

Project # 202013171 Boy Scouts of America Camp Thunderbird

Examiner Rice,

My name is Andrew Brinton, I live at 725 Summit Lake Shore Rd NW, Olympia, WA. I was in the zoom meeting on Tuesday, but due to a poor internet connection it was not allowing me to raise my hand to speak. I have several questions and points that I think should be addressed or made clearer after listening to the statements made by the county and applicant.

I've lived on Summit Lake in a couple different locations for the last 27 years and have witnessed the transformation from a place with more cabins and weekend / vacation homes to now a vast majority of full time residents. For the County Roads representative to say that the traffic is the same as in the 70's when Camp Thunderbird was at its peak is naive. The residential population at the lake has tripled and the traffic on State Route 8 that runs from Interstate 5 to the ocean has increased dramatically. To not do a traffic mitigation study with current traffic, is simply not acceptable. Furthermore with the addition of a possible 30 RVs coming and going from the camp this will also create a great deal of congestion.

With Camp Thunderbird going through an 11 million dollar upgrade this will be the "Flag Ship" camp for the scouts rebuilding effort. This will mean they will be using this camp for more and larger events. While the scouts indicated that there will only be 5 events over 325 people (up to 600) there was no indication of penalties for going over the 5 events. I hope that strict counts and enforcement of limits be put in place and encourage the issuance of accountability measures and penalties for failing to follow the occupancy limits. It was stated several times that they are not changing what they have already been doing for years. This is once again not true as they do not currently have a 30 place RV campground.

When Scott McCormick responded to the issue of notifying more than the minimum number of property owners, he responded that he had no idea how to identify the owners around the lake and that by doing so would only create more comments on the project. That was one of the most reckless statement I heard during the hearing. I know from working with a past president of the Summit Lake Association that this information is available through the Thurston County Assessor. Scott works for the County. As Scott stated in some of the issues with the permits he indicated that he used some "flexibility" with the rules due to the size and extent of the Camp Thunderbird project. Apparently, using flexibility in notifying more than the minimum number of property owners was not something he is will to do. I would ask that the county be required to notify all property owners and that a reasonable response time be granted.

During the explanation of the permits the term "Increase Public Recreation" was said. Could we get clarification of what part of Camp Thunderbird will be open to the public? Scott said that Camp Thunderbird qualified because it serves the public. I am not sure that those are the same. The issue of the water was mentioned and the Scouts indicated that they have 3 wells. In their filings they indicate that one well is being used, one well is low producing and not in use, and one well can not be found. In past statements the scouts indicated that a flow test was done when the well was put. With the addition of numerous additional local homes on wells it should be required that the well in use be flow and stress tested during the summer. It should also be required that the local residents on wells be notified of the scouts planned use and be allowed an opportunity to voice their concerns.

The silt / soils in the dredging area need to be sampled / tested. While the Scouts indicated that they had done some minor testing done some time ago, no documentation has been produced. It would seem irresponsible to dredge silt and soils from the bottom of the lake without knowing what is being dredged, or what they may be exposing once the dredging is complete. Without having measures to prevent the sides from sloughing into the dredged area the dredging may be pointless. Imagine trying to dig a hole in the water in the middle of the lake. To not have documentation from the Army Corp of Engineering at this point in the project is consistent with the way this project is being handled.

As part of the mitigation plan the original swimming area and pond are being replanted. However, there is a court order (28006) that requires the outflow of the lake be maintained. Per Scott McCormick no provisions or considerations have been given to protect the outflow. I have attached a copy of the court order for your review. It is imperative to maintain the proper water level of the Summit Lake to protect the

shoreline of the lake. The outflow can not be blocked by the mitigation measures. This issue needs a comprehensive study to ensure that the outflow requirements in the court order will continue. In speaking with a local dock builder who has been in talks with the BSA for the building of the new docks it is my understanding that the silt may only be a few feet deep before it becomes hard lake bed. Will a different permit be needed if more than just silt is removed?

It was state that it was unknown when, or even if, the area would need to be dredged again. From my understanding the current swimming hole has filled in with silt and has been dredged multiple times in the past; and it is secluded from a much large area of silt that is the entire end of the lake. It is absolutely naïve to think that there is any possibility that dredging will not be needed on a continuous basis in the future.

It is my understanding that the current swimming hole, that was effective for decades, is no longer suitable due to stagnant water due to lack of flow. Has there been any thought of dredging the channel that connects the main lake to the swimming hole. This would both allow for water to naturally enter this area as it has for many years, as well as allow for a small amount of water to reach the outflow of the lake in the summer months which would help lake from staying stagnant. If needed, an aerator could also be installed or water could be pumped from the lake into this area to prevent water from becoming stagnant. This would not only keep this portion of the lake more healthy, abide by the court order, but would also keep the scouts more secluded and thereby safer.

I feel that the new location of the swimming area could pose great danger to children swimming. The end of the lake where the camp is located is often the smoothest portion of the lake, and therefore extremely popular for skiing, wake boarding, wake surfing, and people floating. As wake surfing becomes more and more popular it is not unusual to see 4 foot tall waves crashing into the shore in front of my home. A 4 foot wave could make swimming, canoeing, or kayaking both extremely difficult and dangerous.

In summary it appears that this project is far from being ready for a hearings examiners decision. There are more unanswered questions and lack of follow through than should be acceptable in a project of this scale. This project should be returned to the Planner and completed as is should be before going forward.

Andrew Brinton  
725 Summit Lake Shore Rd NW  
Olympia, WA 98502

78  
Nov 29 3 45 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

BY R. R. R. CLERK  
IN AND FOR THURSTON COUNTY DEPUTY

IN THE MATTER OF THE FIXING ) NO. 28006  
OF THE LEVEL OF LAKE SUMMIT, )  
SITUATE IN THURSTON COUNTY, ) JUDGMENT AND DECREE  
STATE OF WASHINGTON. )

This matter was originally heard by this Court on the 27th day of September, 1954. It concerned a petition to this Court for an Order to provide for the regulation of the outflow of Lake Summit in order to maintain a certain water level therein, in the interests of flood control, as provided by Chapter 90.24 of the Revised Code of Washington. The petitioners, more than ten owners of real property abutting on Lake Summit, appeared through their attorney, E. Robert Fristoe, of the law firm of Brodie & Fristoe. The Amended Petition in this matter was filed with the Clerk of this Court and a copy thereof, together with a copy of the Order fixing the time of hearing the petition was served on each of the petitioners more than ten days before the hearing. Like copies were also served upon the Directors of Fisheries and of Game and the Supervisor of Water Resources. A copy of the Order fixing the time for hearing the petition was regularly published in the Nisqually Valley News for a period of six weeks, in accordance with the provisions of said Order. After hearing evidence on this matter, this Court entered its Findings of Fact, Conclusions of Law, and Judgment granting the petition on October 21, 1954. Subsequently, there was found to exist a mistake of fact in petitioner's Amended Petition and in the Court's Findings of Fact, Conclusions of Law, and Judgment and therefore, the petitioners entered into a stipulation with the Directors of Fisheries and of Game and the Supervisor of Water Resources of the State of Washington that the Findings of Fact, Conclusions of Law, and Judgment and Decree entered by

this Court on October 21, 1954 be set aside and that all parties be given leave to submit new proposed Findings of Fact, Conclusions of Law, and Judgment containing the necessary corrections of fact.

Pursuant to such stipulation, this Court entered an Order in compliance therewith. Subsequently, this Court made and entered proper Findings of Fact and Conclusions of Law in this proceeding, and this having heretofore been done and it appearing to this Court that there are no objections to the fixing of the level of Lake Summit as prayed for, and it appearing that this Court has jurisdiction of the parties and of the subject matter of this action, NOW, THEREFORE, it is hereby

ORDERED, ADJUDGED AND DECREED that the proper and certain water level of Lake Summit is the level reaching 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said Government Lot 3 is now owned by the Tumwater Council, Boy Scouts of America. It is further

ORDERED, ADJUDGED AND DECREED that the State of Washington, Department of Game, is hereby authorized to construct a dam, spillway and fish screen at the outlet to Lake Summit in accordance with its present proposed plans. It is further

ORDERED, ADJUDGED AND DECREED that the Supervisor of Water Resources of the Department of Conservation and Development of the State of Washington is hereby authorized and directed to regulate and control the outflow of Lake Summit to maintain the herein determined proper and certain level of said lake after the dam, spillway and fish screen to which reference has been made have been constructed.

DONE IN OPEN COURT this 21<sup>st</sup> day of November, 1954.

Presented by:

P. J. Mully  
Assistant Attorney General

Charles T. Wright  
JUDGE CHARLES T. WRIGHT

Approved as to form and Notice  
-2- of Presentation Waived.

E. Robert Tristoe  
Attorney for Petitioners.



FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH

Nov 29 3 45 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

PAUL PAULK CLERK

IN AND FOR THURSTON COUNTY

DEPUTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

) NO. 2 8 0 0 6  
)  
) FINDINGS OF FACT AND  
) CONCLUSIONS OF LAW

This matter was originally heard by this Court on the 27th day of September, 1954. It concerned a petition to this Court for an Order to provide for the regulation of the outflow of Lake Summit in order to maintain a certain water level therein, in the interests of flood control, as provided by Chapter 90.24 of the Revised Code of Washington. The petitioners, more than ten owners of real property abutting on Lake Summit, appeared through their attorney, E. Robert Fristoe, of the law firm of Brodie & Fristoe. The Amended Petition in this matter was filed with the Clerk of this Court and a copy thereof, together with a copy of the Order fixing the time of hearing the petition was served on each of the petitioners more than ten days before the hearing. Like copies were also served upon the Directors of Fisheries and of Game and the Supervisor of Water Resources. A copy of the Order fixing the time for hearing the petition was regularly published in the Nisqually Valley News for a period of six weeks, in accordance with the provisions of said Order. After hearing evidence on this matter, this Court entered its Findings of Fact, Conclusions of Law, and Judgment granting the petition on October 21, 1954. Subsequently, there was found to exist a mistake of fact in petitioner's Amended Petition and in the Court's Findings of Fact, Conclusions of Law, and Judgment and therefore, the petitioners entered into a stipulation with the Directors of Fisheries and of Game and the Supervisor of Water Resources of the State of Washington that the Findings of Fact, Conclusions of Law, and Judgment and Decree entered by

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this Court on October 21, 1954 be set aside and that all parties be given leave to submit new proposed Findings of Fact, Conclusions of Law, and Judgment containing the necessary corrections of fact. Pursuant to such stipulation, this Court entered an Order in compliance therewith. Now this matter has come before this Court to enter proper Findings of Fact and Conclusions of Law. It appears to this Court that there are no objections to the fixing of the level of Lake Summit as prayed for, and it also appears that this Court has jurisdiction of the parties and of the subject matter of this action and, NOW, THEREFORE, this Court hereby makes and enters the following

#### FINDINGS OF FACT

##### I.

That the petitioners named in the Amended Petition on file herein are the owners of real property abutting on Lake Summit, which is a fresh water lake located in Thurston County, State of Washington. That said Lake Summit is located in Sections 12 and 13 of Township 18 North, Range 4 West of the Willamette Meridian, and Sections 7, 8 and 18 of Township 18 North, Range 3 West of the Willamette Meridian, located in Thurston County, State of Washington.

##### II.

That said Lake Summit is a meandered lake, and is not used for the storage of water for irrigation or other beneficial purposes, nor is said lake navigable from the sea. The level sought to be established on this lake will not interfere with the navigability of the lake or affect the fish which may be now contained or may hereafter be deposited in said lake.

##### III.

That it is the purpose of the petitioners, in seeking to fix the level of Lake Summit, to improve the culture of fish

therein. That the State of Washington, through its Department of Game, has stocked said lake with game fish and has announced plans to install a spillway and fish screen at the outlet of said lake if an order fixing the level of the lake and regulating the outflow is entered herein. That the spillway proposed by the Department of Game shall be fixed to regulate the level of the lake in accordance with the order of this court.

IV.

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That the cost of said spillway and fish screen, the construction of which is proposed, will be carried by the State of Washington, through its Department of Game, in accordance with its present proposed plan for the development of Lake Summit. That the plans proposed by the State of Washington, Department of Game, provide a reasonable and adequate plan for the control of the level of Lake Summit and the regulation of the outflow therefrom so that the same can be properly controlled in accordance with the order of this court.

V.

That said Lake Summit is wholly fed by drainage from its water shed and by seepage from subterranean springs. Said lake has but one outflow which is located at the West end of the lake, and the capacity of the creek flowing out of said lake is sufficient to properly maintain the level of the lake, but the spillway area of the lake is constantly being clogged by debris and by beaver dams, thus restricting the outflow and causing the level of the lake to fluctuate considerably during the different seasons of the year.

VI.

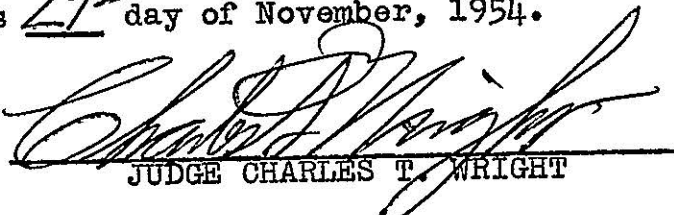
That there is attached to the Amended Petition on file herein, marked "Exhibit A" and by reference incorporated therein as though fully set forth therein, a complete description of the individual property ownerships of the real property abutting on

Lake Summit with the number of front feet contained in each tract and the names and addresses of the respective owners of such tracts as the same was shown on the public records of Thurston County in the office of the Assessor of said county.

VII.

That it is necessary to establish and regularly fix a proper level for Lake Summit to prevent flooding for the protection and conservation of the property abutting on the shores of said lake and for the purpose of providing a fixed level for the installation of the spillway at the entrance thereto. That the owners of a majority of the real property abutting on said lake determined that the fixing of the level of said lake would be more desirable for the benefit of all persons owning property thereon. That said persons requested the State of Washington, Department of Game, to legally define such level. That the State of Washington, Department of Game, located a stadia gauge on a piling located in the water in said lake on the pier abutting upon Government Lot 3 in Section 13, Township 18 North, Range 4 West of the Willamette Meridian. That the proper level of said lake, as determined by the Department of Game with reference to the stadia gauge, is 1.5 feet on the said stadia gauge.

DONE IN OPEN COURT this 29<sup>th</sup> day of November, 1954.

  
JUDGE CHARLES T. WRIGHT

From the foregoing Findings of Fact, the Court now makes and enters the following

CONCLUSIONS OF LAW

I.

That the Court has jurisdiction of the subject matter of

this action and of the persons appearing herein.

II.

That a decree should be entered herein ordering and adjudging that the proper and certain water level of Lake Summit is that depth which measures 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said Government Lot 3 is owned by the Tumwater Council, Boy Scouts of America.

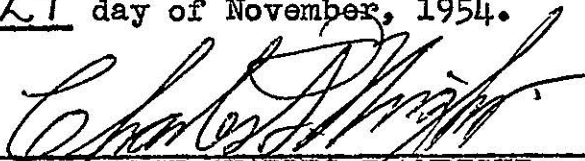
III.

That this court should by its decree entered herein authorize the construction of a dam, spillway and fish screen as proposed for construction by the State of Washington, Department of Game, to regulate and hold the level of said Lake Summit at 1.5 feet on the stadia gauge to which reference has been made.

IV.

That the decree entered herein should authorize and direct the Supervisor of Water Resources of the Department of Conservation and Development of the State of Washington to regulate and control the outflow of Lake Summit after said dam is constructed to maintain the determined proper and certain level of said lake.

DONE IN OPEN COURT this 29<sup>th</sup> day of November, 1954.

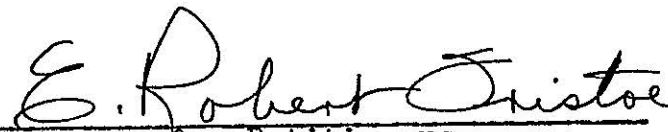
  
JUDGE CHARLES T. WRIGHT

Presented by:

DON EASTVOLD  
Attorney General

  
Assistant Attorney General

Approved as to form and Notice  
of Presentation Waived

  
Attorney for Petitioners

Nov 29 3 45 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

) NO. 28006  
)  
) ORDER SETTING ASIDE FINDINGS  
) OF FACT, CONCLUSIONS OF LAW,  
) AND JUDGMENT.


This matter having regularly come before this Court, and the Court being advised of a stipulation entered into between the petitioners in this proceeding, parties of the first part, and the Directors of Fisheries and of Game and the Supervisor of Water Resources of the State of Washington, parties of the second part, and pursuant to such stipulation, it is hereby ORDERED, ADJUDGED, AND DECREED

1. That the parties of the second part be allowed to enter their appearance in this matter.

2. That the Findings of Fact, Conclusions of Law, and the Judgment and Decree, entered by this Court in the above matter on October 21, 1954, be set aside.

3. That the parties of the first part and the parties of the second part each be allowed to present to this Court their proposed Findings of Fact, Conclusions of Law, and Order granting the petition to fix the level of Lake Summit as authorized under Chapter 90.24 of the Revised Code of the State of Washington, and that argument of such presentation be made at a time agreed to by counsel of the respective parties herein.

DONE in open court this 29<sup>th</sup> day of November, 1954.

  
Judge Charles T. Wright

approved as to  
form  
E. Robert Tisdor  
attorney.



FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH

Nov 29 3 45 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
BY PAUL PAULK, CLERK  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

) NO. 28006  
)  
) STIPULATION TO SET ASIDE  
) FINDINGS OF FACT, CONCLU-  
) SIONS OF LAW, AND JUDGMENT

It is hereby stipulated and agreed by and between all the petitioners, herein, referred to as parties of the first part, through their attorney, E. Robert Fristoe, and the Directors of Fisheries and of Game and the Supervisor of Water Resources of the State of Washington, herein referred to as parties of the second part, through their attorney, Don Eastvold, Attorney General, and Joseph T. Mijich, Assistant Attorney General, as follows:

1. That the parties of the second part be allowed to enter their appearance in this matter.
2. That the Findings of Fact, Conclusions of Law, and the Judgment and decree, entered by the Court in the above matter on October 21, 1954, be set aside for the reason that the fact asserted in the foregoing instruments that the Department of Fisheries of the State of Washington will undertake the construction and cost of the proposed spillway and fish stream does not correspond with the actual facts in the matter.
3. That the Department of Game of the State of Washington will undertake the construction and bear the cost of the proposed spillway and fish stream, and that the Court may make a finding to this effect without the necessity of further hearing.
4. That the parties of the first part and the parties of the second part each be allowed to present to the Court their proposed Findings of Fact, Conclusions of Law, and Order granting the petition to fix the level of Lake Summit as authorized

THURSTON COUNTY CLERK



under Chapter 90.24 of the Revised Code of the State of Washington, and that argument of such presentation be made at a time agreed to by counsel of the respective parties herein.

DATED this 29<sup>th</sup> day of November, 1954.

DON EASTVOLD  
Attorney General

*Joseph T. Mijich*  
JOSEPH T. MIJICH  
Assistant Attorney General

Attorneys for parties of the  
second part.

*E. Robert Fristoe*  
E. ROBERT FRISTOE, of Brody  
and Fristoe

Attorney for Petitioners, parties  
of the first part.

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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

Oct 21 3 04 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
PAUL PAULK, CLERK  
IN AND FOR THURSTON COUNTY *P. P.*  
DEPUTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

NO. 28006

JUDGMENT AND DECREE

This matter coming regularly on for hearing before the Court on the 27th day of September, 1954, the petitioners herein appearing by and through E. Robert Fristoe, of the firm of Brodie & Fristoe, their attorneys, and it appearing that a copy of the Amended Petition herein and a copy of the Order Fixing Time for Hearing, Providing Notice and Providing for Service Herein was regularly forwarded by mail to each of the owners of the real property abutting upon Summit Lake, and that a copy of the said "Order Fixing Time of Hearing, Providing Notice and Providing for Service Herein" was regularly published in The Nisqually Valley News, a newspaper of general circulation in Thurston County, for a period of six weeks, in accordance with the provisions of said order, and it appearing that a copy of the Amended Petition and the Order Fixing Time of Hearing, to which reference is made, was regularly served upon the Director of Fisheries, the Director of Game and the Supervisor of Water Resources of the State of Washington in the manner provided by the order of this court, and it appearing that the Court has jurisdiction of the parties who appeared herein and of the subject matter of this action, and witnesses on behalf of the petitioners having been sworn and testified, and Murray G. Walker, the Supervisor of Water Resources of the Department of Conservation and Development of the State of Washington, having appeared and testified, and it appearing to the Court that there are no objections to the fixing of the level of Summit Lake as prayed for in the Amended Petition on file herein, and the Court having heretofore made and entered its Findings of Fact and Conclusions of Law in this proceeding, and being fully advised in the premises, NOW, THEREFORE,

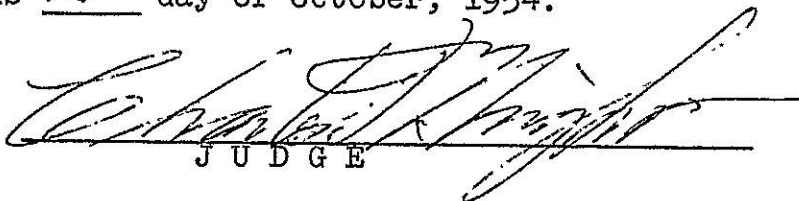
it is hereby

ORDERED, ADJUDGED AND DECREED that the proper certain water level of Lake Summit is the level reaching 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West, of the Willamette Meridian, which said Government Lot 3 is now owned by the Tumwater Council, Boy Scouts of America. It is further

ORDERED, ADJUDGED AND DECREED that the State of Washington Department of Fisheries be, and it is hereby authorized to construct a dam, spillway and fish screen at the outlet to Lake Summit in accordance with its present proposed plans. It is further

ORDERED, ADJUDGED AND DECREED that the Supervisor of Hydraulics of the State of Washington be, and he is hereby authorized and directed to regulate and control the outflow of Lake Summit to maintain the herein determined proper and certain level of Lake Summit after the dam to which reference has been made has been constructed.

DONE IN OPEN COURT this 21<sup>st</sup> day of October, 1954.

  
J U D G E

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

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PAUL PAULK, CLERK  
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

NO. 28006

FINDINGS OF FACT AND CONCLUSIONS  
OF LAW

This matter coming regularly on for hearing before the Court on the 27th day of September, 1954, the petitioners herein appearing by and through E. Robert Fristoe, of the firm of Brodie & Fristoe, their attorneys, and it appearing that a copy of the Amended Petition herein and a copy of the Order Fixing Time of Hearing, Providing Notice and Providing for Service Herein was regularly forwarded by mail to each of the owners of the real property abutting upon Summit Lake, and that a copy of the said "Order Fixing Time of Hearing, Providing Notice and Providing for Service Herein" was regularly published in The Nisqually Valley News, a newspaper of general circulation in Thurston County for a period of six weeks, in accordance with the provisions of said order, and it appearing therefrom that the Court has jurisdiction of the parties and of the subject matter of this action, and witnesses on behalf of the petitioners having been sworn and testified, and Murray G. Walker, the Supervisor of Water Resources of the Department of Conservation and Development of the State of Washington, having appeared and testified, and it appearing to the Court that there are no objections to the fixing of the level of Lake Summit as prayed for in the Amended Petition on file herein, NOW, THEREFORE, the Court hereby makes and enters the following

FINDINGS OF FACT

I.

That the petitioners named in the Amended Petition on file herein are the owners of real property abutting on Lake Summit, which is a

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fresh water lake located in Thurston County, State of Washington. That said Lake Summit is a meandered lake and is located in Sections 12 and 13 of Township 18 North, Range 4 West of the Willamette Meridian, and Sections 7, 8 and 18 of Township 18 North, Range 3 West of the Willamette Meridian, located in said Thurston County, State of Washington.

II.

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That said Lake Summit is not navigable from the sea and has not for some years been used for any commercial purpose whatsoever other than resort purposes; that at one time a portion of said lake was used for rafting and booming logs for a sawmill located on said lake; that said sawmill has not been used for many years. That said lake is not used for the storage of water for irrigation or any other beneficial purpose. That said lake has never been used for and is not capable of use for any commercial purpose other than resorts and for floating logs. That any possible navigability of said lake would not be detrimentally affected by the fixing of the level of the lake at the level herein indicated.

III.

That it is the purpose of the petitioners in this proceeding in seeking the regulation of the level of said lake to improve the culture of fish in said lake; that the State of Washington, through its Department of Fisheries, has stocked the said lake with game fish and has announced plans to install a spillway and fish screen at the outlet of said lake if an order fixing the level of the lake and regulating the outflow is entered herein. That the spillway proposed by the Department of Fisheries would be fixed to regulate the level of the lake in accordance with the order of this court.

IV.

That the cost of said spillway and fish screen, the construction of which is proposed, will be carried by the State of Washington through its Department of Fish and Game in accordance with its present proposed

plan for the development of Summit Lake. That the plans proposed by the State of Washington Department of Fisheries provide a reasonable and adequate plan for the control of the level of Summit Lake and the regulation of the outflow therefrom so that the same can be properly controlled in accordance with the order of this court.

V.

That said Lake Summit is wholly fed by drainage from its watershed and by seepage from subterranean springs; that said lake has but one outlet which is located at the West end of the lake; that the capacity of the creek flowing out of said lake is sufficient to properly maintain the level of the lake, but the spillway area of the lake is constantly being clogged by debris and by beaver dams, thus restricting the outflow and causing the level of the lake to make radical and serious changes of level during the different seasons of the year.

VI.

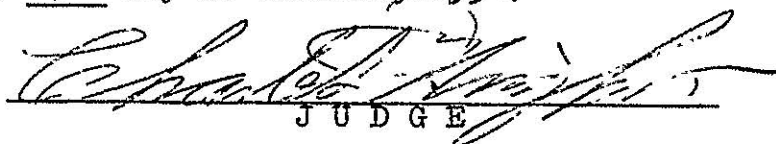
That there is attached to the Amended Petition on file herein, marked "Exhibit A" and by reference incorporated therein as though fully set forth therein, a complete description of the individual property ownerships of the real property abutting on Lake Summit with the number of front feet contained in each tract and the names and addresses of the respective owners of such tracts as the same was shown on the public records of Thurston County in the office of the Assessor of Thurston County.

VII.

That it is necessary to establish and legally fix a proper level for Lake Summit to prevent flooding for the protection and conservation of the property abutting on the shores of said lake and for the purpose of providing a fixed level for the installation of the spillway at the entrance thereto; that the owners of a majority of the real property abutting on said lake determined that the level of said lake which seems most desirable for the benefit of all persons owning property

thereon; that said persons requested the State of Washington Department of Fisheries to legally define such level; that the State of Washington Department of Fisheries located a stadia gauge on a piling located in the water in the said lake on the pier abutting upon Government Lot 3 in Section 13, Township 18 North, Range 4 West of the Willamette Meridian; that the proper level of said lake as so determined by said persons with reference to the said stadia gauge is 1.5 feet on the said stadia gauge.

DONE IN OPEN COURT this 21<sup>st</sup> day of October, 1954.

  
J U D G E

From the foregoing Findings of Fact, the Court now makes and enters the following

#### CONCLUSIONS OF LAW

##### I.

That the Court has jurisdiction of the subject matter of this action and of the persons appearing herein.

##### II.

That a decree should be entered herein ordering and adjudging that the proper and certain water level of Lake Summit is that depth which measures 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said Government Lot 3 is owned by the Tumwater Council, Boy Scouts of America.

##### III.


That this court should by its decree entered herein authorize the construction of a dam, spillway and fish screen as proposed for construction by the State of Washington Department of Fisheries to regulate and hold the level of said Lake Summit at 1.5 feet on the stadia gauge to which reference has been made.



IV.

That the decree entered herein should authorize and direct the Supervisor of Hydraulics of the Department of Conservation and Development of the State of Washington to regulate and control the outflow of Lake Summit after said dam is constructed to maintain the determined proper and certain level of said lake.

DONE IN OPEN COURT this 21<sup>st</sup> day of October, 1954.

  
J U D G E

THUCOU0010000022004280010000053017



riverview Drive  
Aberdeen, Washington  
Floyd W. Japhet and  
Grace Japhet, his wife  
Route 11, Box 377  
Olympia, Washington  
Donald M. Vestal and  
Jane Doe Vestal, his wife  
Route 2  
Elma, Washington  
Robert R. Sheets and Jane  
Doe Sheets, his wife  
P.O. Box 574  
Elma, Washington  
William E. Jenkins and  
Jane Doe Jenkins, his wife  
McCleary, Washington  
Earl B. Johnson and  
Elvera K. Johnson, his wife  
P.O. Box 445  
Yelm, Washington  
Harvey D. Thompson and  
Thelma Thompson, his wife  
Route 1, Box 132  
Yelm, Washington  
Roger Elde and Marjorie  
Elde, his wife  
P.O. Box 226  
Yelm, Washington  
W. R. Graham and  
Jane Doe Graham, his wife  
114 1/2 4th Street  
Elma, Washington  
Weyerhaeuser Timber Company  
a corporation  
Tacoma Building  
Tacoma, Washington  
Robert Worland and Jane Doe  
Worland, his wife  
P.O. Box 10  
McCleary, Washington  
Leon O. Boling and  
Jane Doe Boling, his wife  
McCleary, Washington  
Earle Bland and Jane Doe  
Bland, his wife  
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Edward F. Biers and  
Evelyn Biers, his wife  
P.O. Box 256  
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Albert B. Burdick and Mary  
Burdick, his wife  
460 Wendell Street  
Crescent City, California  
Rex P. Elde and Doris  
Elde, his wife  
General Delivery  
Lacey, Washington  
Oscar Elde and Inah Elde,  
his wife  
Yelm, Washington  
Paul E. Eygabard and Jane  
Doe Eygabard, his wife  
P.O. Box 397  
McCleary, Washington  
William A. Jones and Jane Doe  
Jones, his wife  
Route 11, Box 382  
Olympia, Washington  
James A. Miller and  
Jane Doe Miller, his wife  
3402 South Tyler  
Tacoma, Washington  
Claude Mayes and Jane Doe  
Mayes, his wife  
1322 1/2 Lincoln Street  
Hoquiam, Washington  
H. V. Turner and Jane  
Doe Turner, his wife  
223 K Street  
Hoquiam, Washington  
Tacoma, Washington  
E. F. Vandenheuvel and Jane  
Doe Vandenheuvel, his wife  
2408 Railroad Avenue  
South Tacoma, Washington  
Layton D. Palmer and Jane Doe  
Palmer, his wife  
P.O. Box 122  
Olympia, Washington  
Mrs. Edna Buchanan  
Yelm, Washington  
Mountain Development Co.  
a corporation  
Tacoma Building  
Tacoma, Washington  
Fred A. Hatch and Elvera  
Hatch, his wife  
1519 West Dickenson Street  
Olympia, Washington  
Gordon Hemminger and Jane  
Doe Hemminger, his wife  
185 South 40th  
Tacoma, Washington  
Lewis W. Bell and Jane Doe  
Bell, his wife  
9672 Bridgeport Way  
Tacoma, Washington  
John C. Schneider and Betty  
E. Schneider, his wife  
521 Dearborn Street  
Shelton, Washington  
Alton J. Eldred and Jane Doe  
Eldred, his wife  
1619 North E. Street  
Aberdeen, Washington  
Homer G. Burkhamer and Jane  
Doe Burkhamer, his wife  
311 7th Street  
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Shaw, his wife  
1249 S. W. 151st Street  
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McDonald, his wife  
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Upham, his wife  
1160 149th Ave. S. W.  
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Zurfluh, his wife  
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DuPont, Washington  
A. C. Miller, Jr. and  
Jane Doe Miller, his wife  
P.O. Box 138  
Oakville, Washington  
Donald J. Zurfluh and Jane  
Doe Zurfluh, his wife  
5409 So. Pine  
Tacoma, Washington  
Harold L. Schneider and Jane  
Doe Schneider, his wife  
1458 6th Street  
Chehalis, Washington  
John Loren Backman and Jane  
Doe Backman, his wife  
927 North Bethel  
Olympia, Washington  
M. Earl Wood, Sr. and Jane  
Doe Wood, his wife  
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John B. Firmin and Jane Doe  
Firmin, his wife  
102 South 56th Street  
Tacoma, Washington  
Leonard J. Schneider and  
Marjorie Schneider, his wife  
1506 West Second Street  
Aberdeen, Washington  
Rucker, his wife  
3802 South 19th Street  
Tacoma, Washington  
Elmer F. DePaul and Jane  
Doe DePaul, his wife  
4035 East E Street  
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Moore, his wife  
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Georgia C. Lamson and John  
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4408 North 8th  
Tacoma, Washington  
R. J. Rayan and Jane Doe  
Rayan, his wife  
3303 East K Street  
Tacoma, Washington  
Anne C. Draper and John Doe  
Draper, her husband  
2728 S. E. 52nd  
Portland, Oregon  
Arthur T. Taylor and Jane  
Doe Taylor, his wife  
16638 Des Moines Way  
Seattle 88, Washington  
Andrew W. Lewis and Jane  
Doe Lewis, his wife  
9252 47th S. W.  
Seattle, Washington  
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Richards, his wife  
Rt. 4, Box 1010  
Roseburg, Oregon  
Ralph Spears and Jane Doe  
Spears, his wife  
2724 Aberdeen Avenue  
Hoquiam, Washington  
George W. Peret and Jane  
Doe Peret, his wife  
7204 North McKenna  
Portland 3, Oregon  
William O. Booher and Jane  
Doe Booher, his wife  
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Fenner, his wife  
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John M. Musser and Jane Doe  
Musser, his wife  
864 South 84th Street  
Tacoma, Washington  
R. B. Robbins and Jane Doe  
Robbins, his wife  
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McCleary, Washington  
Floyd Tull and Jane Doe  
Tull, his wife  
Box 154  
Willapa, Washington  
Robert E. Keiser and Verona  
Keiser, his wife  
601 L Street  
Hoquiam, Washington  
F. Wetzel and Jane Doe  
Wetzel, his wife  
314 1/2 8th Street  
Hoquiam, Washington  
Helmer J. Hansen and Jane  
Doe Hansen, his wife  
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Raymond, Washington  
L. E. Philbrick and Jane Doe  
Philbrick, his wife  
436 Eklund  
Hoquiam, Washington  
Lewis E. Philbrick and Jane  
Doe Philbrick, his wife  
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Hoquiam, Washington  
Iverson, his wife  
c/o Lloyd A. Sachs  
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Lloyd A. Sachs and Vera Sachs,  
his wife  
Rt. 3, Box 110-A  
Chehalis, Washington  
Ernie S. Webb and Julia M. Webb,  
his wife  
Star Route, Box 200  
Tacoma, Washington  
Jack A. Clary and Jane  
Doe Clary, his wife  
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Seattle 8, Washington  
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Jane Doe Lawrence, his wife  
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John B. White and Doris E.  
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State of Washington  
Olympia, Washington  
Willard F. Japhet and  
Maude Japhet, his wife  
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G. E. Immon and Jane  
Doe Immon, his wife  
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Centralia, Washington  
Jack M. Yenne and Jane Doe  
Yenne, his wife  
634 7th Avenue  
Kirkland, Washington  
James D. Kramer and Jane Doe  
Kramer, his wife  
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Wayne D. Kyes  
Truda Jean Kyes  
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Revel, his wife  
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Jane Doe Glanville, his wife  
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Edmonds, Washington  
K. E. White and Jane Doe  
White, his wife  
1030 Carlyon Avenue  
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Wm. A. Phillips and Jane  
Doe Phillips, his wife  
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Doe Smith, his wife  
340 Chenault  
Hoquiam, Washington  
Louie Larson and Elizabeth L.  
Larson, his wife  
1013 West Schley  
Aberdeen, Washington  
Tumwater Council  
Boy Scouts of America  
a corporation  
220 East Fifth  
Olympia, Washington  
T. M. McBride and Belle  
McBride, his wife  
Rt. 11  
Olympia, Washington  
Warren Whited and Jane Doe  
Whited, his wife  
2606 North Wilson Way  
Stockton 5, California

DONE IN OPEN COURT this 21st  
day of June, 1954;  
s/ RAYMOND W. CLIFFORD  
Judge.  
BRODIE & FRISTOE  
Attorneys for Petitioners  
205 Capitol Park Building,  
Olympia, Washington  
Published in Nisqually Valley News  
July 22, 29, August 5, 12, 19, 26, 1954

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON

NO. 28006

AFFIDAVIT OF MAILING

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BY            DEPUTY

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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

STATE OF WASHINGTON }  
County of Thurston } ss.

