Patrick and Kathryn Townsend
7700 Earling Street NE
Olympia, WA 98506

March 30, 2015

Tony Kantas, Senior Planner
Thurston County Planning Department
2000 Lakeridge Drive SW
Olympia, WA 98502-6045

Subject: Application by Pacific Northwest Aquaculture for geoduck farm in Zangle Cove estuary; JARPA Application # 2014108800; Parcel #12911440102; Historical use of the Zangle Cove tidelands. Not an Historical Oyster Aquaculture Area

Dear Mr. Kantas,

In section 9j, Page 10 of the JARPA permit is this statement about the historical use of the tidelands in the Project Area:

> 9j. If you know what the property was used for in the past, describe below.
>
> > "Zangle Cove was previously used for a commercial oyster aquaculture."

In Section 3.2, Subsection "Baseline Conditions in the Project Area", Page 9, Paragraph 4 of the Biological Evaluation by Acera LLC is this statement about the historical use of the tidelands in the Project Area:

> "There is currently no commercial aquaculture, but Zangle Cove was a historic shellfish farming area for oysters.

Historical records do not support these statements. (See Attachment)

The State of Washington placed four sections of tidelands in the Zangle Cove area for sale in the early 1900s. The Department of Natural Resources historical archive identifies these four areas in case file numbers 3758, 4659, 6864 and 8410.

In case numbers 3758, 4659 and 8410 the Application To Purchase Shore, Tide, and Oyster Lands of the Second Class include this definition of oyster lands:

> "Oyster lands are lands deemed suitable for the cultivation of oysters. Natural oyster beds cannot be sold. Any person desiring to purchase such oyster lands shall cause he same to be surveyed at his own expense, and shall file a plat of said land and his application to purchase with the Commissioner

of Public Lands, and a description in duplicate with the Board of State Land Commissioners, who can then refer the same to the country board of oyster land commissioners (or to the State Fish Commissioner where there is no board) for report thereon. When said plat and description are examined and approved, one copy of the description and plat will be filed with the Commissioners and one copy will be sent to the auditor of the county in which such lands are situated. The Commissioner will then proceed to advertise same, at applicant's expense, for a period of three weeks, and if no protest or contest be filed within thirty days from the date of last publication, then such applicant shall be deemed to have prior right of purchase of such oyster land at the rate of $1.25 per acre, and may pay the full purchase price and obtain deed, or pay one-fourth thereof and enter into a contract with the state to pay the balance in three annual installments on March 1st of each year, with interest at eight per cent. Per annum on all deferred payments."

The applicants for the purchase of these tidelands asserted their unsuitability for aquaculture in their signed applications (emphasis added):

> "In support of the above application, I do solemnly swear that I, [NAME] am a citizen of the United States; that the [TIDE] land herein applied for is not situated in front of or within two middles of the corporate limits of any incorporated city or town, or in front of any lands reserved by the United States for military or lighthouse purposes; **that there are no natural or artificial oyster beds on the land herein described, nor is the same in any state oyster bed reserve; that said land is [NOT] suitable for the cultivation of oysters,** and that said [TIDE] land is located below the government meander line and above the line of ordinary low tide."

The fourth application number 6864 uses a different format for the application. This is most likely because the application is for tideland between mean and extreme low tide. This was common for later applications that connected existing tidelands from high tide to extreme low tide. The same assertion excluding oyster land is made in on Page 2, Paragraph 1 of Certificate 2596 attached to the application file:

> "… except such portion thereof as may have been previously sold by the State of Washington and conveyed as oyster lands;"

This statement clearly affirms that the lands involved in this potion of the sale are not oyster lands.

