

16 x 550 / 60 = Seq 150 camp stalls (82 planned) 450 " " 15,150

30 Cabins Seq 50 (24 planned) 1500 @ 50 @ 76° @ 2,500

Coffee Shop Seq 1500 @ 3 4,500

Store

Gas Station 1,000

Employees 50 @ 50 2,500

Irrigation

Utility Area 4,000

Total Dem 37,250 gpd
= 0.058 s.f.

Seal at 18.5 gal per 100 sq. ft = 8000 gal/acre.

Sec 10	SE¼(NW)¼	700 x 400 = 280,000 sq. ft.	6.43 ac	51,700 gal
	SW¼ NW¼	1320 x 700 = 924,000	21.20 ac	1,784,000
	NE¼ NW¼	800 x 900 = 270,000	6.20 ac	50,000
	NW¼ NW¼	1320 x 700 = 924,000	21.20 ac	
			55.03 ac	1736,000
Sec 9	NE¼ NE¼	400 x 600 = 240,000	5.5 ac	
	SE¼ NE¼	400 x 1000 = 400,000	9.2 ac	449,000 gal
	SW¼ NE¼	800 x 800 = 640,000	14.7 ac	1,184,000
			29.40 ac	

Present pump 1000 gph = 24,000 gpd
@ 1500 gph 36,000 gpd.
Storage 30,000

J 241	J251	J 241	251
J-242	J252	242	252
J-246	J252	245B	253
J 245B	J253	246	254
J 247		247	255
J 248	J256	248	256
J 249	J257	249	257
J 254	J258	250	258
J 255			

10-10-1955: letter to olympic national park from chief, water resources section regarding water rights

Dunn

WR Copy

In reply refer to:
L54-L

October 10, 1955

Memorandum

To: Superintendent, Olympic National Park

From: Chief, Water Resources Section

Subject: Water Rights, Kalaloch Area (Becker's) Docket 7,
Olympic National Park

Our memorandum of September 30 crossed the memorandum of September 26 in the mail. The memorandum from Mr. House clears up the matter of coordinates, and we shall complete the necessary water right application in the near future.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Director, Region Four
~~Mr. Dunn~~

AvVDunn:lct

09-30-1955: memorandum to regional director, region four from chief, water resources section regarding water rights

WR Copy

In reply refer to:
L54-L

September 30, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Rights, Kalaloch Area (Beckers) Docket 7, Olympic National Park

The Water Resources Section is in receipt of drawings requested in Mr. Price's memorandum of August 24. This will expidite completion of our drawing to accompany a water right application for that area.

In his transmittal dated September 2, Mr. Johnston notes a confusion regarding ties. We were not requesting information in that regard, but calling attention to errors in computing the tie from coordinates checked in the field and supplied in the same memorandum and on the same attached map that the questionable tie was shown (OLY-6960). Note that Mr. Overly's memorandum of July 26 states quite clearly that the tie was computed from the coordinates shown thereon, and that it was the coordinates of the section corner that were found to agree closely from two sources.

Attached are computations to substantiate our computation of the tie in question. Please confirm our computation or explain our error.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachments

Copy to: Mr. Dunn, with copy of attachment

GWRobertson:lct

00-00-0000: kalaloch coordinates given in memo from superintendent overly, dated 7/26/55

Kalaloch Coordinates Given in Memo From Superintendent Overly Dated 7/26/55

Computed JWR 8/23
Checked TAL 8/30

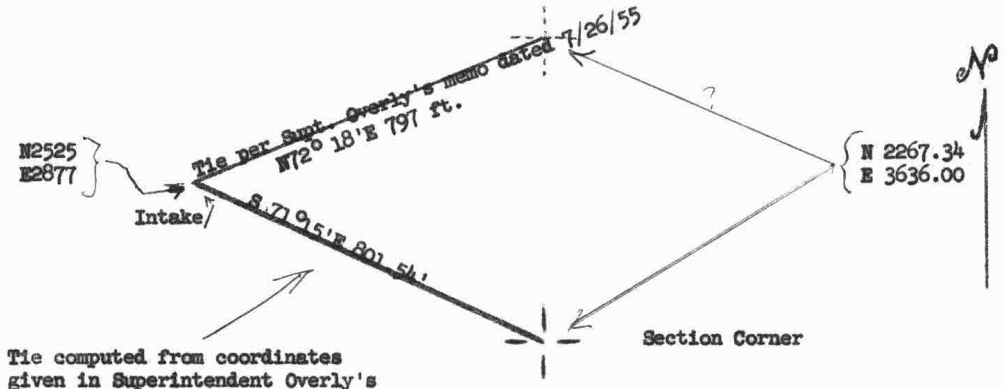
N 2525.00 (intake)
N 2267.34 (sec. cor.)
257.66

E 3636.00 (sec. cor.)
2877.00 (intake)
759.00

tan bearing angle equal $\frac{759.00}{257.66}$ equals 2.94574

bearing angle equal S. 71°15' E.

Dist. equals $\frac{759.00}{\sin 71°15'}$ equals $\frac{759.00}{.94693}$ equals 801.54



Tie computed from coordinates given in Superintendent Overly's memo dated 7/26/55

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

CONSTRUCTION PROJECT OR REHABILITATION JOB — FOR YOUR [illegible] — REGION FOUR OFFICE — INITIALS [illegible] — DATE Sept. 16, 1955

REGION FOUR AREA Olympic National Park STATE Washington

PROJECT OR JOB TITLE Water System (Portion) Kalaloch Campground PCP OR JOB NO. U-54-2

LOCATION IN AREA Kalaloch MASTER PLAN NO. NP-OLY-2218-C BLDG. NO. Water Tower No. 890

WORKING DWG. NO. & TITLE #3004 Water System, Kalaloch #V-575 Nat'l. Tank & Pipe Co. Tank & Tower with foundation per NP-OLY-3004 "AS CONST." DWG. SUBM. BY (DATE)

APPROPRIATION TITLE & SYMBOL 14X1035 Construction & Acquisition of Lands, NPS ACCT. NO. 332.3 S&MC PROJ. SYMBOL