I, E. ROBERT FRISTOE, being first duly sworn on oath, depose and say:

That I am a citizen of the United States, over the age of 21 years and a resident of Thurston County, State of Washington; that on the 12th day of August, 1954, I, as one of the attorneys for the petitioners in the above-entitled proceeding, mailed a copy of "Amended Petition of Owners of Real Property Abutting on Lake Summit for an Order Providing for the Regulation of the Outflow and Fixing the Water Level of Said Lake", together with copy of the "Order Fixing Time of Hearing, Providing Notice and Providing for Service Herein", both of which are filed in the above-entitled cause, to each of the persons hereinafter named, including both the husband and the wife where designated, at the address immediately following each of said names:

E. E. Stover and Jane Doe  
Stover, his wife  
2703 Riverview Drive  
Aberdeen, Washington

Weyerhaeuser Timber Company  
Tacoma, Washington

Floyd W. Japhet and Grace  
Japhet, his wife  
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Donald M. Vestal and  
Jane Doe Vestal, his wife  
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Leon O. Boling and  
Jane Doe Boling, his wife  
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Jane Doe Sheets, his wife  
P.O. Box 574  
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Bland, his wife  
Box 162  
McCleary, Washington

THUCOU0010000022004280010000053020



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Jane Doe Jenkins, his wife  
McCleary, Washington

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Mary Burdick, his wife  
460 Wendell Street  
Crescent City, California

Rex P. Eide and  
Doris Eide, his wife  
General Delivery  
Lacey, Washington

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Jane Doe Christman, his wife  
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Hoquiam, Washington

H. Y. Turner and  
Jane Doe Turner, his wife,  
223 K Street  
Hoquiam, Washington

P. W. Fry and Jane Doe Fry,  
his wife  
1821 Riverside Avenue  
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Minor Stuart and Jane Doe  
Stuart, his wife  
806 East Wishkah  
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Jane Doe Simmons, his wife  
2616 Hillside Drive  
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Melvin A. Paulson and  
Jean V. Paulson, his wife  
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Bessie Craigen, his wife  
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Evelyn Biers, his wife  
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Harvey D. Thompson and  
Thelma Thompson, his wife  
Route 1, Box 132  
Yelm, Washington

Oscar Eider and Inah Eide,  
his wife  
Yelm, Washington

Paul E. Eygabord and  
Jane Doe Eygabord, his wife  
P.O. Box 397  
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Jane Doe Bertsch, his wife  
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Miller, his wife  
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Russell Turner and Jane  
Doe Turner, his wife  
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Hoquiam, Washington

Edwin Malkinus and Jane Doe  
Malkinus, his wife  
No. 2 "O" Street  
Hoquiam, Washington

Ray Ross and Jane Doe Ross,  
his wife  
25 O Street  
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William A. Guest and  
Jane Doe Guest, his wife  
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Mary McCallum and John Doe  
McCallum, her husband  
P.O. Box 745  
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Jane Doe Down, his wife  
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Jane Doe Schneider, his wife  
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Tacoma Building  
Tacoma, Washington

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Betty E. Schneider, his wife  
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Jane Doe Irvin, his wife  
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Seattle 66, Washington

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Dan J. Gerontis and Jane  
Doe Gerontis, his wife  
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Doe Troseth, his wife  
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TMC Wm. J. Brown and Jane  
Doe Brown, his wife  
U.S.S. Nerius AS 17  
Fleet P.O.  
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Doe Becken, his wife  
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E  
E. C. Einert and Jane Doe  
Einert, his wife  
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Clubb, his wife  
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Keiser, his wife  
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West, his wife  
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Raymond, Washington

M.A. Anderson and Jane  
Doe Anderson, his wife  
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Hoquiam, Washington,

Richard A. West and Jane Doe  
West, his wife  
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Doe Philbrick, his wife  
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Cusick, his wife  
Mayfield, Washington

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Boling, his wife  
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Verona Keiser, his wife  
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Doe Philbrick, his wife  
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Doe Philbrick, his wife  
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Ambrose, his wife  
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Auer, his wife  
Kamiah, Idaho

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Doe Borton, his wife  
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John Doe Adolfson, her husband  
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Ethel Nelson, his wife  
c/o Lloyd A. Sachs  
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White, his wife  
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Doe Smith, his wife  
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Hoquiam, Washington

Louie Larson and Elizabeth  
L. Larson, his wife  
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McBride, his wife  
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Centralia, Washington

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Yenne, his wife  
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Kirkland, Washington

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Kramer, his wife  
305 Pontius Avenue N.  
Seattle 9, Washington

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Wayne D. Kyes  
Trudy Jean Kyes  
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Jane Doe Johnson, his wife,  
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Tacoma, Washington

Clarence H. Clymer and Jane  
Doe Clymer, his wife  
620 South Hawthorne  
Tacoma, Washington

Alfred Forey and Jane Doe  
Forey, his wife  
547 South 160th  
Seattle, Washington

Lloyd A. Sachs and Vera  
Sachs, his wife  
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Chehalis, Washington

Ernie S. Webb and Julia M.  
Webb, his wife  
Star Route, Box 200  
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Clary, his wife  
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Jane Doe Lawrence, his wife,  
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John B. White and Doris E.  
White, his wife  
411 Becker Building  
Aberdeen, Washington

Warren Whited and Jane Doe  
Whited, his wife  
2606 North Wilson Way  
Stockton 5, California

Daniel R. Donley and  
Jane Doe Donley, his wife  
Route 2, Box 126  
Olympia, Washington

R. C. Liedtke and Jane Doe  
Liedtke, his wife  
1116 East 5th  
Olympia, Washington

Hallie D. Kyes and  
Jane Doe Kyes, his wife  
Route 4, Box 588  
Olympia, Washington

W. H. Anderson and Jane Doe  
Anderson, his wife  
1214-1/2 Thomas  
Seattle 9, Washington

Alex Revel and Jane Doe  
Revel, his wife  
Box 334  
McCleary, Washington

Arthur T. Glanville and  
Jane Doe Glanville, his wife  
806 - 9th Avenue  
Edmonds, Washington

William P. Joslin and Violet R.  
Joslin, his wife  
Cove  
Vashon Island, Washington

Robert Lee Wetter and Muriel  
Wetter, his wife  
17962 Aurora Avenue  
Seattle 33, Washington

Director of the Department of Game  
State of Washington  
Olympia, Washington

Charles Glasscock and  
Jane Doe Glasscock, his wife  
4101 - 20th Avenue S.W.  
Seattle 6, Washington

Carl G. Hocker and Mary  
Annette Hocker, his wife  
13606 - 3rd Avenue N. E.  
Seattle, Washington

Clarence L. Wiederhold and  
Hazel M. Wiederhold, his wife  
4721 Fauntleroy  
Seattle, Washington

Director of the Department of  
Fisheries  
State of Washington  
Seattle, Washington

Supervisor of Water Resources  
of the Department of Conser-  
vation and Development  
State of Washington  
Olympia, Washington

That on the 15th day of September, 1954, I, as one of the at-  
torneys for the petitioners in the above-entitled proceeding, mailed  
a copy of the said "Amended Petition of Owners of Real Property Abut-  
ting on Lake Summit for an Order Providing for the Regulation of the  
Outflow and Fixing the Water Level of said Lake" and a copy of the  
"Order Fixing Time of Hearing, Providing Notice and Providing for  
Service Herein" TO the persons hereafter named, who are the wives of  
the petitioners in this cause, by mailing a copy of each to said  
persons at the address immediately following their names in each case:

Marjorie Eide  
P.O. Box 226  
Yelm, Washington

Jane Doe Craigen, wife of  
Thomas T. Craigen  
Route 11, Box 384  
Olympia, Washington

Jane Doe Upham, wife of  
Robert L. Upham  
1160 149th Avenue S.W.  
Seattle 66, Washington

Elvera K. Johnson  
P.O. Box 445  
Yelm, Washington

Jane Doe Finney, wife of  
Alfred Finney  
13360 48th Avenue South  
Seattle 88, Washington

Maude Japhet  
Route 11, Box 362  
Olympia, Washington

Belle McBride  
Route 11  
Olympia, Washington

Clara Germain  
Route 11, Box 364  
Olympia, Washington

THUCOU001000002200428001000053027

That in each case, the copies of the said Amended Petition and the said Order were mailed to the persons designated by placing the same in envelopes addressed as indicated above, said addresses being the last and best known addresses of said persons as determined from the records of the Assessor of Thurston County and by all other information available to petitioners; that said envelopes were then deposited in the United States Post Office at Olympia, Washington, with postage prepaid thereon.

Dated at Olympia, Washington, this 27th day of September, 1954.

E. Robert Trustoe

Subscribed and sworn to before me this 27<sup>th</sup> day of September, 1954.

Hewitt A. Kenney  
Notary Public in and for the State of  
Washington, residing at Olympia.

FILE  
SUPERIOR COURT  
THURSTON COUNTY, WASH

JUL 21 3 25 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
PAUL PAULK, CLERK

IN AND FOR THURSTON COUNTY  
DEPUTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

NO. 28006

ORDER AVOIDING ORDER SETTING  
TIME AND PROVIDING NOTICE

This matter coming regularly on for the consideration of the Court on the oral motion of the attorney for the petitioners in the above-entitled proceeding, and it appearing to the court that the original petition filed herein has been abandoned and an amended petition filed in lieu thereof, and it appearing that there is no need for the hearing provided for in that certain order entered in the above-entitled cause on the 9th day of June, 1954, setting a hearing on the said original petition for the 16th day of August, 1954, at 1:30 o'clock in the afternoon, and the Court having examined the records and files herein and being fully advised in the premises, NOW, THEREFORE, it is hereby

ORDERED that that certain order entitled "Order Fixing Time of Hearing, Providing Notice and Providing for Service Herein" entered in the above-entitled cause on the 9th day of June, 1954, providing for a hearing on the original petition on file herein for the 16th day of August, 1954, at 1:30 o'clock in the afternoon, be, and the same is hereby set aside and held for nought.

DONE IN OPEN COURT this 21<sup>st</sup> day of July, 1954.

Raymond W. Clifford  
JUDGE

THURSTON COUNTY 1000002200428001000053028





and to the owners of the real property hereinafter named, in the name of the husband and wife in each case where both have or appear to have an interest in such real property and in the name of the individuals or corporate owner as applicable in all other cases, by United States mail, to the last known address of such owners as indicated by the records of the Assessor of Thurston County, such owners as indicated by said records being as follows:

E. E. Stover and Jane Doe  
Stover, his wife  
2703 Riverview Drive  
Aberdeen, Washington

Weyerhaeuser Timber Company,  
a corporation,  
Tacoma Building  
Tacoma, Washington

Floyd W. Japhet and  
Grace Japhet, his wife  
Rt. 11 Box 377  
Olympia, Washington

Robert Worland and Jane Doe  
Worland, his wife  
P. O. Box 10  
McCleary, Washington

Donald M. Vestal and  
Jane Doe Vestal, his wife  
Rt. 2  
Elma, Washington

Leon O. Boling and Jane  
Doe Boling, his wife  
McCleary, Washington

Robert R. Sheets and Jane  
Doe Sheets, his wife,  
P. O. Box 574  
Elma, Washington

Earle Bland and Jane Doe  
Bland, his wife  
Box 162  
McCleary, Washington

William E. Jenkins and  
Jane Doe Jenkins, his wife  
McCleary, Washington

Edward F. Biers and  
Evelyn Biers, his wife  
P. O. Box 256  
McCleary, Washington

Earl B. Johnson and  
Elvera K. Johnson, his wife  
P. O. Box 445  
Yelm, Washington

Albert B. Burdick and Mary  
Burdick, his wife  
460 Wendell Street  
Crescent City, California

Harvey D. Thompson and  
Thelma Thompson, his wife  
Rt. 1 Box 132  
Yelm, Washington

Rex P. Eide and Doris  
Eide, his wife  
General Delivery  
Lacey, Washington

Roger Eide and Marjorie  
Eide, his wife  
P. O. Box 226  
Yelm, Washington

Oscar Eide and Inah Eide,  
his wife,  
Yelm, Washington

W. R. Graham and  
Jane Doe Graham, his wife  
114-1/2 4th Street  
Elma, Washington

Paul E. Eygabord and Jane Doe  
Eygabord, his wife  
P. O. Box 397  
McCleary, Washington



William A. Jones and Jane Doe  
Jones, his wife  
Rt. 11, Box 382  
Olympia, Washington

James A. Miller and  
Jane Doe Miller, his wife  
3402 South Tyler  
Tacoma, Washington

Claude Mayes and Jane Doe  
Mayes, his wife  
1322 1/2 Lincoln Street  
Hoquiam, Washington

H. Y. Turner and Jane  
Doe Turner, his wife  
223 K. Street  
Hoquiam, Washington

P. W. Fry and Jane Doe Fry,  
his wife  
1821 Riverside Avenue  
Hoquiam, Washington

Minor Stuart and Jane Doe  
Stuart, his wife  
806 East Wishkah  
Aberdeen, Washington

Warren Simmons and  
Jane Doe Simmons, his wife  
2616 Hillside Drive  
Olympia, Washington

Melvin A. Paulson and  
Jean V. Paulson, his wife  
P. O. Box 226  
McCleary, Washington

Alex Craigen and Bessie  
Craigen, his wife  
Rt. 1 Box 3002  
Portland 66, Oregon

Marvin Curl and Jane Doe  
Curl, his wife  
Rt. 11 Box 380  
Olympia, Washington

Spirro Damis and Jane Doe  
Damis, his wife  
6613 South Wapato  
Tacoma, Washington

F. W. Vandenheuvel and  
Jane Doe Vandenheuvel, his wife  
2408 Railroad Avenue  
South Tacoma, Washington

Emil A. Bertsch and Jane  
Doe Bertsch, his wife  
Rt. 3 Box 382  
Olympia, Washington

Van M. Christman and Jane  
Doe Christman, his wife  
5412 North 30th  
Tacoma, Washington

Russell Turner and  
Jane Doe Turner, his wife  
1128 Lincoln Street  
Hoquiam, Washington

Edwin Malkinus, and Jane Doe  
Malkinus, his wife  
No. 2 "O" Street  
Hoquiam, Washington

Ray Ross and Jane Doe Ross,  
his wife  
25 "O" Street  
Hoquiam, Washington

William A. Guest and Jane  
Doe Guest, his wife  
1284 West Orchard Street  
Seattle, Washington

Mary McCallum and John Doe  
McCallum, her husband  
P. O. Box 745  
Olympia, Washington

Vernon E. Downs and Jane  
Doe Downs, his wife  
Rt. 2, Bbx 145  
Elma, Washington

Thomas T. Craigen and  
Jane Doe Craigen, his wife  
Rt. 11 Box 384  
Olympia, Washington

Melvin Van Orman and Jane Doe  
Van Orman, his wife  
Rt. 2, Box 167  
Elma, Washington

Frank J. Davies and Jane Doe  
Davies, his wife  
7 Kitsap Place  
Lincoln Heights  
Tacoma, Washington

E. F. Vandenheuvel and Jane  
Doe Vandenheuvel, his wife  
2408 Railroad Avenue  
South Tacoma, Washington

Layton D. Palmer and Jane Doe  
Palmer, his wife  
P. O. Box 122  
Olympia, Washington

Mrs. Edna Buchanan  
Yelm, Washington

Mountain Development Co.  
a corporation  
Tacoma Building  
Tacoma, Washington

Fred A. Hatch and Elvera  
Hatch, his wife  
1519 West Dickenson Street  
Olympia, Washington

Gordon Hemminger and Jane  
Doe Hemminger, his wife  
105 South 40th  
Tacoma, Washington

Lewis W. Bell and Jane Doe  
Bell, his wife  
9672 Bridgeport Way  
Tacoma, Washington

John C. Schneider and Betty  
E. Schneider, his wife  
521 Dearborn Street  
Shelton, Washington

Alton J. Eldred and Jane Doe  
Eldred, his wife  
1619 North B. Street  
Aberdeen, Washington

Homer G. Burkhamer and Jane  
Doe Burkhamer, his wife  
311 7th Street  
Hoquiam, Washington