In further support of the assertion that there is no historical use of the tidelands near the Project Area for aquaculture, Mr. John Marshall, author of "A History of The Boston Harbor and Gull Harbor Area", states:

> "There was no aquaculture in Boston Harbor or Zangle Cove, but there was historical fishing for shrimp in Boston Harbor (a shrimp cannery was located

at Dofflemyer Point) and a natural sand spit/ fish trap (no longer there) was situated just south of Dover Point on the west side of Zangle Cove, which was used by Native Americans, as shown on an 1873 map, of which I have a copy."

Lastly, neighbors who have lived on Zangle Cove for more than 50 years have indicated the absence of any use of the Zangle Cove tidelands for commercial aquaculture.

Because the State of Washington originally sold these tidelands expressly for non-aquaculture (oyster) use, it is reasonable to believe that the intended use of these tidelands was for private and recreational use, not commercial aquaculture. The Zangle Cove freshwater estuary was neither intended for commercial aquaculture, nor used for that purpose. It should remain non-commercial in nature.

Sincerely,

Patrick and Kathryn Townsend

Attached: Historical Applications of Sales of Relevant Tidelands from the State of Washington to private parties, 1903-1927

CC:
Cindy Wilson, Thurston County Senior Planner
Jeremy Davis, Thurston County Senior Planner
Michael Kain, Thurston County Planning Manager
Christy Osborn, Thurston County Associate Planner
Scott McCormick, Thurston County Associate Planner
Pamela Sanguinetti, Army Corps of Engineers, Seattle Regional Office

on oath depose.....and say, that the shore land herein applied for is wholly located below the government meander line and that the waters in front of such shore lands are not subject to tidal flow.

Subscribed and sworn to before me this.....day of.....A. D.....

Notary Public in and for the State of.....residing at.....

$10.00 No. 8768

County of Thurston

Application to Purchase Shore Tide Oyster Lands

(Second Class)

E. S. Morton

Applicant.

Filed SEP 15 1903

Copy furnished

Notice mailed

Date appraised Sep. 30-1903

Date of Sale Dec 19- "

Contract issued Sale Certified Feb 2 04

S. A. Callvert

Commissioner of Public Lands

PIONEER B'DY. & P'TG. CO., TACOMA—15992

TIDE AND SHORE LANDS

Tide lands are of either first or second class, the former comprising all tide lands in front of or within two miles of the limits of any municipality, and all tide lands remaining unsold will be sold or leased at public auction to the highest bidder.

Applications for the purchase of second class tide or shore lands abutting on upland must be accompanied by a copy of the United States government field notes of the meander line of such upland, which must be certified by the Surveyor General of this State. A deposit of ten dollars will be required with each application. On contract being issued, the same is payable in ten instalments, due March 1st, at six per cent. interest on deferred payments.

Notice of sale at public auction must be advertised for thirty days in some newspaper designated by the Commissioner, published in the county where such lands are, and affidavit of such publication must be filed and no protest made or contest had before contract can issue.

No tide land shall be sold at public auction at less than five dollars per lineal chain along government meander line.

Where tide lands are separated from the upland by navigable waters, the applicant is required to make a survey of such land at his own expense, and file a plat and field notes of such survey with his application. The minimum price of such detached tide lands is five dollars per acre for the sale thereof, and they are leased to the highest bidder.

Shore Lands are those not subject to tidal flow, and are governed by the same provisions affecting tide lands of the second class.

OYSTER LANDS

Oyster lands are lands deemed suitable for the cultivation of oysters. Natural oyster beds cannot be sold. Any person desiring to purchase such oyster lands shall cause the same to be surveyed at his own expense, and shall file a plat of said land and his application to purchase with the Commissioner of Public Lands, and a description in duplicate with the Board of State Land Commissioners, who can then refer the same to the county board of oyster land commissioners (or to the State Fish Commissioner where there is no board) for report thereon. When said plat and description are examined and approved, one copy of the description and plat will be filed with the Commissioners and one copy will be sent to the auditor of the county in which such lands are situated. The Commissioner will then proceed to advertise same, at applicant's expense, for a period of three weeks, and if no protest or contest be filed within thirty days from the date of last publication, then such applicant shall be deemed to have prior right of purchase of such oyster land at the rate of $1.25 per acre, and may pay the full purchase price and obtain deed, or pay one-fourth thereof and enter into a contract with the State to pay the balance in three annual instalments on March 1st of each year, with interest at eight per cent. per annum on all deferred payments.