CONSTRUCTION DATA

CONSTRUCTION ITEMS	QUANTITIES
30,000 gal. tank upon 50'tr.tmbr,tower, Contract	1
21' Foundation piling driven by Gov't.	18
Water Pipe, Transite, 4"	1770 '
4" Galv. Steel Pipe	200'
3/4" Galv. Steel Pipe	40'
3/4" Brass Hose Gibbs	12 Each
1" Plastic Pipe	1500'
1½" Plastic Pipe	370'
2½ Plastic Pipe	546'
3/4" Plastic Pipe	75'
Miscellaneous valves and fittings	Lot

SUMMARY OF EXPENDITURES

01	PERSONAL SERVICES	2,667.60
02	TRAVEL	169.95
03	TRANS. OF THINGS	
04	COMM. SERVICES	4.43
05	RENTS & UTIL. SERV.	418.60
06	PRINTING & REPROD.	
07	OTHER CONTR. SERV.	9,480.25
08	SUPPLIES & MATERIALS	4,099.91
09	EQUIPMENT	
10	LANDS & STRUCTURES	
15	TAXES & ASSESSMENTS	
	TOTAL CONSTRUCTION COSTS	16,840.74
	TOTAL CONSTRUCTION ALLOT.	17,000.00
	UNOBLIGATED BALANCE	159.26
	TECH. SUPERVISION COSTS	
	TOTAL TECH. SUPER. ALLOT.	
	UNOBLIGATED BALANCE	
	TOTAL PROJECT COST	16,840.74

REMARKS: All work was accomplished by Day Labor except for furnishing and erecting one 30,000 gal. wood tank upon a 50' treated timber tower with concrete foundation. Contract for this item was awarded National Tank & Pipe Co., Portland, Oregon @$9,350 on 9-30-54. Contract time expired 2/13/55. Contractor finished project on 4/1/55 so was assessed 47 days liquidated damages @ $10.00 per day. Net cost of tank and tower to Gov't. $8,880.
Foundation piling weredriven by Gov't. with rented pile driver in October 1954. Penetration 21' in blue clay. (Continued on next page)

FISCAL CLEARANCE

Edna Mae Allison
Edna Mae Allison, Supv.Fiscal Acct.Clk

COMPLETED August, 1955
THIS PROJECT OR JOB HAS BEEN COMPLETED IN ACCORDANCE WITH APPROVED DRAWINGS, SPECIFICATIONS AND AUTHORIZED CHANGES

SUBMITTED: Clifford B. Peterson, Engr. DATE 9/16/55

CONCURRED: Jerry B. House, TITLE Acting SUPERINTENDENT

CONCURRED: [illegible] Reg. Programs and Plans Control Officer, ASST. REGIONAL DIRECTOR (O&C) DATE 9-23-55

APPROVED: Thomas McMillan, Regional Chief of Operations, REGIONAL DIRECTOR DATE 9-23-55

2696

Waterline materials were procurred by the Government on bids in the fall of 1954.

Water mains and the distribution system were installed by Day Labor in May, 1955. The System was useable for the Memorial Day weekend.

Excavation was expedited through the rental of a hydraulic back hoe (73 hours at $584.00). A great deal of hand work was necessary too, due to the soft mucky terrain.

Back filling and cleanup were in progress during June and the old water tower was finially dismantled in August when Mr. Becker had removed his power lines.

STATUS OF FUNDS, ACCT. NO. 332.3

Original allottment, #3-212, dated 8-9-54 - - - -	$16,000.00
Increase, Supt's. Memo. 5/20/55 - - - - - - - - - -	$ 1,000.00
Total Constr. Allott.- - - -	$17,000.00
Total Constr. Cost - - - - -	$16,840.74
Unobligated Balance- - - - -	$ 159.26

OTHER CONSTRUCTION RELATED TO THIS PROJECT WAS ACCOMPLISHED

PCP	ACCT.NO.	TITLE	CONSTR. COST
B-157-2		Comfort Station,Kalaloch(2)	$13,665.12
U-53-2		Sewer System, Kalaloch	$ 9,795.17

Separate Completion Reports have been submitted for the above projects.

09-02-1955: memorandum to director from regional chief of operations, region four regarding water rights

W.R. Copy
Dunn
Robertson

In reply refer to:
L54

file 660-05.78

September 2, 1955

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Water Rights, Kalaloch Area (Beckers)
Docket 7, Olympic National Park

Attached are copies of drawings OLI-2105-C, Oly-3004 three sheets, and OLI-5553 six sheets, requested by Mr. Price in his August 24 memorandum.

With reference to the last paragraph of the memorandum, the tie to the section corner was checked and found to be the same as indicated on drawing OLI-6960. Since we have no knowledge of the tie you refer to as S71°15'E, 801.54, we are therefore unable to explain its origin.

As a copy of this memorandum is being sent to the Superintendent, he may be able to furnish the information you desire.

Fred T. Johnston
Regional Chief of Operations

Attachments 10

Copy to: Supt., Olympic
w/c incoming memo
Chief, Western Office,
Div. of D&C

08-03-1955: memorandum to director from regional chief of operations, region four regarding water rights

In reply refer to
L54

August 3, 1955

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Water Rights, Kalaloch Area (Becker's), Docket 7, Olympic

The information which Mr. Dunn requested in his memorandum to this office, dated July 12, is indicated on the attached print and also in the attached copy of the Superintendent's memorandum, dated July 26, to this office.

(SGD) FRED T. JOHNSTON

Attachments

Fred T. Johnston
Regional Chief of Operations

Copy to Western D&C
w/print & copy Supt's memo

07-28-1955: memorandum to director from regional chief of lands regarding kalaloch ranger station water system

File Beckers Resort
Kalaloch Resort

WR Copy

In reply refer to
L54

July 28, 1955

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Kalaloch Ranger Station Water System, Docket No. 20, Olympic

This has reference to Mr. Dunn's memorandum of June 23 on the above subject. That memorandum requested certain action and data. There is now attached copy of Superintendent Overly's self explanatory reply of July 25.