John A. Shaw and Jane Doe  
Shaw, his wife  
1249 S.W. 151st Street  
Seattle 66, Washington

R. W. McDonald and Jane Doe  
McDonald, his wife  
13346 47th Ave. South  
Seattle 88, Washington

Robert L. Upham and Jand Doe  
Upham, his wife  
1160 149th Ave. S. W.  
Seattle 66, Washington

R. D. Zurfluh and Jand Doe  
Zurfluh, his wife  
701 Pennimon Street  
DuPont, Washington

A. C. Miller Jr. and Jane Doe  
Miller, his wife  
P. O. Box 136  
Oakville, Washington

Donald J. Zurfluh and Jand Doe  
Zurfluh, his wife  
5409 So. Pine  
Tacoma, Washington

Harold L. Schneider and Jane  
Doe Schneider, his wife  
1458 6th Street  
Chehalis, Washington

John Loren Backman and Jane  
Doe Backman, his wife  
927 North Bethel  
Olympia, Washington

M. Earl Wood Sr., and Jane  
Doe Wood, his wife  
927 North Bethel  
Olympia, Washington

John B. Firmin and Jane Doe  
Firmin, his wife  
102 South 56th Street  
Tacoma, Washington

Leonard J. Schneider and  
Marjorie Schneider, his wife  
1506 West Second Street  
Aberdeen, Washington

L. M. Eldred and Jane Doe  
Eldred, his wife  
2513 Sumner Avenue  
Aberdeen, Washington

R. H. Noble and Jane Doe Noble,  
his wife  
16822 Military Road  
Seattle, Washington

Alfred Finney and Jane Doe  
Finney, his wife  
13360 48th Avenue South  
Seattle 88, Washington

Louis W. Hutton and Jane  
Doe Hutton, his wife  
P. O. Box 65  
Vail, Washington

Neona B. Shepherd and John Doe  
Shepherd, her husband  
8650 45th Ave. So.  
Seattle, Washington

R. K. Walburn and Jane Doe  
Walburn, his wife  
401 Loviers Street  
DuPont, Washington

Jack A. McCray and Jane Doe  
McCray, his wife  
3615 Whitman Avenue  
Seattle, Washington

Leymoine L. Irvin and Jane  
Doe Irvin, his wife  
1247 S. W. 116th  
Seattle 66, Washington

Clifford E. Jakle and Jane  
Doe Jakle, his wife  
115 South 56th Street  
Tacoma, Washington

Dan J. Gerontis and Jane Doe  
Gerontis, his wife  
3618 East Spokane Street  
Tacoma, Washington

Melvin D. Bouslog and Jane  
Doe Bouslog, his wife  
16638 DesMoines Way  
Seattle 88, Washington

R. J. Smith and Jane Doe  
Smith, his wife  
Rt. 4 Box 315-B  
Tacoma, Washington

Kristofer Troseth and Jane  
Doe Troseth, his wife  
511 North L. Street  
Tacoma, Washington

TMC Wm. J. Brown and Jane  
Doe Brown, his wife  
U.S.S. Nerius AS 17  
Fleet P. O.  
San Francisco, California

Fred B. Japhet and Jane Doe  
Japhet, his wife  
Rt. 1 Box 124  
Olympia, Washington

Robt. C. Becken and Jane Doe  
Becken, his wife  
Rt. 1 Box 203  
Montesano, Washington

William T. Bland and Jane Doe  
Bland, his wife  
952 North Division  
Aberdeen, Washington

Eugene E. Yarrow and Jane  
Doe Yarrow, his wife  
516 Burleigh  
Aberdeen, Washington

R. P. Germain and Clara  
Germain, his wife  
Rt. 11 Box 364  
Olympia, Washington

Larry Rucker and Jane Doe  
Rucker, his wife  
3902 South 19th Street  
Tacoma, Washington

Elmer F. DePaul and Jane  
Doe DePaul, his wife  
4035 East E. Street  
Tacoma, Washington

Fred P. Moore and Jane Doe  
Moore, his wife  
Rt. 1 Box 1797  
Kent, Washington

Georgia G. Lamson and John  
Doe Lamson, her husband  
4408 North 9th  
Tacoma, Washington

R. J. Rayan and Jane Doe  
Rayan, his wife  
3303 East K. Street  
Tacoma, Washington

Anne C. Draper and John Doe  
Draper, her husband  
2728 S. E. 52nd  
Portland, Oregon

Arthur T. Taylor and Jane  
Doe Taylor, his wife  
16638 DesMoines Way  
Seattle 88, Washington

Andrew W. Lewis and Jane  
Doe Lewis, his wife  
9252 47th S. W.  
Seattle, Washington

W. R. Richards and Jane Doe  
Richards, his wife  
Rt. 4 Box 1010  
Roseburg, Oregon

Ralph Spears and Jane Doe  
Spears, his wife  
2724 Aberdeen Avenue  
Hoquiam, Washington

George W. Peret and Jane Doe  
Peret, his wife  
7204 North McKenna  
Portland 3, Oregon

William O. Booher and Jane  
Doe Booher, his wife  
Rt. 11 Box 363  
Olympia, Washington

R. C. Fenner and Jane Doe  
Fenner, his wife  
722 Terrace Avenue  
Aberdeen, Washington

John M. Musser and Jane Doe  
Musser, his wife  
864 South 84th Street  
Tacoma, Washington

R. B. Robbins and Jane Doe  
Robbins, his wife  
P. O. Box 202  
McCleary, Washington

Floyd Tull and Jane Doe  
Tull, his wife  
Box 154,  
Willapa, Washington

Robert E. Keiser and  
Verona Keiser, his wife  
601 L. Street  
Hoquiam, Washington

F. Wetzel and Jane Doe Wetzel  
his wife  
314-1/2 8th Street  
Hoquiam, Washington

Helmer J. Hansen and Jane  
Doe Hansen, his wife  
Box 141  
Raymond, Washington

L. E. Philbrick and Jane  
Doe Philbrick, his wife  
436 Eklund  
Hoquiam, Washington

Lewis E. Philbrick and Jane  
Doe Philbrick, his wife  
436 Eklund Street  
Hoquiam, Washington

A. Ambrose and Jane Doe  
Ambrose, his wife  
422 East 35th Street  
Tacoma, Washington

Ervin D. Auer and Jane Doe  
Auer, his wife  
Kamiah, Idaho

George H. Borton and Jane  
Doe Borton, his wife  
Rt. 11 Box 365  
Olympia, Washington

Albert M. Johnson and Jane  
Doe Johnson, his wife  
6240 So. Alder  
Tacoma, Washington

Clarence H. Clymer and Jane  
Doe Clymer, his wife  
620 So. Hawthorne,  
Tacoma, Washington

Alfred Forey and Jane Doe  
Forey, his wife  
647 South 160th  
Seattle, Washington

E. C. Einert and Jane Doe  
Einert, his wife  
Box 241  
McCleary, Washington

Robert Clubb and Jane Doe  
Clubb, his wife  
Box 154  
Willapa, Washington

Arla Keiser and Bessie L.  
Keiser, his wife  
601 L. Street  
Hoquiam, Washington

M. H. West and Jane Doe  
West, his wife  
614 Duryea  
Raymond, Washington

M. A. Anderson and Jane Doe  
Anderson, his wife  
314-1/2 8th Street  
Hoquiam, Washington

Richard A. West and Jane  
Doe West, his wife  
614 Duryea Street  
Raymond, Washington

Albert B. Philbrick and Jane  
Doe Philbrick, his wife  
332 Karr Avenue  
Hoquiam, Washington

O. D. Cusick and Jane Doe  
Cusick, his wife  
Mayfield, Washington

Harold M. Lemmer and Jane  
Doe Lemmer, his wife  
3720 East G. Street  
Tacoma, Washington

D. F. Haskell and Jane Doe  
Haskell, his wife  
712 North Stadium Way  
Tacoma, Washington

George H. Borton and Jane  
Doe Borton, his wife  
Rt. 1 Box 126  
Olympia, Washington

Melvin L. Anderson and Jane Doe  
Anderson, his wife  
2531 South Ainsworth  
Tacoma, Washington

Lilian I. Adolfson and John Doe  
Adolfson, her husband  
2159-1/2 Harbor Avenue  
Seattle 6, Washington

George T. Nelson and Ethel  
Nelson, his wife  
c/o Lloyd A. Sachs  
Rt. 3 Box 110 A  
Chehalis, Washington

Lloyd A. Sachs and Vera Sachs,  
his wife  
Rt. 3 Box 110 A  
Chehalis, Washington

Ernie S. Webb and Julia M.  
Webb, his wife  
Star Route Box 200  
Tacoma, Washington

Jack A. Clary and Jane  
Doe Clary, his wife  
5502 Ferdinand Street  
Seattle, Washington

Elbert H. Lawrence and Jane  
Doe Lawrence, his wife  
420 Fillmore Street  
Hoquiam, Washington

John B. White and Doris E.  
White, his wife  
411 Becker Building  
Aberdeen, Washington

State of Washington  
Olympia, Washington

Willard F. Japhet and Maude  
Japhet, his wife  
Rt. 11 Box 362  
Olympia, Washington

G. E. Inmon and Jane  
Doe Inmon, his wife  
1201 Ward Street  
Centralia, Washington

Jack M. Yenne and Jane Doe  
Yenne, his wife  
634 7th Avenue  
Kirkland, Washington

James D. Kramer and Jane Doe  
Kramer, his wife  
305 Pontius Avenue N.  
Seattle, Washington

Kirby A. Kyes  
Wayne D. Kyes  
Trudy Jean Kyes  
Rt. 4 Box 588  
Olympia, Washington

Alex Revel and  
Jane Doe Revel, his wife  
Box 334  
McCleary, Washington

Arthur T. Glanville, and Jane  
Doe Glanville, his wife  
806 9th Avenue  
Edmonds, Washington

K. E. White and Jane Doe  
White, his wife  
1030 Carlyon Avenue  
Olympia, Washington

Wm. A. Phillips and Jane Doe  
Phillips, his wife  
Rt. 9 Box 34  
Olympia, Washington

Curtis G. Smith and Jane  
Doe Smith, his wife  
340 Chenault,  
Hoquiam, Washington

Louie Larson and Elizabeth L.  
Larson, his wife  
1013 West Schley  
Aberdeen, Washington

Tumwater Council  
Boy Scouts of America  
a corporation  
220 East Fifth  
Olympia, Washington

T. M. McBride and Belle  
McBride, his wife  
Rt. 11  
Olympia, Washington

Warren Whited and Jane Doe  
Whited, his wife  
2606 North Wilson Way  
Stockton 5, California

Daniel R. Donley and Jane  
Doe Donley, his wife  
Rt. 2 Box 126  
Olympia, Washington

R. C. Liedtke and Jane Doe  
Liedtke, his wife  
1116 East 5th Avenue  
Olympia, Washington

Hallie D. Kyes and Jane Doe  
Kyes, his wife  
Rt. 4 Box 588  
Olympia, Washington

W. H. Anderson and Jane Doe  
Anderson, his wife  
1214-1/2 Thomas  
Seattle 9, Washington

Charles Glasscock and Jane  
Doe Glasscock, his wife  
4101 20th Avenue S. W.  
Seattle 6, Washington

Carl G. Hocker and Mary  
Annette Hocker, his wife  
13606 3rd Avenue N. E.  
Seattle, Washington



William P. Joslin and Violet R.  
Joslin, his wife  
Cove  
Vashon Island, Washington

Clarence L. Wiederhold and  
Hazel M. Wiederhold, his wife  
4721 Fauntleroy  
Seattle, Washington

Robert Lee Wetter and Muriel  
Wetter, his wife  
17962 Aurora Avenue  
Seattle 33, Washington

IT IS FURTHER ORDERED that a copy of this order be published in the Nisqually Valley News, a newspaper of general circulation in Thurston County for six successive weeks commencing with the 22nd day of July, 1954.

IT IS FURTHER ORDERED that all persons owning property abutting upon Lake Summit be and appear before the above entitled court at the time and place above indicated to be heard on the petition of the petitioners named, to which petition reference is hereby made, and the content thereof is by this reference incorporated herein as though set forth at length herein, and in event of their failure to so appear, judgment will be granted in accordance with the prayer of the petition adjudging and decreeing that said lake is not navigable and fixing the proper and certain level of Lake Summit at 1.5 feet on that certain Stadia Gauge located on a piling in the pier adjacent to Government Lot 3, Section 13, Township 18 North, Range 4 West, W. M.

IT IS FURTHER ORDERED that the copy of this order and the copy of the petition to be served upon the persons above named need not be certified and may be either typewritten or mimeographed.

IT IS FURTHER ORDERED that proof of publication of this order shall be made by an affidavit of the publisher or printer of said newspaper and proof of service by mail shall be made by a written affidavit showing the name and address of the person so served and the date and place of such mailing.

DONE IN OPEN COURT THIS 21<sup>st</sup> day of July, 1954.

  
J U D G E

BRODIE & FRISTOE  
Attorneys for Petitioners  
205 Capitol Park Building  
Olympia, Washington

THUCOU001000002200428001000053036



JUL 21 3 25 PM '51

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
BY PAUL PAULY, CLERK  
DEPUTY  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON

) No. 28006  
)  
) AMENDED PETITION OF OWNERS OF  
) REAL PROPERTY ABUTTING ON LAKE  
) SUMMIT FOR AN ORDER PROVIDING  
) FOR THE REGULATION OF THE OUT-  
) FLOW AND FIXING THE WATER LEVEL  
) OF SAID LAKE.

Come now T. J. McBride, Roger Eide, Earl B. Johnson, Willard F. Japhet, Tumwater Council, Boy Scouts of America, a corporation, George H. Borton, R. P. Germain, Thomas T. Craigen, Alfred F. Finney and Robert L. Upham, all being owners of real property abutting on Lake Summit, a fresh water lake, located in Thurston County, State of Washington, and petitioning this Honorable Court, respectfully represent and allege as follows:

I.

That the petitioners herein above named are the owners of real property abutting on Lake Summit, a fresh water lake which is located in Thurston County, State of Washington. That said Lake Summit is a meandered lake and is located in Sections 12 and 13 of Township 18 North, Range 4 West of the Willamette Meridian, and Sections 7, 8 and 18 of Township 18 North, Range 3 West of the Willamette Meridian, located in said Thurston County, State of Washington.

II.

That said Lake Summit is not navigable from the sea and has not for some years been used for any commercial purpose whatsoever other than resort purposes; that at one time a portion of said lake was used for rafting and booming logs for a sawmill located on the said lake; that said sawmill has not been used for many years. That the said lake is not used for the storage of water for irrigation or any other beneficial purpose. That the said lake has never been used for and is not capable of use for any commercial purpose other than resorts and for floating logs. That the said lake is in fact not navigable.

THURSTON COUNTY, WASH. 28006

III.

That it is the purpose of the parties hereto in seeking a regulation of the level of the said lake to improve the culture of fish in said lake; that the State of Washington, through its Department of Fisheries, has stocked the said lake with game fish and has announced plans to install a spillway and fish screen at the outlet of said lake if an order fixing the level of the lake and regulating the outflow is entered in this proceeding. That the spillway proposed would be fixed to regulate the level of the lake in accordance with the order of the court entered herein.

IV.

The cost of the said spillway and fish screen, the construction of which is proposed, will be carried by the State of Washington through its Department of Fish and Game in accordance with its present proposed plan for the development of Summit Lake. That the plans proposed by the State of Washington Department of Fisheries provide a reasonable and adequate plan for the control of the level of Summit Lake and the regulation of the outflow therefrom so that the same could be properly controlled in accordance with the order of this court.

V.

That said Lake Summit is wholly fed by drainage from its watershed and by seepage from subterranean springs; that said lake has but one outlet which is located at the West end of the lake; that the capacity of the creek flowing out of said lake is sufficient to properly maintain the level of the lake, but the spillway area of the lake is constantly being clogged by debris and by beaver dams, thus restricting the outflow and causing the level of the lake to make radical and serious changes of the level during different seasons of the year.

VI.

That there is attached hereto, marked Exhibit "A" and by reference incorporated herein as though fully set forth herein, a complete description of the individual property ownership, of the real property abutting on Lake Summit with the number of front feet contained in each tract and the names and addresses of the respective owners of such

tracts as the same are shown on the public records of Thurston County in the office of the Assessor of Thurston County.

VII.

THUCOU0001000002200428001000053039

That it is necessary to establish and legally fix a proper level for Lake Summit to prevent flooding for the protection and conservation of the property abutting on the shores of said lake and for the purpose of providing a fixed level for the installation of the spillway at the entrance thereto; that the owners of a majority of the real property abutting on said lake have determined the level of said lake which seems most desirable for the benefit of all persons owning property thereon; that said persons have requested the State of Washington Department of Fisheries to legally define said level; that the State of Washington Department of Fisheries has located a stadia gauge on a piling located in the water in said lake on the pier abutting Government Lot 3 in Section 13, Township 18 North, Range 4 West of the Willamette Meridian; that the proper level of said lake as so determined is at 1.5 feet on the said stadia gauge.

WHEREFORE, your petitioners respectfully request and petition this Court as follows:

1. For the entry of an order herein fixing the time and place for the hearing of this petition and directing that notice shall be given to the respective property owners, whose property is adjacent to and abutting upon Lake Summit as is herein set forth in Exhibit "A" hereto, and to the Director of the Department of Fisheries and the Supervisor of Hydraulics of the State of Washington and to the County Commissioners of the County of Thurston, State of Washington, and provided further that such notice shall be given to each and all of said persons by service upon them of a copy of the said order in the manner and in the form provided for therein.