(Affidavit to Accompany Application for Tide or Oyster Lands)

State of Washington, County of Thurston, ss.

This application is made with full knowledge of the character of the land applied for and of the title of the State thereto, and I hereby waive and relinquish all my right to and claim upon the State for the return of the purchase price of said land in case said land or any part thereof should be found not to be 2d Class tide *land.*

In support of the above application, I do solemnly swear that I, E. S. Horton, *am a citizen of the United States; that the* tide *land herein applied for is not situated in front of or within two miles of the corporate limits of any incorporated city or town, or in front of any lands reserved by the United States for military or lighthouse purposes; that there are no natural or artificial oyster beds on the land herein described, nor is the same in any state oyster bed reserve; that said land is not suitable for the cultivation of oysters, and that said* tide *land is located below the government meander line and above the line of ordinary low tide.**

And, therefore, I am entitled, under the laws of the State of Washington, to purchase the land above described.

E. S. Horton Agent
for Emma Horton
Applicant.

Postoffice Olympia

County of Thurston

State of Washington

Subscribed and sworn to before me this 15th *day of* September *A. D.* 1903

(SECOND CLASS)

To the Commissioner of Public Lands, Olympia, Washington:

I, E. S. Horton, of Olympia, Wash., do hereby apply to purchase that certain tract of 2nd class tide land situated in Thurston County, Washington, particularly described as follows to wit:

(a) all tide lands of the second class owned by the State of Washington situate in front of or adjacent to upon that portion of the government meander line, described as follows:-

Lots two (2) & three (3) of Section Eleven (11) & Lot One (1) of Section Fourteen in Township Nineteen (19) North of Range two (2) West

Lot 3 - 2 acs. 11 = = 68.58

Lot 1 acs. 14. = 8.36 chs -

76.94

(SECOND CLASS)

To the Commissioner of Public Lands, Olympia, Washington:

I, L. L. Griffin of Pacific, Wash., do hereby apply to purchase that certain tract of Tide land situated in Thurston County, Washington, particularly described as follows to-wit:

* all Tide lands of second class owned by The state of Washington Situate in front of the following discribed up land as follows In front of Lot (1) One section (11) Eleven Township (19) Nineteen north Range Two (2) West, Also In front of lots 1-3-4 Section 12 Township 19 North Range 2 West WM Also In front of lot 4 Section (1) One Township 19 North Range 2 West, Also in front of lots 4-5-6-& 7 and That portion of Lot 3. not already disposed of, all in Section (6) Six Township 19 North Range (1) One West. WM. Also. In front of lots 1 & 2. Section (5) five Township 19 North Range (1) One West WM.

and I hereby waive and relinquish all my right to and claim upon the State for the return of the purchase price of said land in case said land or any part thereof should be found not to be Tide land.

In support of the above application, I do solemnly swear that I, S. G. Griffin am a citizen of the United States; that the Tide land herein applied for is not situated in front of or within two miles of the corporate limits of any incorporated city or town, or in front of any lands reserved by the United States for military or lighthouse porposes; that there are no natural or artificial oyster beds on the land herein described, nor is the same in any state oyster bed reserve; that said land is not suitable for the cultivation of oysters, and that said Tide land is located below the government meander line and above the line of ordinary low tide.*

And, therefore, I am entitled, under the laws of the State of Washington, to purchase the Tide land above described.

S. G. Griffin
Applicant.

Postoffice Pacific

County of King

State of Wash.

Subscribed and sworn to before me this ..... day of ..... A. D. .....

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

NOTE.—Give postoffice address, so that any correspondence in relation to this application may reach you without any unnecessary delay.