Filed in Docket 20

B. F. Manbey
Regional Chief of Lands

Attachment

Copy to Olympic
w/Olympic's copy Docket 20

07-26-1955: memorandum to regional director from olympic national park regarding water rights

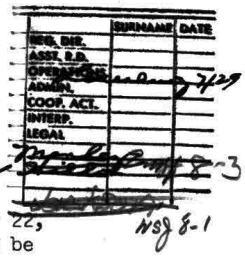
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L-54-L Olympic

Olympic National Park
Port Angeles, Washington

RECEIVED
NPS, REGION FOUR OFFICE
JUL 29 1955

July 26, 1955



Memorandum

To: Regional Director, Region Four

From: Superintendent, Olympic

Subject: Water Rights, Kalaloch Area (Becker's), Docket 7, Olympic National Park

Reference is made to Mr. Johnston's memo of July 22, and copy of Mr. Dunn's memo of July 12, requesting data to be indicated on four prints of drawing OLY-6960 forwarded with Mr. Johnston's memo.

The true location of the corner of Sections 3, 4, 9 and 10, has been indicated on all four prints.

This corner was tied to the Kalaloch Area monumented grid system by the park engineer while establishing the concessioner's lease line. (See Master Plan Drawing 2105-C which also shows the location of the mouth of Kalaloch Creek.) The section corner was tied to the Kalaloch Area grid system prior to World War II also and the coordinates of the ties agree closely.

Drawing No. OLY-5553 shows the alignment of Becker's water system. While some improvements have been made by Mr. Becker during the course of his lodge and cabin building program, the layout of the water lines and the intake location remain essentially unchanged. The existing water tower has been replaced with a 30,000 gallon tank upon a 50-foot tower immediately east of the location shown on Drawing OLY-6960. A 4" water main extends along the east side of the highway and passes under the Kalaloch Creek bridge to serve the Kalaloch Campground in accordance with Drawing OLY-3004. The resort and campground are supplied by the same system.

With further reference to the tie from the intake to the section corner, the coordinates for the intake were scaled from the hard copy of the Kalaloch Area map (1" = 40') and indicated on copies of Drawing OLY-6960, together with computed coordinates for

the section corner. The tie from the intake to the section corner as shown on copies of Drawing OLY-6960, was computed from these coordinates.

Three copies of Drawing OLY-6960, showing the tie from the intake to the section corner, are being returned herewith.

Fred J. Overly
Superintendent

Enclosures (3)

08-23-1955: kalaloch coordinates given in memo from supt. overly dated 7/26/55

Kalaloch coordinates given in memo from Supt. Overly dated 7/26/55 — computed checked

N 2525.00 (intake) E 3636.00 (sect. cor)

N 2267.34 (sec. cor.) E 2877.00 (intake)

257.66 759.00

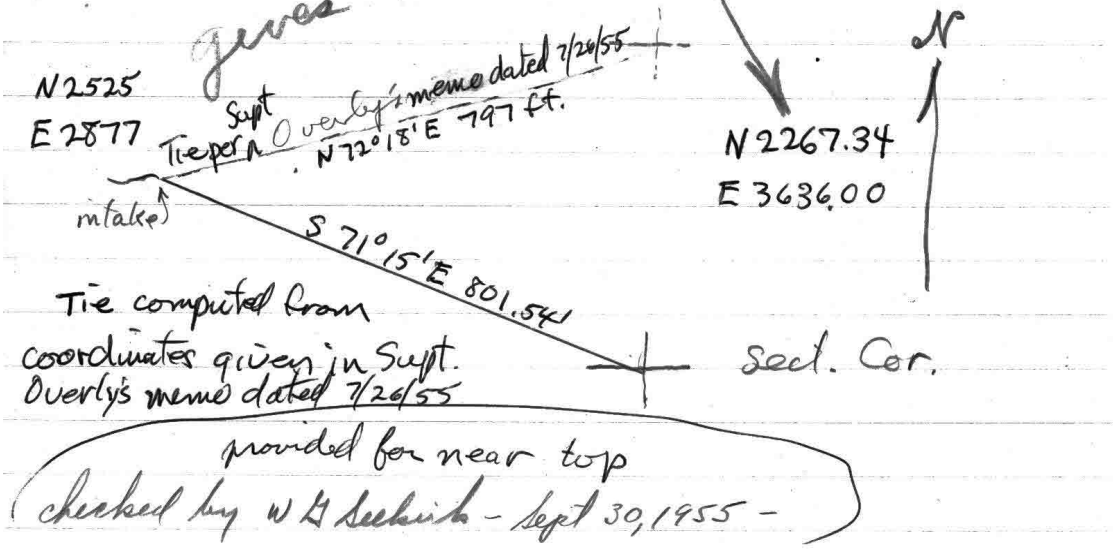
tan bearing angle = $\frac{759.00}{257.66}$ = 2.94574

bearing angle = S. 71°15' E.

Dist = $\frac{759.00}{\sin 71°15'}$ = $\frac{759.00}{.94693}$ = 801.54

Letter of Sept 26 (House) gives this as 2767.34

QWP 8/23



Tie computed from coordinates given in Supt. Overly's memo dated 7/26/55 provided for near top

(checked by W G Seelenbinder - Sept 30, 1955 -

07-22-1955: memorandum to superintendent, olympic national park from regional chief of operations regarding water rights

In reply refer to:
L54

~~Jackson~~
~~Hilton~~
~~Manbey~~
Johnston

July 22, 1955

Memorandum

To: Superintendent, Olympic

From: Regional Chief of Operations, Region Four

Subject: Water Rights, Kalaloch Area, Olympic National Park

Attached are four prints of drawing OLY-6960. Mr. Dunn, in his memorandum of July 12, of which you have a copy, asks for certain information to be indicated on this drawing. After you have shown the requested information on the prints, please return three copies to this office for distribution: one to Mr. Dunn, one to the Western Office, Division of Design and Construction, and one for our files.