2. That the Court make and enter herein its decree ordering and adjudging that Lake Summit is not navigable and fixing and determining the proper certain water level of Lake Summit at the level reaching 1.5 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said

Government Lot 3 is now owned by the Tumwater Council, Boy Scouts of America.

3. That the Court enter its order herein authorizing the construction of the dam, spillway and fish screen proposed for construction by the State of Washington Department of Fisheries and referred to herein.

4. For an order authorizing the Supervisor of Hydraulics of the State of Washington to thereafter regulate and control the outflow of Lake Summit to maintain the determined proper and certain level of said lake.

5. That the Court grant to the petitioners herein such other and further relief as the Court may determine proper in the premises.

*Brodie & Fristoe*  
BRODIE & FRISTOE  
Attorneys for Petitioners.  
205 Capitol Park Building  
Olympia, Washington

STATE OF WASHINGTON    )  
County of Thurston    ) ss.

T. J. McBRIDE, being first duly sworn upon oath, deposes and says: That I am one of the petitioners in the above and foregoing petition; that I have read the foregoing Petition, know the contents thereof and believe the same to be true; that I am authorized by the other petitioners to verify this petition for and on their behalf and I do verify the same for said other petitioners.

*T. J. McBride*  
\_\_\_\_\_

Subscribed and sworn to before me this 17th day of July, 1954

*Kenneth Brodie*  
\_\_\_\_\_  
Notary Public in and for the State  
of Washington, residing at Olympia.

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# EXHIBIT "A"

The owners of the real property surrounding and adjacent to Lake Summit, together with the approximate number of front feet included in the tract owned and together with the best known address of the owners are as follows:

<u>Name and Address</u>	<u>Description of Tract</u>	<u>No. of Front Feet</u>
E. E. Stover and Jane Doe Stover, his wife 2703 Riverview Drive Aberdeen, Washington	Lots 1 and 2	100
Weyerhaeuser Timber Company Tacoma, Washington	Lots 3 and 4	100
Floyd W. Japhet and Grace Japhet, his wife Rt. 11 Box 377 Olympia, Washington	Lots 5, 6 and 7	150
Robert Worland and Jane Doe Worland, his wife P. O. Box 10 McCleary, Washington	Lots 8 and 9	100
Donald M. Vestal and Jane Doe Vestal, his wife Rt. 2 Elma, Washington	Lots 10 and 11	100
Leon O. Boling and Jane Doe Boling, his wife McCleary, Washington	Lot 12	50
Robert R. Sheets and Jane Doe Sheets, his wife P. O. Box 574 Elma, Washington	Lot 13	50
Earle Bland and Jane Doe Bland, his wife Box 162 McCleary, Washington	14	50
William E. Jenkins and Jane Doe Jenkins, his wife McCleary, Washington	Lot 15	50
Edward F. Biers and Evelyn Biers, his wife P. O. Box 256 McCleary, Washington	Lot 16	50
Earl B. Johnson and Elvera K. Johnson, his wife P. O. Box 445 Yelm, Washington	Lots 17, 18 and 19	150
Albert B. Burdick and Mary Burdick, his wife 460 Wendell Street Crescent City, California	Lot 20	50

Harvey D. Thompson and Thelma Thompson, his wife Rt. 1, Box 132 Yelm, Washington	Lot 21	50
Rex P. Eide and Doris Eide, his wife General Delivery Lacey, Washington	Lot 22	50
Roger Eide and Marjorie Eide, his wife P. O. Box 226 Yelm, Washington	Lots 23 and 24	100
Oscar Eide and Inah Eide, his wife Yelm, Washington	Lots 25 and 26	100
W. R. Graham and Jane Doe Graham, his wife 114-1/2 4th Street Elma, Washington	Lots 27 and 28	100
Paul E. Eygabord and Jane Doe Eygabord, his wife P. O. Box 397 McCleary, Washington	Lot 29	50
William A. Jones and Jane Doe Jones, his wife Rt. 11 Box 382 Olympia, Washington	Lot 30	50
Emil A. Bertsch and Jane Doe Bertsch, his wife Rt. 3 Box 382 Olympia, Washington and James A. Miller and Jane Doe Miller, his wife 3402 South Tyler Tacoma, Washington	Lot 31	50.1
Van M. Christman and Jane Doe Christman, his wife 5412 North 30th Tacoma, Washington	Lot 32	50
Claude Mayes and Jane Doe Mayes, his wife 1322-1/2 Lincoln Street Hoquiam, Washington	Lot 33	50.1
Russell Turner and Janē Doe Turner, his wife 1128 Lincoln Street Hoquiam, Washington	Lot 34	50.1
H. Y. Turner and Jane Doe Turner, his wife 223 K. Street Hoquiam, Washington	Lot 35	50
Edwin Malkinus and Jane Doe Malkinus, his wife No. 2 "O" Street Hoquiam, Washington	Lot 36	50



P. W. Fry and Jane Doe Fry, his wife 1821 Riverside Avenue Hoquiam, Washington	Lot 37	50
Ray Ross and Jane Doe Ross, his wife 25 0 Street Hoquiam, Washington	Lot 38	50
Minor Stuart and Jane Doe Stuart, his wife 806 East Wishkah Aberdeen, Washington	Lot 39	50.1
William A. Guest and Jane Doe Guest, his wife 1284 West Orchard Street Seattle, Washington	Lots 40 and 41	100.3
Warren Simmons and Jane Doe Simmons, his wife 2616 Hillside Drive Olympia, Washington	Lots 42, 43, 44 and 45	200.1
Mary McCallum and John Doe McCallum, her husband P. O. Box 745 Olympia, Washington	Lot 46	50
Melvin A. Paulson and Jean V. Paulson, his wife P. O. Box 226 McCleary, Washington	Lot 47	50
Vernon E. Downs and Jane Doe Downs, his wife Rt. 2 Box 145 Elma, Washington	Lot 48	50
Alex Craigen and Bessie Craigen, his wife Rt. 1 Box 3002 Portland 66, Oregon	Lot 49	50
Thomas T. Craigen and Jane Doe Craigen, his wife Rt. 11 Box 384 Olympia, Washington	Lot 50	50
Marvin Curl and Jane Doe Curl, his wife Rt. 11, Box 380 Olympia, Washington	Lot 51	50
Melvin Van Orman and Jane Doe Van Orman, his wife Rt. 2 Box 167 Elma, Washington	Lot 52	50.1
Spirro Damis and Jane Doe Damis, his wife 6613 South Wapato Tacoma, Washington	Lots 53 and 54	100
Frank J. Davies and Jane Doe Davies, his wife 7 Kitsap Place Lincoln Heights Tacoma, Washington	Lot 55	50

F. W. Vandenheuvel and Jane Doe Vandenheuvel, his wife 2408 Railroad Avenue South Tacoma, Washington and	Lots 56 and 57	100
E. F. Vandenheuvel and Jane Doe Vandenheuvel, his wife 2408 Railroad Avenue South Tacoma, Washington		
Layton D. Palmer and Jane Doe Palmer, his wife P. O. Box 122 Olympia, Washington	Lot 58	50
A. C. Miller, Jr. and Jane Doe Miller, his wife P. O. Box 136 Oakville, Washington	Lot 59	50
Oscar Eide and Inah Eide, his wife P. O. Box 137 Yelm, Washington	Lots 60 and 61	100
Mrs. Edna Buchanan Yelm, Washington	Lots 62 and 63	100
Donald J. Zurfluh and Jane Doe Zurfluh, his wife 5409 South Pine Tacoma, Washington	Lots 64	50
Mountain Development Co. Tacoma Building Tacoma, Washington	Lots 65 and 66	100.1
Harold L. Schneider and Jane Doe Schneider, his wife 1458 - 6th Street Chehalis, Washington	Lot 67	50
Fred A. Hatch and Elvera Hatch, his wife 1519 West Dickenson St. Olympia, Washington	Lot 68	50
John Loren Backman and Jane Doe Backman, his wife 927 North Bethel Olympia, Washington	Lot 69	50
Gordon Hemminger and Jane Doe Hemminger, his wife 105 South 40th Tacoma, Washington	Lots 70 and 71	100
M. Earl Wood, Sr., and Jane Doe Wood, his wife Rt. 11 Box 712 Olympia, Washington	Lots 72 and 73	100
Lewis W. Bell and Jane Doe Bell, his wife 9672 Bridgeport Way Tacoma, Washington	Lot 74	50

John B. Firmin and Jane Doe Firmin, his wife 102 South 56th Tacoma, Washington	Lots 75 and 76	100.3
John C. Schneider and Betty E. Schneider, his wife 521 Dearborn Street Shelton, Washington	Lot 77	50
Leonard J. Schneider and Marjorie Schneider, his wife 1506 West Second Street Aberdeen, Washington	Lot 78	50
Alton J. Eldred and Jane Doe Eldred, his wife 1619 North B. Street Aberdeen, Washington	Lot 79	50
L. M. Eldred and Jane Doe Eldred, his wife 2513 Sumner Avenue Aberdeen, Washington	Lot 80	50
Homer G. Burkhamer and Jane Doe Burkhamer, his wife 311 - 7th Street Hoquiam, Washington	Lots 81, 82, 83 and 84	200.4
R. H. Noble and Jane Doe Noble, his wife 16822 Military Road Seattle 88, Washington	Lot 85	50
John A. Shaw and Jane Doe Shaw, his wife 1249 S. W. 151st Street Seattle 66, Washington	Lot 86	50
Alfred Finney and Jane Doe Finney, his wife 13360 48th Street South Seattle 88, Washington	Lot 87	50
R. W. McDonald and Jane Doe McDonald, his wife 13346 - 47th South Seattle 88, Washington	Lot 88	50
Louis W. Hutton and Jane Doe Hutton, his wife P. O. Box 65 Vail, Washington	Lot 89	50
Robert L. Upham and Jane Doe Upham, his wife 1160 149th Avenue S. W. Seattle 66, Washington	Lot 90	50
Neona B. Shepherd and John Doe Shepherd, her husband 8650 45th Avenue South Seattle, Washington	Lot 91	50
R. D. Zurfluh and Jane Doe Zurfluh, his wife 701 Pennimon Street DuPont, Washington	Lot 92	50

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R. K. Walburn and Jane Doe Walburn, his wife 401 Loviers Street, DuPont, Washington	Lot 93	50
Jack A. McCray and Jane Doe McCray, his wife 3615 Whitman Avenue Seattle, Washington	Lot 94	50
Larry Rucker and Jane Doe Rucker, his wife 3902 South 19th Street Tacoma, Washington	Lot 95	50
Leymoine L. Irvin and Jane Doe Irvin, his wife 1247 S. W. 116th Seattle 66, Washington	Lot 96	50
Elmer F. DePaul and Jane Doe DePaul, his wife 4035 East E. Street Tacoma, Washington	Lot 97	50
Clifford E. Jakle and Jane Doe Jakle, his wife 115 South 56th Street Tacoma, Washington	Lot 98	50
Fred P. Moore and Jane Doe Moore, his wife Rt. 1 Box 1797 Kent, Washington	Lot 99	54.9
Dan J. Gerontis and Jane Doe Gerontis, his wife 3618 East Spokane Street Tacoma, Washington	Lot 100	73.9
Mountain Development Company Tacoma Building Tacoma, Washington	Lots 101 and 102	218.8

All of said lots being lots in North Shore of Summit Lake, according to the plat thereof on file in the office of the Auditor of Thurston County.

Georgia G. Lamson and John Doe Lamson, her husband 4408 North 9th Tacoma, Washington	Tract 1	57.81
Melvin D. Bouslog and Jane Doe Bouslog, his wife 16638 DesMoines Way Seattle 88, Washington	Tracts 2 and 3	107
R. J. Rayan and Jane Doe Rayan, his wife 3303 East K. Street Tacoma, Washington	Tract 4	50
R. J. Smith and Jane Doe Smith, his wife Rt. 4 Box 315-B Tacoma, Washington	Tracts 5 and 6	100.14

Anne C. Draper and John Doe Draper, her husband 2728 S. E. 52nd Portland, Oregon	Tracts 7 and 8	100
Kristofer Troseth and Jane Doe Troseth, his wife 511 North L. Street Tacoma, Washington	Tract 9	50
Arthur T. Taylor and Jane Doe Taylor, his wife 16638 DesMoines Way Seattle 88, Washington	Tract 10	50
TMC Wm. J. Brown and Jane Doe Brown, his wife U.S.S. Nerius AS 17 Fleet P. O. San Francisco, California	Tract 11	50
Andrew W. Lewis and Jane Doe Lewis, his wife 9252 47th S. W. Seattle, Washington	Tract 12	50
Fred B. Japhet and Jane Doe Japhet, his wife Rt. 1 Box 124 Olympia, Washington	Tracts 13 and 14	100
Willard F. Japhet and Jane Doe Japhet, his wife Rt. 11 Box 362 Olympia, Washington	Tracts 15, 16 17 and 18	200
Weyerhaeuser Timber Co. Tacoma Building Tacoma, Washington	Tract 19	50
W. F. Richards and Jane Doe Richards, his wife Rt. 4 Box 1010 Roseburg, Oregon	Tract 20	50
Robt. C. Becken and Jane Doe Becken, his wife Rt. 1 Box 203 Montesano, Washington	Tracts 21 to 24	201.14
Ralph Spears and Jane Doe Spears, his wife 2724 Aberdeen Abenue Hoquiam, Washington	Tracts 25 and 26	101.35
William T. Bland and Jane Doe Bland, his wife 952 North Division Aberdeen, Washington	Tracts 27 to 30	200
George W. Peret and Jane Doe Peret, his wife 7204 North McKenna, Portland 3, Oregon	Tracts 31 and 32	100
Eugene E. Yarrow and Jane Doe Yarrow, his wife 516 Burleigh Aberdeen, Washington	Tracts 33, 34 and 35	152.77

William O. Booher and Jane Doe Booher, his wife Rt. 11 Box 363 Olympia, Washington	Tracts 36, 37, 38	163.89
R. P. Germain and Clara Germain, his wife Rt. 11 Box 364 Olympia, Washington	Tracts 39, 40 and 41	252.92
R. C. Fenner and Jane Doe Fenner, his wife 722 Terrace Avenue Aberdeen, Washington	Tract 42	74.75
John M. Musser and Jane Doe Musser, his wife 864 South 84th Street Tacoma, Washington	Tract 43	75
L. O. Boling and Jane Doe Boling, his wife McCleary, Washington	Tract 44	75.22
E. C. Einert and Jane Doe Einert, his wife Box 241 McCleary, Washington	Tract 45	81.35
R. B. Robbins and Jane Doe Robbins, his wife P. O. Box 202 McCleary, Washington	Tract 46	75
Robert Clubb and Jane Doe Clubb, his wife Box 154 Willapa, Washington and	Tract 47	70.01
Floyd Tull and Jane Doe Tull, his wife Box 154 Willapa, Washington		
Arla Keiser and Bessie L. Keiser, his wife 601 L. Street Hoquiam, Washington and	Tract 48	73.92
Robert E. Keiser and Verona Keiser, his wife 601 L. Street Hoquiam, Washington		
M. H. West and Jane Doe West, his wife 614 Duryea Raymond, Washington	Tract 49	65
F. Wetzel and Jane Doe Wetzel, his wife 314-1/2 8th Street Hoquiam, Washington and	Tracts 50 and 51	112.17
M. A. Anderson and Jane Doe Anderson, his wife 314-1/2 8th Street Hoquiam, Washington		



Helmer J. Hansen and Jane Doe Hansen, his wife Box 141 Raymond, Washington	Tract 52	53.14
Richard A. West and Jane Doe West, his wife 614 Duryea Street Raymond, Washington	Tracts 53 and 54	100.44
L. E. Philbrick and Jane Doe Philbrick, his wife 436 Eklund Hoquiam, Washington	Tract 55	50.16
Albert B. Philbrick and Jane Doe Philbrick, his wife 332 Karr Avenue Hoquiam, Washington	Tract 56	50.80
Lewis E. Philbrick and Jane Doe Philbrick, his wife 436 Eklund Street Hoquiam, Washington	Tract 57	50.80
O. D. Cusick and Jane Doe Cusick, his wife Mayfield, Washington	Tract 58	52.05
A. Ambrose and Jane Doe Ambrose, his wife 422 East 35th Tacoma, Washington	Tract 59	50.14
Harold M. Lemmer and Jane Doe Lemmer, his wife 3720 East G. Street Tacoma, Washington	Tract 60	50.61
Ervin D. Auer and Jane Doe Auer, his wife Kamiah, Idaho	Tracts 61 to 64	204.39
D. F. Haskell and Jane Doe Haskell, his wife 712 North Stadium Way Tacoma, Washington	Tracts 65 and 66	100.03
George H. Borton and Jane Doe Borton, his wife Rt. 11, Box 365 Olympia, Washington	Tract 67	50
George H. Borton and Jane Doe Borton, his wife Rt. 1 Box 126 Olympia, Washington	Tract 68	50
Albert M. Johnson and Jane Doe Johnson, his wife 6240 South Alder Tacoma, Washington	Tracts 69 and 70	100
Melvin L. Anderson and Jane Doe Anderson, his wife 2531 South Ainsworth Street Tacoma, Washington	Tracts 71 and 72	104.44

Clarence H. Clymer and Jane Doe  
Clymer, his wife  
620 South Hawthorne  
Tacoma, Washington

Tracts 73 and 74 193.21

Lilian I. Adolfson and  
John Doe Adolfson, her husband  
2159-1/2 Harbor Avenue  
Seattle 6, Washington

Tract 75 71.12

Alfred Forey and Jane Doe  
Forey, his wife  
547 South 160th  
Seattle, Washington

Tract 76 103.26

George T. Nelson and  
Ethel Nelson, his wife  
c/o Lloyd A. Sachs  
Rt. 3 Box 110 A  
Chehalis, Washington

Tract 77 50

Lloyd A. Sachs and  
Vera Sachs, his wife  
Rt. 3, Box 110 A  
Chehalis, Washington

K. E. White and Jane Doe  
White, his wife  
1030 Carlyon  
Olympia, Washington

Tracts 78, 79 and  
80 less the North  
10 feet of Tract 80 154.4

Ernie S. Webb and Julia  
M. Webb, his wife  
Star Route, Box 200  
Tacoma, Washington

Tract 81 and the  
North 10 feet of  
Tract 80 107.01

Wm. A. Phillips and Jane  
Doe Phillips, his wife  
Rt. 9 Box 34  
Olympia, Washington

Tract 82 210

Ervin D. Auer and Jane  
Doe Auer, his wife  
Kamiah, Idaho

Tract 83 105.1

Jack A. Clary and Jane  
Doe Clary, his wife  
5502 Ferdinand Street  
Seattle 8, Washington

Tract 84 105

Curtis G. Smith and Jane  
Doe Smith, his wife  
340 Chenault  
Hoquiam, Washington

Tract 85 150

Elbert H. Lawrence and  
Jane Doe Lawrence, his wife  
420 Fillmore Street  
Hoquiam, Washington

Tract 86 100

Louie Larson and Elizabeth  
L. Larson, his wife  
1013 West Schley  
Aberdeen, Washington

Tract 87 137.93

and  
John B. White and Doris  
E. White, his wife  
411 Becker Building  
Aberdeen, Washington

All of said tracts being tracts in Summit Lake Tracts, according to the plat thereof on file in the office of the Auditor of Thurston County

Tumwater Council  
Boy Scouts of America  
220 East Fifth Ave.  
Olympia, Washington

Gov't. Lot 3, Section 1320  
13, Township 18, North,  
Range 4 West, W. M.