FILE COPY

(SGD) FRED T. JOHNSTON

Fred T. Johnston
Regional Chief of Operations

Attachments

WSJackson:mb

07-12-1955: memorandum to regional director from chief, water resources section regarding water rights

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:
L54-L Olym

RECEIVED
NPS, REGION FOUR OFFICE
JUL 18 1955

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPER.	Lucas	7/18
ADMIN.		
COOP. ACT.		
INTERP.		
LEGAL		
~~Chief, Div. of Land Acquisition~~	~~Hunt~~	~~7-22~~
~~Chief, Div. of Design~~		
X Jackson		7-22

X To area for info and return WB

July 12, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Rights, Kalaloch Area (Becker's), Docket 7, Olympic National Park

To supplement our memorandum concerning Water Right Acquisition by Appropriation, the attached prints of Drawing 6960 of the Kalaloch Area Water System have been held for some years, awaiting supplemental data. The drawing can be completed as the map to support a water right application if:

1. The true location of SW Cor. Sec. 3 can be shown.

2. The possible changes in water system alignment are shown.

If that section corner has been destroyed, you may be able to locate the $W\frac{1}{4}$ or $S\frac{1}{4}$ corner of the section. If none of the neighboring corners are existent, we can probably accept the projection from Mr. Becker's old Application 4104 if the Becker diversion is confirmed as the same as the existing one, or the relation of the Becker diversion to the existing one is shown. It would be preferable to show any change in the point of diversion even if the section corner is located. It would also be desirable to show the true location of the mouth of Kalaloch Creek, which is now only approximately shown.

The other major requirement to complete the application is listed with the earlier memorandum.

All four prints of Drawing 6960 are attached in order that you may refer them to the proper field office. One copy should be returned with the changes and additions indicated.

A. van V. Dunn
Chief, Water Resources Section

Attachments 4

Copy to: Superintendent, Olympic
Western Office of Design and Construction

07-12-1955: memorandum to regional director from chief, water resources section regarding land subdivision

L54-L WR Copy

July 12, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Land Subdivision, Olympic National Park

Attached are two prints of Drawing NP-OLY-6975, Known Water Claims, Olympic, which Mr. Jackson prepared for my 1940 report. The township lines were omitted at the time, except for indicative projections around the margin.

We have now projected the townships in pencil from the Forest Service map of 1938, which was probably the base used for the Drawing. We understand from Mr. Manley, while here, that Mr. Jackson has started a similar map. Because of the irregularity in subdivision, we wonder whether he has obtained any more up-to-date records. We should like to have one print checked against his work and returned with notations of any errors he may find.

It is my plan to ink in the township lines, obtain a multifoil, or similar reproduction, scratch out the block labels of the indicated water systems, and relabel them in less detail so that the rest of the water systems can be added. However, Mr. Jackson may have completed another drawing which could be reproduced for our purposes without all the deletion. It is also possible that a multifoil print of this drawing, or the reproduction, with deletions, would be helpful to him.

(SIGNED)

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Superintendent, Olympic
Western Office of Design and Construction

AvVDunn:lcm Dunn

06-23-1955: memorandum to regional director from chief, water resources section regarding kalaloch ranger water system

WR Copy

L54-L

June 23 1955

Memorandum

To: Regional Director, Region Four

From: Chief Water Resources Section

Subject: Kalaloch Ranger Station Water System, Docket 20, Olympic

With copies of this memorandum we are distributing Olympic Water Right Docket 20 which now contains the record of well and a memorandum of August 19 1948 to you from the Superintendent.

To complete the docket at this time we shall want the following:

1. Plat of the ranger station water system with tie from the well to a section corner.

2. The date the 30 foot well was dug (which should be inserted as date of Priority at extreme right, on top line of the tab of the docket folder).

3. Plan of new system proposed under PCP-U-56 for future construction.

We propose to set up a survey project to obtain a number of section corner ties and the hydraulic properties of water systems. For the moment, therefore we should like only that portion of the above data which can be supplied from existing records.

SIGNED
A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Olympic, with copy of attachment
Western Office of Design and Construction, with copy of attachment
~~Mr. Dunn~~

AvVDunn:lct

08-24-1948: memorandum to director from associate regional director regarding the original of u.s.g.s. form 9-255, record of well

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA
180 New Montgomery Street

August 24, 1948.

MEMORANDUM for the Director.

In accordance with a memorandum by Acting Chief of Development Carnes dated March 2, 1948 and Mr. Tolson's memorandum of July 22, 1947, we are enclosing, herewith, the original of U.S.G.S. Form 9-255, Record of Well, for a well at Kalaloch Ranger Station, Olympic National Park.

We are also enclosing a copy of Superintendent Macy's memorandum of transmittal dated August 19, supplementary to this report, in which your special attention is called to the last sentence.

This is the last and most recent well in our Region and we may not have any more to report for some time. We believe that if the reporting of wells were incorporated in Volume 15, Administrative Manual, there would be less chance of forgetting future wells, if and when they are dug or drilled.

(SGD.) H. MAIER

Herbert Maier,
Associate Regional Director.

Enclosure 56.



Olympic - 1947

- Backen - Mr Backen

Water right was for a dam for power system - abandoned

Domestic system same as originally built. No pump ever made.

Army only put in 800' of pipe across road. to replace 1" with 1½"

3000 gal tank.

21 cabins

10 with toilets

no restaurant

1½" dist.

pump line 1½" to tank. ~~7½ HP belt drive turbine motor at tank~~ piston pump

Backen will have to enlarge own system if northrip does not use

Plans not approved by RD when sent in last winter.

Gas station plan held up until road were made + still no action

NPS told Backen not to build water + sewer because 41 would (9 years ago)

Bridge on trail to dam needs replacing.

3 sets of station plans rejected

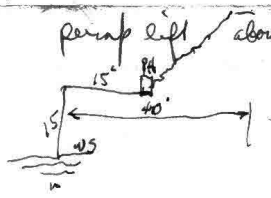
has lumber + money to start if NPS will accept plans.

house plans said to O.K.

Contract said to be subj to acceptance of master plan + Building plans.

2 H elec + centrifugal pump at creek intake 1000 gph. (or 1500 gph) ~~but cut down.~~

pump lift about 40' creek to top of tank



100 paces to elevated tank 45' ± above ground

+40 paces to center of road 15' south of gas station

Storm King R.A. } road sole access of Barnes Creek Fish

" " Lodge } Holdings w Lessee, which is all on State land except at Rest.