State of Washington  
Olympia, Washington  
and

T. M. McBride and Belle  
McBride, his wife  
Rt. 11

Olympia, Washington  
and

Willard F. Japhet and  
Maude Japhet, his wife  
Rt. 11, Box 362

Olympia, Washington  
and

Warren Whited and Jane  
Doe Whited, his wife  
2606 North Wilson Way  
Stockton 5, California  
and

G. E. Inmon and Jane Doe  
Inmon, his wife  
1201 Ward Street

Centralia, Washington  
and

Daniel R. Donley and  
Jane Doe Donley, his wife  
Rt. 2, Box 126

Olympia, Washington  
and

Jack M. Yenne and Jane  
Doe Yenne, his wife  
634 7th Avenue

Kirkland, Washington  
and

R. C. Liedtke and Jane  
Doe Liedtke, his wife  
1116 East 5th

Olympia, Washington  
and

James D. Kramer and Jane  
Doe Kramer, his wife  
305 Pontius Avenue N.

Seattle 9, Washington  
and

Hallie D. Kyes and  
Jane Doe Kyes, his wife  
Rt. 4, Box 588

Olympia, Washington  
and

Kirby A. Kyes  
Wayne D. Kyes  
Trudy Jean Kyes,

Rt. 4, Box 588  
Olympia, Washington  
and

W. H. Anderson and Jane  
Doe Anderson, his wife  
1214-1/2 Thomas

Seattle 9, Washington  
and

Government Lot 6, 1503.25  
Section 13, Township  
18 North, Range 4 West,  
W. M.

Alex Revel and Jane Doe  
Revel, his wife  
Box 334  
McCleary, Washington  
and  
Charles Glasscock and  
Jane Doe Glasscock, his wife  
4101 - 20th Avenue S. W.  
Seattle 6, Washington

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lot 5, 111.5  
Section 7, Township  
18 North, Range 3  
West, W. M. less that  
portion thereof  
included in the plat  
North Shore Lake Summit

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lots 6 and 7, 2640  
Section 7, Township  
18 North, Range 3 West  
W. M.

Arthur T. Glanville and  
Jane Doe Glanville, his wife  
806 - 9th Avenue  
Edmonds, Washington

Government Lot 8 620  
Section 7, Township  
18 North, Range 3  
West, W. M.

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lots 1, 2, 8305  
3, 4, 5, 7 and 8,  
Section 8, Township 18  
North, Range 3 West,  
W. M.

All of the real property listed in the name of Mountain Development Co. and the property listed in the name of Weyerhaeuser Timber Company above has been transferred or is subject to an agreement for transfer from said corporations to the following named individuals whose best-known addresses are as indicated:

Carl G. Hocker and Mary Annette  
Hocker, his wife  
13606 - 3rd Avenue N. E.  
Seattle, Washington

William P. Joslin and Violet  
R. Joslin, his wife  
Cove,  
Vashon Island, Washington

Clarence L. Wiederhold and  
Hazel M. Wiederhold, his wife  
4721 Fauntleroy  
Seattle, Washington

Robert Lee Wetter and Muriel  
Wetter, his wife  
17962 Aurora Avenue  
Seattle 33, Washington

JUN 9 12 20 PM '54

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

BY  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

NO. 78006

ORDER FIXING TIME OF HEARING,  
PROVIDING NOTICE AND PROVIDING  
FOR SERVICE HEREIN

This matter coming regularly on for the consideration of the Court on the petition of T. J. McBride, Roger Eide, Earl B. Johnson, Willard F. Japhet, Tumwater Council, Boy Scouts of America, a corporation, George H. Borton, R. P. Germain, Thomas T. Craigen, Alfred F. Finney and Robert L. Upham, praying for the determination herein of the proper and certain level of Lake Summit and for other relief as is in the said petition set forth consisting of a prayer for authorization for the construction of a dam for the fixing of the level of said lake in accordance with said order, and the Court having considered the said petition and being fully advised in the premises, NOW, THEREFORE, it is hereby

ORDERED that Monday, the 16th day of August, 1954, at 1:30 o'clock in the afternoon, in Department No. R of the Superior Court of the State of Washington in and for Thurston County, at the Courthouse in Olympia, Washington, be and the same is hereby fixed as the time and place for the hearing of the petition to which reference has been made and the determination of the matters therein set forth, at which time and place all parties interested may appear in person or by counsel and be heard upon this matter. It is further

ORDERED that service in this cause shall be had by publishing a copy of this order as provided herein and by forwarding a copy of this order and notice together with a copy of the petition filed herein forthwith and not less than 10 days prior to said date to the Director of the Department of Fisheries, the Director of the Department of Game and the Supervisor of Water Resources of the Department of Conservation and Development, all of the State of Washington,

THURSTON COUNTY CLERK

and to the owners of the real property hereinafter named, in the name of the husband and wife in each case where both have or appear to have an interest in such real property and in the name of the individual or corporate owner as applicable in all other cases, by registered mail with provision for return receipt, to the last known address of such owners as indicated by the records of the Assessor of Thurston County, such owners as indicated by said records being as follows:

E. E. Stover and Jane Doe  
Stover, his wife  
2703 Riverview Drive  
Aberdeen, Washington

Weyerhaeuser Timber Company,  
a corporation  
Tacoma Building  
Tacoma, Washington

Floyd W. Japhet and  
Grace Japhet, his wife  
Route 11, Box 377  
Olympia, Washington

Robert Worland and Jane Doe  
Worland, his wife  
P.O. Box 10  
McCleary, Washington

Donald M. Vestal and  
Jane Doe Vestal, his wife  
Route 2  
Elma, Washington

Leon O. Boling and  
Jane Doe Boling, his wife  
McCleary, Washington

Robert R. Sheets and Jane  
Doe Sheets, his wife  
P.O. Box 574  
Elma, Washington

Earle Bland and Jane Doe  
Bland, his wife  
Box 162  
McCleary, Washington

William E. Jenkins and  
Jane Doe Jenkins, his wife  
McCleary, Washington

Edward F. Biers and  
Evelyn Biers, his wife  
P.O. Box 256  
McCleary, Washington

Earl B. Johnson and  
Elvera K. Johnson, his wife  
P.O. Box 445  
Yelm, Washington

Albert B. Burdick and Mary  
Burdick, his wife  
460 Wendell Street  
Crescent City, California

Harvey D. Thompson and  
Thelma Thompson, his wife  
Route 1, Box 132  
Yelm, Washington

Rex P. Eide and Doris  
Eide, his wife  
General Delivery  
Lacey, Washington

Roger Eide and Marjorie  
Eide, his wife  
P.O. Box 226  
Yelm, Washington

Oscar Eide and Inah Eide,  
his wife  
Yelm, Washington

W. R. Graham and  
Jane Doe Graham, his wife  
114-1/2 4th Street  
Elma, Washington

Paul E. Eygabord and Jane  
Doe Eygabord, his wife  
P.O. Box 397  
McCleary, Washington

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William A. Jones and Jane Doe  
Jones, his wife  
Route 11, Box 382  
Olympia, Washington

James A. Miller and  
Jane Doe Miller, his wife  
3402 South Tyler  
Tacoma, Washington

Claude Mayes and Jane Doe  
Mayes, his wife  
1322-1/2 Lincoln Street  
Hoquiam, Washington

H. Y. Turner and Jane  
Doe Turner, his wife  
223 K Street  
Hoquiam, Washington

P. W. Fry and Jane Doe Fry,  
his wife  
1821 Riverside Avenue  
Hoquiam, Washington

Minor Stuart and Jane Doe  
Stuart, his wife  
806 East Wishkah  
Aberdeen, Washington

Warren Simmons and  
Jane Doe Simmons, his wife  
2616 Hillside Drive  
Olympia, Washington

Melvin A. Paulson and  
Jean V. Paulson, his wife  
P.O. Box 226  
McCleary, Washington

Alex Craigen and Bessie  
Craigen, his wife  
Route 1, Box 3002  
Portland 66, Oregon

Marvin Curl and Jane Doe  
Curl, his wife  
Route 11, Box 380  
Olympia, Washington

Spirro Damis and Jane Doe  
Damis, his wife  
6613 South Wapato  
Tacoma, Washington

F. W. Vandenheuvel and  
Jane Doe Vandenheuvel, his wife  
2408 Railroad Avenue  
South Tacoma, Washington

Emil A. Bertsch and Jane  
Doe Bertsch, his wife  
Route 3, Box 382  
Olympia, Washington

Van M. Christman and Jane  
Doe Christman, his wife  
5412 North 30th  
Tacoma, Washington

Russell Turner and  
Jane Doe Turner, his wife  
1128 Lincoln Street  
Hoquiam, Washington

Edwin Malkinus and Jane Doe  
Malkinus, his wife  
No. 2 "O" Street  
Hoquiam, Washington

Ray Ross and Jane Doe Ross,  
his wife  
25 O Street  
Hoquiam, Washington

William A. Guest and  
Jane Doe Guest, his wife  
1284 West Orchard Street  
Seattle, Washington

Mary McCallum and John Doe  
McCallum, her husband  
P.O. Box 745  
Olympia, Washington

Vernon E. Downs and Jane  
Doe Downs, his wife  
Route 2, Box 145  
Elma, Washington

Thomas T. Craigen and  
Jane Doe Craigen, his wife  
Route 11, Box 384  
Olympia, Washington

Melvin Van Orman and Jane Doe  
Van Orman, his wife  
Route 2, Box 167  
Elma, Washington

Frank J. Davies and Jane Doe  
Davies, his wife  
7 Kitsap Place  
Lincoln Heights  
Tacoma, Washington

E. F. Vandenheuvel and Jane  
Doe Vandenheuvel, his wife  
2408 Railroad Avenue  
South Tacoma, Washington

Layton D. Palmer and Jane Doe  
Palmer, his wife  
P. O. Box 122  
Olympia, Washington

Mrs. Edna Buchanan  
Yelm, Washington

Mountain Development Co.  
a corporation  
Tacoma Building  
Tacoma, Washington

Fred A. Hatch and Elvera  
Hatch, his wife  
1519 West Dickenson Street.  
Olympia, Washington

Gordon Hemminger and Jane  
Doe Hemminger, his wife  
105 South 40th  
Tacoma, Washington

Lewis W. Bell and Jane Doe  
Bell, his wife  
9672 Bridgeport Way  
Tacoma, Washington

John C. Schneider and Betty  
E. Schneider, his wife  
521 Dearborn Street  
Shelton, Washington

Alton J. Eldred and Jane Doe  
Eldred, his wife  
1619 North B. Street  
Aberdeen, Washington

Homer G. Burkhamer and Jane  
Doe Burkhamer, his wife  
311 7th Street  
Hoquiam, Washington

John A. Shaw and Jane Doe  
Shaw, his wife  
1249 S. W. 151st Street  
Seattle 66, Washington

R. W. McDonald and Jane Doe  
McDonald, his wife  
13346 47th Ave. So.  
Seattle 88, Washington

Robert L. Upham and Jane Doe  
Upham, his wife  
1160 149th Ave. S. W.  
Seattle 66, Washington

R. D. Zurfluh and Jane Doe  
Zurfluh, his wife  
701 Pennimon Street  
DuPont, Washington

A. C. Miller, Jr. and  
Jane Doe Miller, his wife  
P. O. Box 136  
Oakville, Washington

Donald J. Zurfluh and Jane  
Doe Zurfluh, his wife  
5409 So. Pine  
Tacoma, Washington

Harold L. Schneider and Jane  
Doe Schneider, his wife  
1458 6th Street  
Chehalis, Washington

John Loren Backman and Jane  
Doe Backman, his wife  
927 North Bethel  
Olympia, Washington

M. Earl Wood Sr., and Jane  
Doe Wood, his wife  
Rt. 11 Box 712  
Olympia, Washington

John B. Firmin and Jane Doe  
Firmin, his wife  
102 South 56th Street  
Tacoma, Washington

Leonard J. Schneider and  
Marjorie Schneider, his wife  
1506 West Second Street  
Aberdeen, Washington

L. M. Eldred and Jane Doe  
Eldred, his wife,  
2513 Sumner Avenue  
Aberdeen, Washington

R. H. Noble and Jane Doe  
Noble, his wife  
16822 Military Road  
Seattle, Washington

Alfred Finney and Jane Doe  
Finney, his wife  
13360 48th Avenue South  
Seattle 88, Washington

Louis W. Hutton and Jane  
Doe Hutton, his wife  
P. O. Box 65  
Vail, Washington

Neona B. Shepherd and John  
Doe Shepherd, her husband  
8650 45th Ave. So.  
Seattle, Washington

R. K. Walburn and Jane Doe  
Walburn, his wife  
401 Loviers Street  
DuPont, Washington

Jack A. McCray and Jane Doe  
McCray, his wife  
3615 Whitman Avenue  
Seattle, Washington

Leymoine L. Irvin and Jane  
Doe Irvin, his wife  
1247 S. W. 116th  
Seattle 66, Washington

Clifford E. Jakle and Jane  
Doe Jakle, his wife  
115 South 56th Street  
Tacoma, Washington

Dan J. Gerontis and Jane Doe  
Gerontis, his wife  
3618 East Spokane Street  
Tacoma, Washington

Melvin D. Bouslog and Jane  
Doe Bouslog, his wife  
16638 DesMoines Way  
Seattle 88, Washington

R. J. Smith and Jane Doe  
Smith, his wife  
Rt. 4 Box 315-B  
Tacoma, Washington

Kristofer Troseth and Jane  
Doe Troseth, his wife  
511 North L. Street  
Tacoma, Washington

TMC Wm. J. Brown and Jane  
Doe Brown, his wife  
U.S.S. Nerius AS 17  
Fleet P.O.  
San Francisco, California

Fred B. Japhet and Jane Doe  
Japhet, his wife  
Rt. 1 Box 124  
Olympia, Washington

Robt. C. Becken and Jane  
Doe Becken, his wife  
Rt. 1 Box 203  
Montesano, Washington

William T. Bland and Jane Doe  
Bland, his wife  
952 North Division  
Aberdeen, Washington

Eugene E. Yarrow and Jane Doe  
Yarrow, his wife  
516 Burleigh  
Aberdeen, Washington

R. P. Germain and Clara  
Germain, his wife  
Rt. 11 Box 364  
Olympia, Washington

Larry Rucker and Jane Doe  
Rucker, his wife  
3902 South 19th Street  
Tacoma, Washington

Elmer F. DePaul and Jane  
Doe DePaul, his wife  
4035 East E. Street  
Tacoma, Washington

Fred P. Moore and Jane Doe  
Moore, his wife  
Rt. 1 Box 1797  
Kent, Washington

Georgia G. Lamson and John  
Doe Lamson, her husband  
4408 North 9th  
Tacoma, Washington

R. J. Rayan and Jane Doe  
Rayan, his wife  
3303 East K. Street  
Tacoma, Washington

Anne C. Draper and John Doe  
Draper, her husband  
2728 S. E. 52nd  
Portland, Oregon

Arthur T. Taylor and Jane  
Doe Taylor, his wife  
16638 DesMoines Way  
Seattle 88, Washington

Andrew W. Lewis and Jane  
Doe Lewis, his wife  
9252 47th S. W.  
Seattle, Washington

W. R. Richards and Jane Doe  
Richards, his wife  
Rt. 4 Box 1010  
Roseburg, Oregon

Ralph Spears and Jane Doe  
Spears, his wife  
2724 Aberdeen Avenue  
Hoquiam, Washington

George W. Peret and Jane  
Doe Peret, his wife  
7204 North McKenna  
Portland 3, Oregon

William O. Booher and Jane  
Doe Booher, his wife  
Rt. 11 Box 363  
Olympia, Washington

R. C. Fenner and Jane Doe  
Fenner, his wife  
722 Terrace Avenue  
Aberdeen, Washington

John M. Musser and Jane Doe  
Musser, his wife  
864 South 84th Street  
Tacoma, Washington