Lodge is selling water to owners of lots it has sold.

Kelley's Ranch - Clark

Capacity 38 if each cabin is fully used
20 guests on Aug 16 were using all cabins except recreation for Macy + Dr Leland
6 employees at time of visit
10 of guest capacity in 1 cabin
8 " " " in 1 cabin
all cabins but 2 smaller have toilets
Mr Clark is modernizing + re furnishing pretty well
Water line about ½ mile long from creek - no intake dam
Pipe starts 2" then 1½" + 1" but Clark plans to replace with 4"
Pressure at cabins about 20 pounds.
Stock sheep consists of 22 horses at this time.
Garden includes corn.

Ruby Beach - Seacrest.

10 cabins on beach, of which 2 largest have toilet + shower + one other has shower only a toilet is proposed as soon as septic tank can be provided
4 cabins + gas station - operator's residence on main road
pump about 2½-3 hrs to empty 5000 gal collect sump into 16,000 gal elev. tank.

03-02-1942: memorandum to regional director from hydraulics engineer regarding extension of time

March 2, 1942.

MEMORANDUM for the Regional Director, Region Four:

I have concurred in PCP form OLY-AC-U-12 for water system extension at Becker's Resort.

I wish to advise that Becker originally had a water right which lapsed and which must be reinstated as soon as a design and complete survey of the existing system and extension is completed. This is therefore a request for the data as soon as it is available and to advise that the system should be properly tied into a section corner.

Hydraulic Engineer.

cc: Supt., Olympic Nat. Park.
Reg. Engr., Region Four.

AvVD:SH

FILE COPY

10-10-1941: memorandum to superintendent, olympic national park from hydraulic engineer regarding addition to appl. 4104, per

October 10, 1941.

MEMORANDUM for Superintendent Macy,
Olympic National Park:

We enclose a copy of Application No. 4104, Permit 2229, by Bill Becker, covering an application to appropriate waters of Kalaloch Creek for power purposes at Becker's Resort, together with a copy of a letter of explanation from the Assistant State Supervisor of Hydraulics, J. P. R. Appleby, in reply to a request of mine. This particular application has been cancelled, and therefore its value is purely historical.

However, we should file a new application for water use, as we plan to use it, at the first opportunity, and this will include a map of the system as now constructed. We understand that Park Engineer Drysdale has already been instructed by the Region to make such a survey at his convenience.

I should like to request that in addition to the existing system the survey include a tie to the point of diversion covered by Mr. Becker's cancelled application and to a section corner, presumably the same one used by Mr. Becker, and that we be supplied with enough information to show wherein the actual development differs from the original plan in location, capacity, and use, in order that we may try to show a continuing development under the original priority.

In recent correspondence between the Regional Attorney and myself, it developed that an attempt was made to get Mr. Becker to renew his application before the resort was conveyed to the United States. The information included in the accompanying letter from Mr. Appleby is rather interesting in showing that Mr. Becker may not have attempted to comply with this request.

Enclosure 2136789.

Hydraulic Engineer.

cc: Director, with enclosures.
Region IV, with enclosures.
Reg. Atty. Taylor.

FILE COPY

10-02-1941: letter to u.s. department of interior from assistant supervisor of hydraulics regarding cancellation of permit

C O P Y

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
DIVISION OF WATER RESOURCES

CHARLES J. BARTHOLET, SUPERVISOR

OLYMPIA

October 2, 1941

Mr. A. Van V. Dunn, Hydraulic Engineer
U. S. Department of Interior
601 Sheldon Building
San Francisco, California

Dear Sir:

In reply to your letter of September 26, you are advised that there is little that can be said about this permit aside from what appears on the document itself.

Applicant never at any time showed any serious interest in developing this project. Under date of October 8, 1937, we wrote advising him that the permit would be cancelled on December 10 of the same year and on January 6, 1938, applicant called at the office and stated that he was no longer interested. The permit was then cancelled. On December 30, 1938, at Mr. Becker's request, it was reinstated and an extension of time for beginning construction was granted to January 1, 1940. On March 26, 1941, having heard nothing from the applicant, the permit was again cancelled and on May 6 we wrote him that we did not wish to reinstate it.

It would appear to us that if your department is interested in developing this project, that the simplest procedure would be to file a new application, there being no question of priorities involved.

We are enclosing herewith a copy of the permit with a statement of the fee due and a sketch I have made of the map accompanying the application, for which there is no charge.

If this does not give you all of the required information, do not hesitate to call on us again.

Very truly yours,

/s/ J. F. R. Appleby,

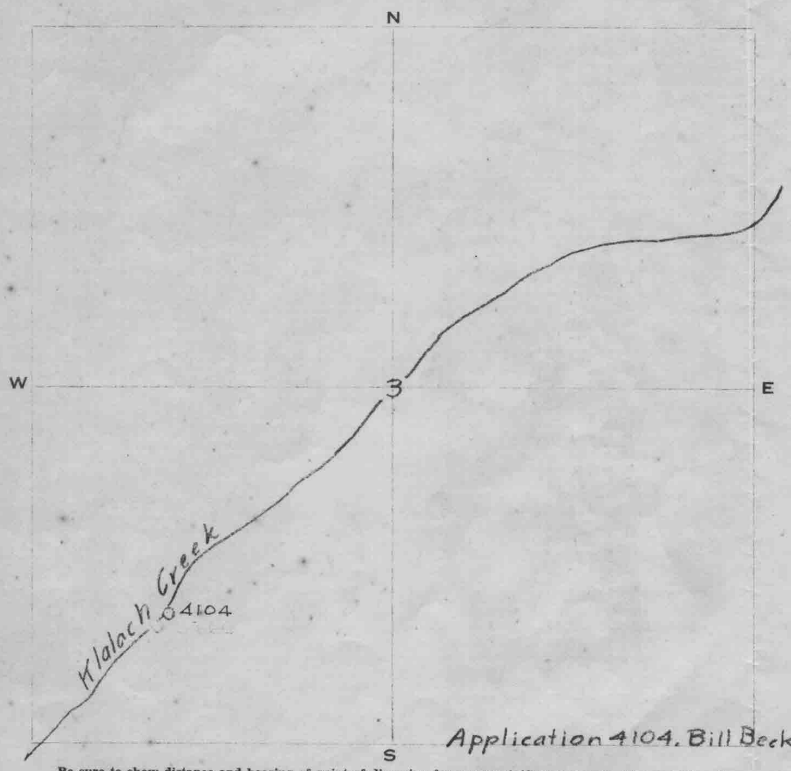
J. F. R. APPLEBY
Ass't Supervisor of Hydraulics

JFRA:fm
Enc.