R. B. Robbins and Jane Doe  
Robbins, his wife  
P. O. Box 202  
McCleary, Washington

Floyd Tull and Jane Doe  
Tull, his wife  
Box 154  
Willapa, Washington

Robert E. Keiser and Verona  
Keiser, his wife  
601 L. Street  
Hoquiam, Washington

F. Wetzel and Jane Doe  
Wetzel, his wife  
314-1/2 8th Street  
Hoquiam, Washington

Helmer J. Hansen and Jane  
Doe Hansen, his wife  
Box 141  
Raymond, Washington

L. E. Philbrick and Jane Doe  
Philbrick, his wife  
436 Eklund,  
Hoquiam, Washington

Lewis E. Philbrick and Jane  
Doe Philbrick, his wife  
436 Eklund Street  
Hoquiam, Washington

A. Ambrose and Jane Doe  
Ambrose, his wife  
422 East 35th Street  
Tacoma, Washington

Ervin D. Auer and Jane Doe  
Auer, his wife  
Kamiah, Idaho

George H. Borton and Jane  
Doe Borton, his wife  
Rt. 11 Box 365  
Olympia, Washington

Albert M. Johnson and Jane Doe  
Johnson, his wife  
6240 South Alder  
Tacoma, Washington

Clarence H. Clymer and Jane  
Doe Clymer, his wife  
620 South Hawthorne  
Tacoma, Washington

Alfred Forey and Jane Doe  
Forey, his wife  
547 South 160th  
Seattle, Washington

E. C. Einert and Jane Doe  
Einert, his wife  
Box 241  
McCleary, Washington

Robert Clubb and Jane Doe  
Clubb, his wife  
Box 154  
Willapa, Washington

Arla Keiser and Bessie L.  
Keiser, his wife  
601 L. Street  
Hoquiam, Washington

M. H. West and Jane Doe  
West, his wife  
614 Duryea  
Raymond, Washington

M. A. Anderson and Jane  
Doe Anderson, his wife  
314-1/2 8th Street  
Hoquiam, Washington

Richard A. West and Jane  
Doe West, his wife  
614 Duryea Street  
Raymond, Washington

Albert B. Philbrick and  
Jane Doe Philbrick, his wife  
332 Karr Avenue  
Hoquiam, Washington

O. D. Busick and Jane  
Doe Cusick, his wife  
Mayfield, Washington

Harold M. Lemmer and Jane  
Doe Lemmer, his wife  
3720 East G. Street  
Tacoma, Washington

D. F. Haskell and Jane Doe  
Haskell, his wife  
712 North Stadium Way  
Tacoma, Washington

George H. Borton and Jane  
Doe Borton, his wife  
Rt. 1 Box 126  
Olympia, Washington

Melvin L. Anderson and Jane  
Doe Anderson, his wife  
2531 South Ainsworth  
Tacoma, Washington

Lillian I. Adolfson and John  
Doe Adolfson, her husband  
2159-1/2 Harbor Avenue  
Seattle 6, Washington

George T. Nelson and Ethel  
Nelson, his wife  
c/o Lloyd A. Sachs  
Rt. 3 Box 110 A  
Chehalis, Washington

Lloyd A. Sachs and Vera Sachs,  
his wife  
Rt. 3 Box 110 A  
Chehalis, Washington

Ernie S. Webb and Julia M. Webb,  
his wife  
Star Route Box 200  
Tacoma, Washington

Jack A. Clary and Jane  
Doe Clary, his wife  
5502 Ferdinand Street  
Seattle 8, Washington

Elbert H. Lawrence and  
Jane Doe Lawrence, his wife  
420 Fillmore Street  
Hoquiam, Washington

John B. White and Doris E.  
White, his wife  
411 Becker Building  
Aberdeen, Washington

State of Washington  
Olympia, Washington

Willard F. Japhet and  
Maude Japhet, his wife  
Rt. 11 Box 362  
Olympia, Washington

G. E. Inmon and Jane  
Doe Inmon, his wife  
1201 Ward Street  
Centralia, Washington

Jack M. Yenne and Jane Doe  
Yenne, his wife  
634 7th Avenue  
Kirkland, Washington

James D. Kramer and Jane Doe  
Kramer, his wife  
305 Pontius Avenue N.  
Seattle, Washington

Kirby A. Kyes  
Wayne D. Kyes  
Trudy Jean Kyes  
Rt. 4 Box 588  
Olympia, Washington

Alex Revel and Jane Doe  
Revel, his wife  
Box 334  
McCleary, Washington

Arthur T. Glanville and  
Jane Doe Glanville, his wife  
806 9th Avenue  
Edmonds, Washington

K. E. White and Jane Doe  
White, his wife  
1030 Carlyon Avenue  
Olympia, Washington

Wm. A. Phillips and Jane  
Doe Phillips, his wife  
Rt. 9 Box 34  
Olympia, Washington

Curtis G. Smith and Jane  
Doe Smith, his wife  
340 Chenault  
Hoquiam, Washington

Louie Larson and Elizabeth L.  
Larson, his wife  
1013 West Schley  
Aberdeen, Washington

Tumwater Council  
Boy Scouts of America  
a corporation  
220 East Fifth  
Olympia, Washington

T. M. McBride and Belle  
McBride, his wife  
Rt. 11,  
Olympia, Washington

Warren Whited and Jane Doe  
Whited, his wife  
2606 North Wilson Way  
Stockton 5, California

Daniel R. Donley and Jane  
Doe Donley, his wife  
Rt. 2 Box 126  
Olympia, Washington

R. C. Liedtke and Jane Doe  
Liedtke, his wife  
1116 East 5th Avenue  
Olympia, Washington

Hallie D. Kyes and Jane  
Doe Kyes, his wife  
Rt. 4 Box 588  
Olympia, Washington

W. H. Anderson and Jane  
Doe Anderson, his wife  
1214 1/2 Thomas  
Seattle 9, Washington

Charles Glasscock and Jane  
Doe Glasscock, his wife  
4101 20th Avenue S. W.  
Seattle 6, Washington

Carl G. Hocker and Mary  
Annette Hocker, his wife  
13606 3rd Avenue N. E.  
Seattle, Washington



William P. Joslin and Violet R.  
Joslin, his wife  
Cove,  
Vashon Island, Washington

Clarence L. Wiederhold and  
Hazel M. Wiederhold, his wife  
4721 Fauntleroy  
Seattle, Washington

Robert Lee Wetter and Muriel  
Wetter, his wife  
17962 Aurora Avenue  
Seattle 33, Washington

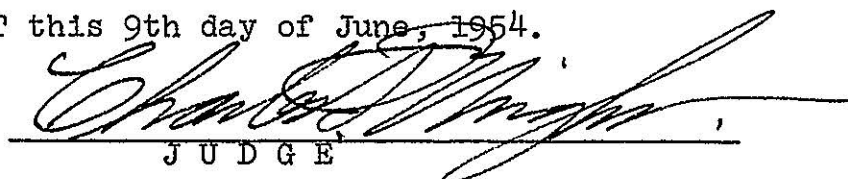
IT IS FURTHER ORDERED that a copy of this order be published in the Nisqually Valley News, a newspaper of general circulation in Thurston County for six successive weeks commencing with the 10th day of June, 1954.

IT IS FURTHER ORDERED that all persons owning property abutting upon Lake Summit be and appear before the above entitled court at the time and place above indicated to be heard on the petition of the petitioners named, to which petition reference is hereby made, and the content thereof is by this reference incorporated herein as though set forth at length herein, and in event of their failure to so appear, judgment will be granted in accordance with the prayer of the petition fixing the proper and certain level of Lake Summit at 2.4 feet on that certain Stadia Gauge located on a piling in the pier adjacent to Government Lot 3, Section 13, Township 18 North, Range 4 West, W.M.

IT IS FURTHER ORDERED that the copy of this order and the copy of the petition to be served upon the persons above named need not be certified and may be either typewritten or mimeographed.

IT IS FURTHER ORDERED that proof of publication of this order shall be made by an affidavit of the publisher or printer of said newspaper and proof of service by mail shall be made by a written affidavit showing the name and address of the person so served and the date of such mailing.

DONE IN OPEN COURT this 9th day of June, 1954.

  
J U D G E

BRODIE & FRISTOE  
Attorneys for Petitioners  
205 Capitol Park Building  
Olympia, Washington



JUN 9 11 52 AM '51

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

IN THE MATTER OF THE FIXING  
OF THE LEVEL OF LAKE SUMMIT,  
SITUATE IN THURSTON COUNTY,  
STATE OF WASHINGTON.

NO. 28006

PETITION OF OWNERS OF REAL  
PROPERTY ABUTTING ON LAKE SUMMIT  
FOR AN ORDER PROVIDING FOR THE  
REGULATION OF THE OUTFLOW AND  
FIXING THE WATER LEVEL OF SAID  
LAKE.

Come now T. J. McBride, Roger Eide, Earl B. Johnson, Willard F. Japhet, Tumwater Council, Boy Scouts of America, a corporation, George H. Borton, R. P. Germain, Thomas T. Craigen, Alfred F. Finney and Robert L. Upham, all being owners of real property abutting on Lake Summit, a fresh water lake, located in Thurston County, State of Washington, and petitioning this Honorable Court, respectfully represent and allege as follows:

I.

That the petitioners herein above named are the owners of real property abutting on Lake Summit, a fresh water lake which is located in Thurston County, State of Washington. That said Lake Summit is a meandered lake and is located in Sections 12 and 13 of Township 18 North, Range 4 West of the Willamette Meridian, and Sections 7, 8 and 18 of Township 18 North, Range 3 West of the Willamette Meridian, located in said Thurston County, State of Washington.

II.

That said Lake Summit is not navigable from the sea and has not for some years been used for any commercial purpose whatsoever other than resort purposes; that at one time a portion of said lake was used for rafting and booming logs for a sawmill located on the said lake; that said sawmill has not been used for many years. That the fixing of the level of the lake at the level herein proposed will not in any way interfere with the navigability of the said lake in the event the same is navigable, although it is the belief

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of the parties hereto that the said lake is not navigable.

III.

That it is the purpose of the parties hereto in seeking a regulation of the level of the said lake to improve the culture of fish in said lake; that the State of Washington, through its Department of Fisheries, has stocked the said lake with game fish and has announced plans to install a spillway and fish screen at the outlet of said lake if an order fixing the level of the lake and regulating the outflow is entered in this proceeding. That the spillway proposed would be fixed to regulate the level of the lake in accordance with the order of the court entered herein.

IV.

The cost of the said spillway and fish screen, the construction of which is proposed, will be carried by the State of Washington through its Department of Fish and Game in accordance with its present proposed plan for the development of Summit Lake. That the plans proposed by the State of Washington Department of Fisheries provide a reasonable and adequate plan for the control of the level of Summit Lake and the regulation of the outflow therefrom so that the same could be properly controlled in accordance with the order of this court.

V.

That said Lake Summit is wholly fed by drainage from its watershed and by seepage from subterranean springs; that said lake has but one outlet which is located at the West end of the lake; that the capacity of the creek flowing out of said lake is sufficient to properly maintain the level of the lake, but the spillway area of the lake is constantly being clogged by debris and by beaver dams, thus restricting the outflow and causing the level of the lake to make radical and serious changes of level during different seasons of the year.

VI.

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That there is ~~attached~~ hereto, marked Exhibit "A" and by reference incorporated herein as though fully set forth herein, a complete description of the individual property ownerships, of the real property abutting on Lake Summit with the number of front feet contained in each tract and the names and addresses of the respective owners of such tracts as the same are shown on the public records of Thurston County in the office of the Assessor of Thurston County.

VII.

That it is necessary to establish and legally fix a proper level for Lake Summit for the protection and conservation of the property abutting on the shores of said lake and for the purpose of providing a fixed level for the installation of the spillway at the entrance thereto; that a majority of the property owners of the real property abutting on said lake have determined the level of said lake which seems most desirable for the benefit of all persons owning property thereon; that said persons have requested the State of Washington Department of Fisheries to legally define said level; that the State of Washington Department of Fisheries has located a stadia gauge on a piling located in the water in said lake on the pier abutting Government Lot 3 in Section 13, Township 18 North, Range 4 West of the Willamette Meridian; that the proper level of said lake as so determined is at 2.4 feet on the said stadia gauge.

WHEREFORE, your petitioners respectfully request and petition this Court as follows:

1. For the entry of an order herein fixing the time and place for the hearing of this petition and directing that notice shall be given to the respective property owners, whose property is adjacent to and abutting upon Lake Summit as is herein set forth in Exhibit "A" hereto, and to the Director of the Department of Fisheries and the Supervisor of Hydraulics of the State of Washington and to the

County Commissioners of the County of Thurston, State of Washington, and provided further that such notice shall be given to each and all of said persons by service upon them of a copy of the said order in the manner and in the form provided for therein.

2. That the Court make and enter herein its order fixing and determining the proper certain water level of Lake Summit at the level reaching 2.4 feet on the stadia gauge located on the piling forming a portion of the pier abutting on Government Lot 3, Section 13, Township 18 North, Range 4 West of the Willamette Meridian, which said Government Lot 3 is now owned by the Tumwater Council, Boy Scouts of America.

3. That the Court enter its order herein authorizing the construction of the dam, spillway and fish screen proposed for construction by the State of Washington Department of Fisheries and referred to herein.

4. For an order authorizing the Supervisor of Hydraulics of the State of Washington to thereafter regulate and control the outflow of Lake Summit to maintain the determined proper and certain level of said lake.

5. That the Court grant to the petitioners herein such other and further relief as the Court may determine proper in the premises.

BRODIE & FRISTOE  
Attorneys for Petitioners.  
205 Capitol Park Building  
Olympia, Washington.

STATE OF WASHINGTON }  
County of Thurston } ss.

T. J. McBRIDE, being first duly sworn upon oath, deposes and says: That I am one of the petitioners in the above and foregoing petition; that I have read the foregoing Petition, know the contents thereof and believe the same to be true; that I am authorized by the other petitioners to verify this petition for and on their behalf and I do verify the same for said other petitioners.

T. J. McBride

Subscribed and sworn to before me this 2nd day of June, 1954.

Donald R. Smith

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

# EXHIBIT "A"

The owners of the real property surrounding and adjacent to Lake Summit, together with the approximate number of front feet included in the tract owned and together with the best known address of the owners are as follows:

<u>Name and Address</u>	<u>Description of Tract</u>	<u>No. of Front Feet</u>
E. E. Stover and Jane Doe Stover, his wife 2703 Riverview Drive Aberdeen, Washington	Lots 1 and 2	100
Weyerhaeuser Timber Company Tacoma, Washington	Lots 3 and 4	100
Floyd W. Japhet and Grace Japhet, his wife Route 11, Box 377 Olympia, Washington	Lots 5, 6 and 7	150
Robert Worland and Jane Doe Worland, his wife P.O. Box 10 McCleary, Washington	Lots 8 and 9	100
Donald M. Vestal and Jane Doe Vestal, his wife Route 2 Elma, Washington	Lots 10 and 11	100
Leon O. Boling and Jane Doe Boling, his wife McCleary, Washington	Lot 12	50
Robert R. Sheets and Jane Doe Sheets, his wife P.O. Box 574 Elma, Washington	Lot 13	50
Earle Bland and Jane Doe Bland, his wife Box 162 McCleary, Washington	Lot 14	50
William E. Jenkins and Jane Doe Jenkins, his wife McCleary, Washington	Lot 15	50
Edward F. Biers and Evelyn Biers, his wife P.O. Box 256 McCleary, Washington	Lot 16	50
Earl B. Johnson and Elvera K. Johnson, his wife P.O. Box 445 Yelm, Washington	Lots 17, 18 and 19	150

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Albert B. Burdick and Mary Burdick, his wife 460 Wendell Street Crescent City, California	Lot 20	50
Harvey D. Thompson and Thelma Thompson, his wife Route 1, Box 132 Yelm, Washington	Lot 21	50
Rex P. Eide and Doris Eide, his wife General Delivery Lacey, Washington	Lot 22	50
Roger Eide and Marjorie Eide, his wife P.O. Box 226 Yelm, Washington	Lots 23 and 24	100
Oscar Eide and Inah Eide, his wife Yelm, Washington	Lots 25 and 26	100
W. R. Graham and Jane Doe Graham, his wife <del>114-1/2</del> 4th Street Elma, Washington	Lots 27 and 28	100
Paul E. Eygabord and Jane Doe Eygabord, his wife P.O. Box 397 McCleary, Washington	Lot 29	50
William A. Jones and Jane Doe Jones, his wife Route 11, Box 382 Olympia, Washington	Lot 30	50
Emil A. Bertsch and Jane Doe Bertsch, his wife Route 3, Box 382 Olympia, Washington and	Lot 31	50.1
James A. Miller and Jane Doe Miller, his wife 3402 South Tyler Tacoma, Washington		
Van M. Christman and Jane Doe Christman, his wife 5412 North 30th Tacoma, Washington	Lot 32	50
Claude Mayes and Jane Doe Mayes, his wife 1322-1/2 Lincoln Street Hoquiam, Washington	Lot 33	50.1
Russell Turner and Jane Doe Turner, his wife 1128 Lincoln Street Hoquiam, Washington	Lot 34	50.1

H. Y. Turner and Jane Doe Turner, his wife 223 K Street Hoquiam, Washington	Lot 35	50
Edwin Malkinus and Jane Doe Malkinus, his wife No. 2 "O" Street Hoquiam, Washington	Lot 36	50
P. W. Fry and Jane Doe Fry, his wife 1821 Riverside Avenue Hoquiam, Washington	Lot 37	50
Ray Ross and Jane Doe Ross, his wife 25 O Street Hoquiam, Washington	Lot 38	50
Minor Stuart and Jane Doe Stuart, his wife 806 East Wishkah Aberdeen, Washington	Lot 39	50.1
William A. Guest and Jane Doe Guest, his wife 1284 West Orchard Street Seattle, Washington	Lots 40 and 41	100.3
Warren Simmons and Jane Doe Simmons, his wife 2616 Hillside Drive Olympia, Washington	Lots 42, 43, 44 and 45	200.1
Mary McCallum and John Doe McCallum, her husband P.O. Box 745 Olympia, Washington	Lot 46	50
Melvin A. Paulson and Jean V. Paulson, his wife P.O. Box 226 McCleary, Washington	Lot 47	50
Vernon E. Downs and Jane Doe Downs, his wife Route 2, Box 145 Elma, Washington	Lot 48	50
Alex Craigen and Bessie Craigen, his wife Route 1, Box 3002 Portland 66, Oregon	Lot 49	50
Thomas T. Craigen and Jane Doe Craigen, his wife Route 11, Box 384 Olympia, Washington	Lot 50	50
Marvin Curl and Jane Doe Curl, his wife Route 11, Box 380 Olympia, Washington	Lot 51	50

Melvin Van Orman and Jane Doe Van Orman, his wife Route 2, Box 167 Elma, Washington	Lot 52	50.1
Spirro Damis and Jane Doe Damis, his wife 6613 South Wapato Tacoma, Washington	Lots 53 and 54	100
Frank J. Davies and Jane Doe Davies, his wife 7 Kitsap Place Lincoln Heights Tacoma, Washington	Lot 55	50
F. W. Vandenheuvel and Jane Doe Vandenheuvel, his wife 2408 Railroad Avenue South Tacoma, Washington and	Lots 56 and 57	100
E. F. Vandenheuvel and Jane Doe Vandenheuvel, his wife 2408 Railroad Avenue South Tacoma, Washington		
Layton D. Palmer and Jane Doe Palmer, his wife P.O. Box 122 Olympia, Washington	Lot 58	50
A. C. Miller, Jr. and Jane Doe Miller, his wife P.O. Box 136 Oakville, Washington	Lot 59	50
Oscar Eide and Ina Eide, his wife P.O. Box 137 Yelm, Washington	Lots 60 and 61	100
Mrs. Edna Buchanan Yelm, Washington	Lots 62 and 63	100
Donald J. Zurfluh and Jane Doe Zurfluh, his wife 5409 South Pine Tacoma, Washington	Lots 64	50
Mountain Development Co. Tacoma Building Tacoma, Washington	Lots 65 and 66	100.1
Harold L. Schneider and Jane Doe Schneider, his wife 1458 - 6th Street Chehalis, Washington	Lot 67	50
Fred A. Hatch and Elvera Hatch, his wife 1519 West Dickenson St. Olympia, Washington	Lot 68	50

John Loren Backman and Jane Doe Backman, his wife 927 North Bethel Olympia, Washington	Lot 69	50
Gordon Hemminger and Jane Doe Hemminger, his wife 105 South 40th Tacoma, Washington	Lots 70 and 71	100
M. Earl Wood Sr. and Jane Doe Wood, his wife Route 11, Box 712 Olympia, Washington	Lots 72 and 73	100
Lewis W. Bell and Jane Doe Bell, his wife 9672 Bridgeport Way Tacoma, Washington	Lot 74	50
John B. Firmin and Jane Doe Firmin, his wife 102 South 56th Street Tacoma, Washington	Lots 75 and 76	100.3
John C. Schneider and Betty E. Schneider, his wife 521 Dearborn Street Shelton, Washington	Lot 77	50
Leonard J. Schneider and Marjorie Schneider, his wife 1506 West Second Street Aberdeen, Washington	Lot 78	50
Alton J. Eldred and Jane Doe Eldred, his wife 1619 North B Street Aberdeen, Washington	Lot 79	50
L. M. Eldred and Jane Doe Eldred, his wife 2513 Sumner Avenue Aberdeen, Washington	Lot 80	50
Homer G. Burkhamer and Jane Doe Burkhamer, his wife 311 - 7th Street Hoquiam, Washington	Lots 81, 82, 83 and 84	200.4
R. H. Noble and Jane Doe Noble, his wife 16822 Military Road Seattle 88, Washington	Lot 85	50
John A. Shaw and Jane Doe Shaw, his wife 1249 S.W. 151st Street Seattle 66, Washington	Lot 86	50
Alfred Finney and Jane Doe Finney, his wife 13360 48th Avenue South Seattle 88, Washington	Lot 87	50

R. W. McDonald and Jane Doe McDonald, his wife 13346 - 47th South Seattle 88, Washington	Lot 88	50
Louis W. Hutton and Jane Doe Hutton, his wife P.O. Box 65 Vail, Washington	Lot 89	50
Robert L. Upham and Jane Doe Upham, his wife 1160 149th Avenue S. W. Seattle 66, Washington	Lot 90	50
Neona B. Shepherd and John Doe Shepherd, her husband 8650 45th Avenue South Seattle, Washington	Lot 91	50
R. D. Zurfluh and Jane Doe Zurfluh, his wife 701 Pennimon Street DuPont, Washington	Lot 92	50
R. K. Walburn and Jane Doe Walburn, his wife 401 Loviers Street DuPont, Washington	Lot 93	50
Jack A. McCray and Jane Doe McCray, his wife 3615 Whitman Avenue Seattle, Washington	Lot 94	50
Larry Rucker and Jane Doe Rucker, his wife 3902 South 19th Street Tacoma, Washington	Lot 95	50
Leymoine L. Irwin and Jane Doe Irwin, his wife 1247 S.W. 116th Seattle 66, Washington	Lot 96	50
Elmer F. DePaul and Jane Doe DePaul, his wife 4035 East E Street Tacoma, Washington	Lot 97	50
Clifford E. Jakle and Jane Doe Jakle, his wife 115 South 56th Street Tacoma, Washington	Lot 98	50
Fred P. Moore and Jane Doe Moore, his wife Route 1, Box 1797 Kent, Washington	Lot 99	54.9
Dan J. Gerontis and Jane Doe Gerontis, his wife 3618 East Spokane Street Tacoma, Washington	Lot 100	73.9

Mountain Development Company      Lots 101 and 102      218.8  
Tacoma Building  
Tacoma, Washington

All of said lots being lots in North Shore of Summit Lake, according to the plat thereof on file in the office of the Auditor of Thurston County.

Georgia G. Lamson and John Doe Tract 1      57.81  
Lamson, her husband  
4408 North 9th  
Tacoma, Washington

Melvin D. Bouslog and Jane      Tracts 2 and 3      107  
Doe Bouslog, his wife  
16638 DesMoines Way  
Seattle 88, Washington

R. J. Rayan and Jane      Tract 4      50  
Doe Rayan, his wife  
3303 East K Street  
Tacoma, Washington

R. J. Smith and Jane Doe      Tracts 5 and 6      100.14  
Smith, his wife  
Route 4, Box 315-B  
Tacoma, Washington

Anne C. Draper and John Doe      Tracts 7 and 8      100  
Draper, her husband  
2728 S.E. 52nd  
Portland, Oregon

Kristofer Troseth and Jane      Tract 9      50  
Doe Troseth, his wife  
511 North L. Street  
Tacoma, Washington

Arthur T. Taylor and Jane      Tract 10      50  
Doe Taylor, his wife  
16638 DesMoines Way  
Seattle 88, Washington

TMC Wm. J. Brown and Jane      Tract 11      50  
Doe Brown, his wife  
U.S.S. Nerius AS 17  
Fleet P.O.  
San Francisco, California

Andrew W. Lewis and Jane      Tract 12      50  
Doe Lewis, his wife  
9252 47th S.W.  
Seattle, Washington

Fred B. Japhet and Jane Doe      Tracts 13 and 14      100  
Japhet, his wife  
Route 1, Box 124  
Olympia, Washington



Willard F. Japhet and Jane Doe Japhet, his wife Route 11, Box 362 Olympia, Washington	Tracts 15, 16, 17 and 18	200
Weyerhaeuser Timber Company Tacoma Building Tacoma, Washington	Tract 19	50
W. F. Richards and Jane Doe Richards, his wife Route 4, Box 1010 Roseburg, Oregon	Tract 20	50
Robt. C. Becken and Jane Doe Becken, his wife Route 1, Box 203 Montesano, Washington	Tracts 21 to 24	201.14
Ralph Spears and Jane Doe Spears, his wife 2724 Aberdeen Avenue Hoquiam, Washington	Tracts 25 and 26	191.35
William T. Bland and Jane Doe Bland, his wife 952 North Division Aberdeen, Washington	Tracts 27 to 30	200
George W. Peret and Jane Doe Peret, his wife 7204 North McKenna Portland 3, Oregon	Tracts 31 and 32	100
Eugene E. Yarrow and Jane Doe Yarrow, his wife 516 Burleigh Aberdeen, Washington	Tracts 33, 34, 35.	152.77
William O. Booher and Jane Doe Booher, his wife Route 11, Box 363 Olympia, Washington	Tracts 36, 37, 38.	163.89
R. P. Germain and Clara Germain, his wife Route 11, Box 364 Olympia, Washington	Tracts 39, 40 and 41	252.92
R. C. Fenner and Jane Doe Fenner, his wife 722 Terrace Avenue Aberdeen, Washington	Tract 42	74.75
John M. Musser and Jane Doe Musser, his wife 864 South 84th Street Tacoma, Washington	Tract 43	75
L. O. Boling and Jane Doe Boling, his wife McCleary, Washington	Tract 44	75.22

E. C. Einert and Jane Doe Einert, his wife Box 241 McCleary, Washington	Tract 45	81.35
R. B. Robbins and Jane Doe Robbins, his wife P.O. Box 202 McCleary, Washington	Tract 46	75
Robert Clubb and Jane Doe Clubb, his wife Box 154 Willapa, Washington and Floyd Tull and Jane Doe Tull, his wife Box 154 Willapa, Washington	Tract 47	70.01
Arla Keiser and Bessie L. Keiser, his wife 601 L Street Hoquiam, Washington and Robert E. Keiser and Verona Keiser, his wife 601 L Street Hoquiam, Washington	Tract 48	73.92
M. H. West and Jane Doe West, his wife 614 Duryea Raymond, Washington	Tract 49	65
F. Wetzel and Jane Doe Wetzel, his wife 314-1/2 8th Street Hoquiam, Washington and M. A. Anderson and Jane Doe Anderson, his wife 314-1/2 8th Street Hoquiam, Washington	Tracts 50 and 51	112.17
Helmer J. Hansen and Jane Doe Hansen, his wife Box 141 Raymond, Washington	Tract 52	53.14
Richard A. West and Jane Doe West, his wife 614 Duryea Street Raymond, Washington	Tracts 53 and 54	100.44
L. E. Philbrick and Jane Doe Philbrick, his wife 436 Eklund Hoquiam, Washington	Tract 55	50.16
Albert B. Philbrick and Jane Doe Philbrick, his wife 332 Karr Avenue Hoquiam, Washington	Tract 56	50.80

Lewis E. Philbrick and Jane Doe Philbrick, his wife 436 Eklund Street Hoquiam, Washington	Tract 57	50.80
O. D. Cusick and Jane Doe Cusick, his wife Mayfield, Washington	Tract 58	52.05
A. Ambrose and Jane Doe Ambrose, his wife 422 East 35th Tacoma, Washington	Tract 59	50.14
Harold M. Lemmer and Jane Doe Lemmer, his wife 3720 East G Street Tacoma, Washington	Tract 60	50.61
Ervin D. Auer and Jane Doe Auer, his wife Kamiah, Idaho	Tracts 61 to 64	204.39
D. F. Haskell and Jane Doe Haskell, his wife 712 North Stadium Way Tacoma, Washington	Tracts 65 and 66	100.03
George H. Borton and Jane Doe Borton, his wife Route 11, Box 365 Olympia, Washington	Tract 67	50.0.
George H. Borton and Jane Doe Borton, his wife Route 1, Box 126 Olympia, Washington	Tract 68	50
Albert M. Johnson and Jane Doe Johnson, his wife 6240 South Alder Tacoma, Washington	Tracts 69 and 70	100
Melvin L. Anderson and Jane Doe Anderson, his wife 2531 South Ainsworth Street Tacoma, Washington	Tracts 71 and 72	104.44
Clarence H. Clymer and Jane Doe Clymer, his wife 620 South Hawthorne Tacoma, Washington	Tracts 73 and 74	193.21
Lillian I. Adolfson and John Doe Adolson, her husband 2159-1/2 Harbor Avenue Seattle 6, Washington	Tract 75	71.12
Alfred Forey and Jane Doe Forey, his wife 547 South 160th Seattle, Washington	Tract 76	103.26

George T. Nelson and Ethel Nelson, his wife c/o Lloyd A. Sachs Route 3, Box 110 A Chehalis, Washington and Lloyd A. Sachs and Vera Sachs, his wife Route 3, Box 110 A Chehalis, Washington	Tract 77	50
K. E. White and Jane Doe White, his wife 1030 Carlyon Olympia, Washington	Tracts 78, 79 and 80 less the North 10 feet of Tract 80	154.4
Ernie S. Webb and Julia M. Webb, his wife Star Route, Box 200 Tacoma, Washington	Tract 81 and the North 10 feet of Tract 80	107.01
Wm. A. Phillips and Jane Doe Phillips, his wife Route 9, Box 34 Olympia, Washington	Tract 82	210
Ervin D. Auer and Jane Doe Auer, his wife Kamiah, Idaho	Tract 83	105.1
Jack A. Clary and Jane Doe Clary, his wife 5502 Ferdinand Street Seattle 8, Washington	Tract 84	105
Curtis G. Smith and Jane Doe Smith, his wife 340 Chenault Hoquiam, Washington	Tract 85	150
Elbert H. Lawrence and Jane Doe Lawrence, his wife 420 Fillmore Street Hoquiam, Washington	Tract 86	100
Louie Larson and Elizabeth L. Larson, his wife 1013 West Schley Aberdeen, Washington and John B. White and Doris E. White, his wife 411 Becker Building Aberdeen, Washington	Tract 87	137.93
All of said tracts being tracts in Summit Lake Tracts, according to the plat thereof on file in the office of the Auditor of Thurston County.		
Tumwater Council Boy Scouts of America 220 East Fifth Olympia, Washington	Gov't. Lot 3, Section 13, Township 18 North, Range 4 West, W.M.	1320

State of Washington  
Olympia, Washington  
and

T.M. McBride and Belle  
McBride, his wife  
Route 11  
Olympia, Washington  
and

Willard F. Japhet and  
Maude Japhet, his wife  
Route 11, Box 362  
Olympia, Washington  
and

Warren Whited and Jane  
Doe Whited, his wife  
2606 North Wilson Way  
Stockton, 5, California  
and

G. E. Inmon and Jane Doe  
Inmon, his wife  
1201 Ward Street  
Centralia, Washington  
and

Daniel R. Donley and  
Jane Doe Donley, his wife  
Route 2, Box 126  
Olympia, Washington  
and

Jack M. Yenne and Jane  
Doe Yenne, his wife  
634 7th Avenue  
Kirkland, Washington  
and

R. C. Liedtke and Jane  
Doe Liedtke, his wife  
1116 East 5th  
Olympia, Washington  
and

James D. Kramer and Jane  
Doe Kramer, his wife  
305 Pontius Avenue N.  
Seattle 9, Washington  
and

Hallie D. Kyes and  
Jane Doe Kyes, his wife  
Route 4, Box 588  
Olympia, Washington  
and

Kirby A. Kyes  
Wayne D. Kyes  
Trudy Jean Kyes  
Route 4, Box 588  
Olympia, Washington  
and

W. H. Anderson and Jane Doe  
Anderson, his wife  
1214-1/2 Thomas  
Seattle 9, Washington  
and

Alex Revel and Jane Doe  
Revel, his wife  
Box 334  
McCleary, Washington  
and

Charles Glasscock and  
Jane Doe Glasscock, his wife  
4101 - 20th Avenue S.W.  
Seattle 6, Washington

Government Lot 6, 1503.25  
Section 13, Township  
18 North, Range 4 West,  
W.M.

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lot 5,  
Section 7, Township  
18 North, Range 3  
West, W.M. less that  
portion thereof in-  
cluded in the plat  
North Shore Lake Summit 111.5

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lots 6 and 7,  
Section 7, Township 2640  
18 North, Range 3 West  
W.M.

Arthur T. Glanville and  
Jane Doe Glanville, his wife  
806 - 9th Avenue  
Edmonds, Washington

Government Lot 8,  
Section 7, Township 620  
18 North, Range 3  
West, W.M.

Mountain Development Co.  
Tacoma Building  
Tacoma, Washington

Government Lots 1, 2, 8305  
3, 4, 5, 7 and 8,  
Section 8, Township 18  
North, Range 3 West,  
W.M.

All of the real property listed in the name of Mountain Development Co. and the property listed in the name of Weyerhaeuser Timber Company above has been transferred or is subject to an agreement for transfer from said corporations to the following named individuals whose best-known addresses are as indicated:

Carl G. Hocker and Mary Annette  
Hocker, his wife  
13606 - 3rd Avenue N. E.  
Seattle, Washington

William P. Joslin and Violet  
R. Joslin, his wife  
Cove,  
Vashon Island, Washington

Clarence L. Wiederhold and  
Hazel M. Wiederhold, his wife  
4721 Fauntleroy  
Seattle, Washington

Robert Lee Wetter and Muriel  
Wetter, his wife  
17962 Aurora Avenue  
Seattle 33, Washington