S. F. No. 1854-A—10-2-40—2M. 20188.

SECTION PLAT

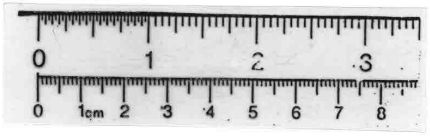
Sec. 3 Twp. 24 N. R. 13 W



Be sure to show distance and bearing of point of diversion from nearest 40-acre corner. Also traveling directions from nearest town on main highway.

Scale: 1 inch = 800 feet.

App. 2366 - Permit 1248 - of E. J. Nixon was cancelled.



10-04-1941: letter to supervisor of hydraulics from hydraulic engineer regarding acknowledgment of receipt of appl. 4104, permit 2

Olympic

October 4, 1941.

Mr. Chas. J. Bartholet,
Supervisor of Hydraulics,
Olympia, Washington.

Dear Sir:

This will acknowledge receipt of copy of Mr. Becker's water right Application No. 4104, Permit 2229, which we requested.

We are very sorry that we have to send another voucher for your signature, as we apparently neglected to indicate the proper place in the previous one. You will note the cross on the line on the left toward the middle of the page, which is where the signature should be, the one at the right being for the administrative approval in this office.

Your suggestions regarding filing of a new application for any water use which we may wish to make is entirely in line with our own plans. Our interest in the old filing is largely for a matter of record and for any historical information which might be helpful.

As a matter of fact, the most interesting feature is your explanation of Mr. Becker's indifference toward preserving the right this year, as we had requested him to do so and been advised that he had been unsuccessful. However, the permit does not cover actual conditions now existing, as his diversions have been almost entirely for domestic and sanitary purposes. I am not even sure that a power plant has been installed. Hence, any further use of the old application, if it had not been allowed to lapse, would still require a great deal of amendment, and the only value would have been priority, which I do not believe is very important in the particular case. We ourselves are now making additional surveys and shall file the new application after we have completed our study of the present facilities and future needs.

Yours very truly,

Encl.
AvVD:SH

A. van V. Dunn,
Hydraulic Engineer.

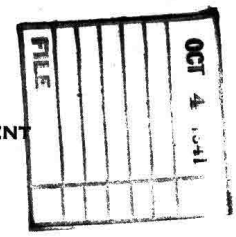
FILE COPY

10-02-1941: letter to hydraulic engineer from assistant superintendent of hydraulics regarding cancellation of permit

GOVERNOR

DIRECTOR

STATE OF WASHINGTON
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
DIVISION OF WATER RESOURCES
CHARLES J. BARTHOLET, SUPERVISOR
OLYMPIA



October 2, 1941

copies to Director
Region III
Supt. Macy
Reg Atty. Taylor
10/10/41

Mr. A. Van V. Dunn, Hydraulic Engineer
U. S. Department of Interior
601 Sheldon Building
San Francisco, California

Dear Sir:

In reply to your letter of September 26, you are advised that there is little that can be said about this permit aside from what appears on the document itself.

Applicant never at any time showed any serious interest in developing this project. Under date of October 8, 1937, we wrote advising him that the permit would be cancelled on December 10 of the same year and on January 6, 1938, applicant called at the office and stated that he was no longer interested. The permit was then cancelled. On December 30, 1938, at Mr. Becker's request, it was reinstated and an extension of time for beginning construction was granted to January 1, 1940. On March 26, 1941, having heard nothing from the applicant, the permit was again cancelled and on May 6 we wrote him that we did not wish to reinstate it.

It would appear to us that if your department is interested in developing this project, that the simpliest procedure would be to file a new application, there being no question of priorities involved.

We are enclosing herewith a copy of the permit with a statement of the fee due and a sketch I have made of the map accompanying the application, for which there is no charge.

If this does not give you all of the required information, do no hesitate to call on us again.

Very truly yours,

J. F. R. APPLEBY
Ass't Supervisor of Hydraulics

JFRA:fm
Enc.

09-26-1941: letter to supervisor of hydraulics from hydraulic engineer regarding reinstatement of permit

601 Sheldon Building

September 26, 1941.

Mr. Chas. J. Bartholet,
Supervisor of Hydraulics,
Olympia, Washington.

Dear Sir:

Mr. Charles W. Becker Jr., of Becker's Ocean Resort, Kalaloch, Washington, made an application to appropriate certain waters for power and domestic supply for his resort, which was later allowed to lapse. In the last few months he has attempted to reinstate it without success.

Will you please send us a copy of the original application, including a print or photostat negative of the map which accompanied it, and a brief review of the later history of the case as far as you know it. We enclose a voucher for your signature, to cover the charges, but suggest that you show such charges on a separate bill in order that we may complete the voucher in accordance with our own requirements.

The United States has recently purchased the Becker Resort and will wish to perfect water rights for its water system. The information requested from you is that which might be helpful in preparing our new statement, particularly dates of action which we can compare with the actual development program.

Yours very truly,

A. van V. Dunn,
Hydraulic Engineer.

Enclosure 2136781.

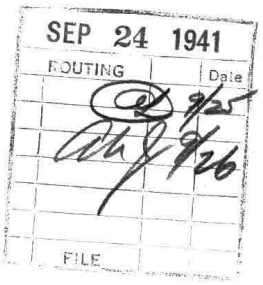
AvVD:SH

cc: Region IV.
Supt., OlympicNat. Park.
Reg. Atty. Taylor.

FILE COPY

09-16-1941: memorandum to hydraulic engineer from regional attorney regarding water rights at becker's ocean resort

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
503 Stuart Building
Seattle, Washington
September 16, 1941



MEMORANDUM for Hydraulic Engineer A. van V. Dunn:

Reference is made to your memorandum of September 2 relating to the water rights at Becker's Ocean Resort, Kalaloch, Washington.

What I had asked Mr. Becker to determine was whether the State Supervisor of Hydraulics would permit of reinstatement of lapsed rights by a showing of reasonableness in the abandonment of a major portion of the original filing. I had in mind reinstatement as distinguished from a new filing in the hopes of securing the original priority but Mr. Becker advises that the Supervisor of Hydraulics felt he was unauthorized to make any such reinstatement when none of the construction planned in the original filing had been undertaken.

Mr. Becker's original filing contemplated the use of a considerable quantity of water for the generation of hydroelectric power but he had never installed a power system to carry into effect that declared intention.

The Supervisor of Hydraulics now considers the entire filing (a small portion of which had been intended for incidental domestic use) as void and of no further effect and that a new filing will be necessary. Accordingly, I suggested to Mr. Becker that instead of making that filing himself he should allow the Government to make it in its own name as it does in instituting any new water right.

The National Park Service's title is sufficiently advanced for you to admit our interest in the Becker water system, but I suggest that rather than attempt any general statement of political or diplomatic points to be considered in dealing with other water rights in the extension, each case should be considered by itself as occasion for such consideration arises.

Joseph E. Taylor

Regional Attorney

cc: Region IV
Suptl, Olympic Natl. Park

09-02-1941: memorandum to regional attorney from hydraulic engineer regarding reinstatement of water rights

September 2, 1941.

MEMORANDUM for Regional Attorney Joseph E. Taylor:

Reference is made to your letter to Mr. Charles W. Becker, Jr., Becker's Ocean Resort, Kalaloch, Washington, of August 19, 1941, regarding reinstatement of his water rights, and suggesting that further action be left to us.

I believe I am correct in thinking that any water right can be reinstated in any State, but that after lapse such reinstatement is for a priority as of the date the reinstatement is requested. In other words, Mr. Becker's failure to obtain reinstatement was either due to his refusal to pay the additional fees, or due to his attempt to obtain the original priority. There is, however, a remote chance that State or county protest was offered to reinstatement for the benefit of the agency condemning so much of the Coastal Strip property at Olympic.

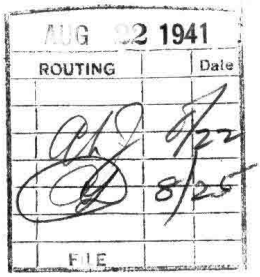
Before we follow up with a new filing I should like to know more of the past history. I can get a copy of old claims, and a probable explanation of the refusal to reinstate them from the Supervisor of Hydraulics, and should do so. First, however, I should like to know what you really asked Mr. Becker to do about reinstatement, whether National Park Service title is now sufficiently advanced for me to admit our interests in the Becker Water System, and what political or diplomatic points I should consider in dealing with water rights in the extension.

Hydraulic Engineer.

AvVD:SH

FILE COPY

08-19-1941: letter to becker's ocean resort from land acquisition coordinator regarding reinstatement of former water rights



503 Stuart Building
Seattle, Washington
August 19, 1941

Mr. Charles W. Becker, Jr.,
Becker's Ocean Resort,
Kalaloch, Washington.

Dear Mr. Becker:

Reference is made to your letter of August 12 in which, among other things, you advise of your efforts to reinstate certain water rights previously appurtenant to the lands now occupied by you under permit from the Government.

Inasmuch as the State Supervisor of Hydraulics has advised that it is not possible for you to reinstate the former water rights and that a new application would be necessary, I would suggest that you allow this matter to be handled by the Government since the water rights should become vested in the name of the United States of America. A study will be made to determine the proper amount of water for which to make application so that all uses may be integrated and a right to sufficient water be acquired for all such uses.

As you suggest, it is probable that we will have to identify by resurvey the one acre piece of school land which is improperly described and which is designated as parcel Q-73 of the Olympic Public Works Project.

With respect to your inquiry as to the value of the garage located upon the Folson lands (J-242), which was placed there under authority of an unrecorded lease, please be advised that, as you were previously informed, it has been appraised at $300.

I am glad to know that you have made arrangements with Mr. Gable to take care of the letter about your contract and that your arrangements with the Standard Oil Company will be satisfactory.

Whenever you are in Seattle, please do not hesitate to drop in on us either for whatever assistance we may render or as a personal call.

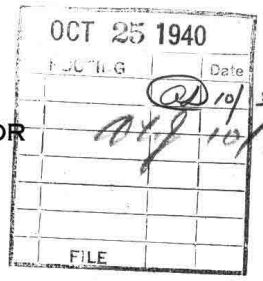
With best regards, I am

Sincerely yours,
(SGD.) JOSEPH E. TAYLOR
Joseph E. Taylor,
Land Acquisition Coordinator.

cc: Director
Region IV
" Water Rights
Section

10-23-1940: memorandum to hydraulic engineer from nps regarding the water facilities at the becker's beach resort

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
5516 Stuart Building
Seattle, Washington
October 23, 1940



MEMORANDUM for Hydraulic Engineer A. van V. Dunn:

This will acknowledge receipt of your memorandum of October 21 relating to the water facilities at the Becker's Beach Resort.

While I appreciate the point you are making, and from the standpoint of general policy, I agree that the water rights to cover the operators' water systems should be perfected in the name of the United States, whether it be by the operator or by the Park Service, and, while as a general rule it might be necessary to cover those water systems with water rights, nevertheless I feel that in the instant case the facts are such that there need be little concern over the proposal to dam the little unnamed creek for the purpose mentioned.

In the first place, the stream flows upon the property previously owned by Mr. Becker and recently acquired as a part of the Olympic PWA Project, and the riparian rights appurtenant to the land are sufficient in my judgment to cover the use in this case. You will bear in mind that the stream in question empties into Kalaloch Creek at the property acquired, and that Kalaloch Creek from that point flows westward into the ocean across lands now owned by the United States which were acquired from the Polson Logging Company by declaration of taking. Thus, it is obvious that there could be no interference with any other users downstream and, therefore, there are no grounds for a valid protest. Further, practically the entire drainage of this unnamed stream lies within the areas to be acquired as a portion of this Project and the potentiality of upstream interference is negligible.

At the time the proposal to dam this small stream was made to Washington, I considered it from a Water Rights angle and could find no basis for limitation on that score. In my judgment no appropriation is necessary and I am sure none is contemplated by the resort operator.

Joseph E. Taylor

Joseph E. Taylor
Land Acquisition Coordinator

cc. Macy
" R.II

10-21-1940: memorandum to regional attorney from hydraulic engineer regarding a proposed concession for mr. c. w. becker in th

FILE COPY

601 Sheldon Building
October 21, 1940

Memorandum for Regional Attorney Taylor:

Re: Water Rights,
Olympic National Park.

We have just received copy of memorandum to you of September 16, 1940, from Mr. Gable, Chief, Park Operators Division, regarding a proposed concession for Mr. C. W. Becker in the Olympic PWA Project.

I do not know where Mr. Becker's area is located, nor what facilities he may already have, but I feel that an operator's water system may require different treatment from that we ultimately formulate for the Park Service. Neither have I seen Mr. Myers' memo. If, as recommended in Mr. Gable's third paragraph of page 1, Mr. Becker were authorized to "dam the little unnamed creek for the purpose mentioned in the memorandum", some policy should be adopted for the water right.

If the operator acts as an individual he is supposed to make a standard type of appropriation. We have not decided yet whether the Park Service will file on all its systems or not, but I think any operator who is to build his own pipe line should either perfect his water right in the name of the United States, or agree to help the Park Service perfect that right if and when it decides on its policy. There should also be a clause to deny the operator the right to perfect water rights in his own name.

AvVD:SH

Hydraulic Engineer.

cc: Region IV.
Supt., Olympic Nat. Park.

10-21-1940: memorandum to regional attorney from nps regarding a proposed concession for mr. c. w. becker in the olympic pwa

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
October 21, 1940

Memorandum for Regional Attorney Taylor:

Re: Water Rights,
Olympic National Park.

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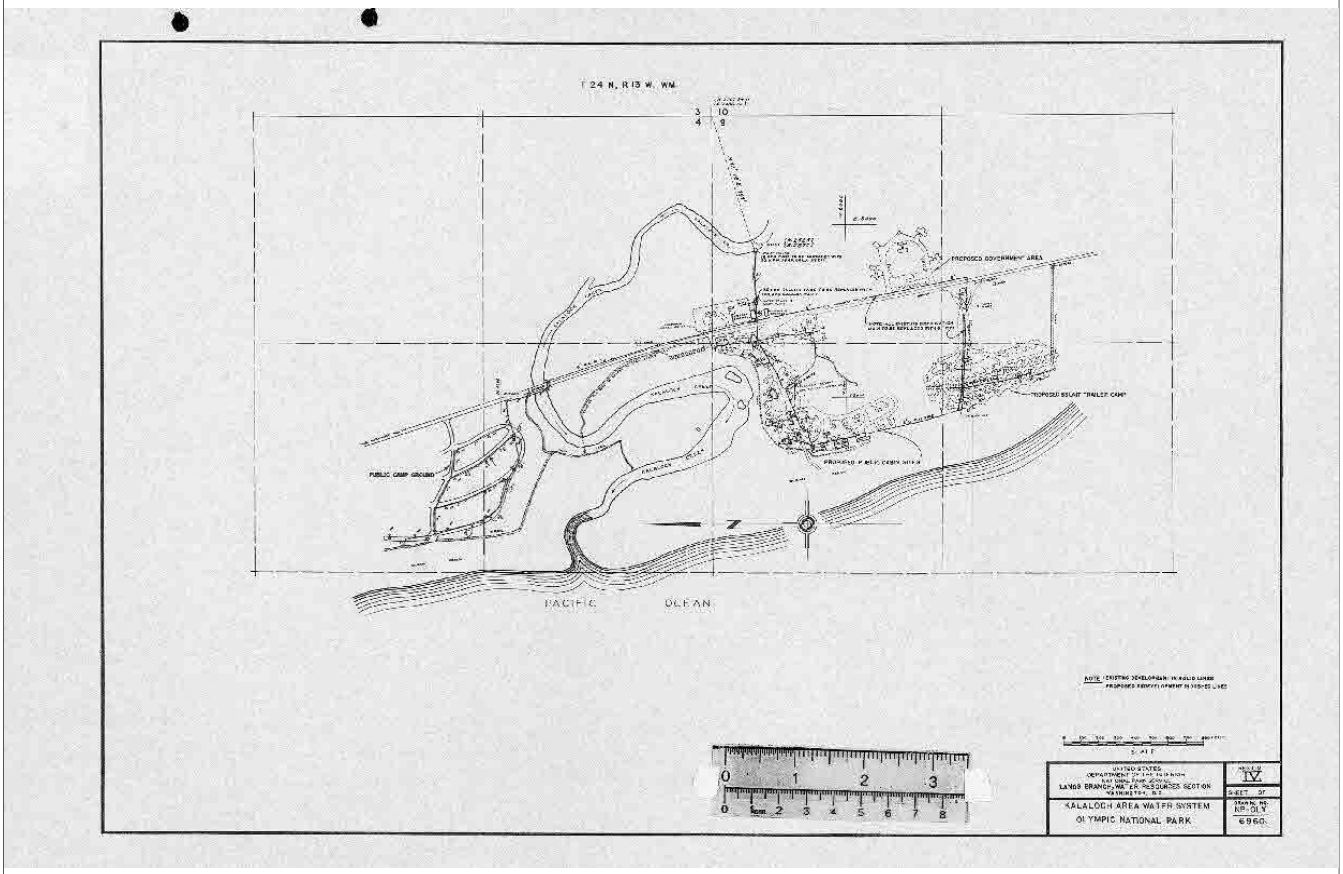
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Hydraulic Engineer.

cc: Region IV.
Supt., Olympic Nat. Park.

Maps and Miscellaneous Information

00-00-0000: map of the kalaloch area water system



Docket Information

Number of Documents in Docket 177

Documents Dated from 6/26/1940 to 6/15/1999

Docket Compiled: 6/2/2011