*If this application is made for the purchase of shore land, the applicant will be required to make oath to the facts stated in the affidavit following.

(Affidavit to accompany Shore Land Application.)

State of Washington, County of ....., ss.

I, ... the applicant ..... herein, on oath depose ..... and say, that the shore land herein applied for is wholly located below the government meander line and that the waters in front of such shore lands are not subject to tidal flow.

Subscribed and sworn to before me this ..... day of ..... A. D. .....

Notary Public in and for the State of ..... residing at .....

Amended

No. 4659

Pacific Thurston

Purchase Shore Tide Oyster Lands

(Second Class)

Griffin Applicant

5. 1907

Commissioner of Public Lands.

Public Printer.—522

(SECOND CLASS)

To the Commissioner of Public Lands, Olympia, Washington:

I, S. L. Griffin of Pacific, Wash., do hereby apply to purchase that certain tract of Tide land situated in Thurston County, Washington, particularly described as follows to-wit:

*all Tide lands of second class owned by the state of Washington situate in front of the following described up land. as follows In front of Lot 1 section 11; Township 19 North Range 2 West. Also In front of lots 1-3 & 4 Section 12 Township 19 North Range 2 west Wm. Also in front of Lot 4 Section 1 Township 19. North Range 2 west. also in front of lots. 4-5-6 & 7. End That portion of Lot 3 not already disposed of all in section six Township 19 north Range 1 West. Wm.

CERTIFICATE.

No. 2596

WE HEREBY CERTIFY that, as shown by the records in the office of the Auditor of Thurston County, Washington, the Boston Harbor Railroad, Steamship and Land Company, a corporation, was on June 6, 1911, the record owner of the following Tide and Shore lands of the Second Class situate in said county, to-wit:

Tide lands of the second class lying between the Government Meander Line and the line of mean low tide, lying in front of and adjacent to the Government Meander Line in front of the following described tracts of land to-wit:

In front of Lot 3, Section 4, 21.24 lineal chains;
In front of Lot 4, Section 4, 8.87 lineal chains;
In front of Lot 1, Section 10, 40.87 lineal chains;
In front of Lot 2, Section 10, 20.23 lineal chains;
In front of Lot 3, Section 10, 21.43 lineal chains;
In front of Lot 1, Section 15, 21.62 lineal chains;
In front of Lot 4, Section 15, 21.05 lineal chains;
In front of Lot 1, Section 8, 21.73 lineal chains;
In front of a part of Lot 2, Section 8, described as follows: Beginning at the meander corner to Sections 5 and 8; thence S. 6¼° W. 12.88 chains; thence S. 35½° E. 8.85 chains to true point of beginning; thence S. 35½° E. 3.71 chains; thence S. 38° W. 15.19 chains to terminal of description, 18.90 lineal chains;
In front of Lot 2, Section 5, 20.42 lineal chains;
In front of part of Lot 1, Section 5, described as follows: Beginning at the meander corner to fractional sections 5 and 6; running thence S. 80½° E. 6.20 chains; thence S. 46° E. 5.31 chains, containing 11.51 lineal chains;
In front of Lot 4, Section 6, 22.47 lineal chains;
In front of Lot 5, Section 6, 20.78 lineal chains;
In front of Lot 6, Section 6, 30.42 lineal chains;
In front of Lot 7, Section 6, 26.95 lineal chains;
In front of part of Lot 3, Section 6, described as follows: Beginning at a point from which the east Meander Corner to Sections 6 and 7, Township 19 North, Range 1 West, bears S. 10½° E. 6.86 chains ~~distant~~; ~~thence~~ N. 83½° E. 17.42 chains; ~~thence~~ S. 35° W. 4.75 chains; ~~thence~~ S. 82° W. 9.27 chains; ~~thence~~ S. 13½° W. 3.74 chains ~~to true point of beginning~~; thence from said point of beginning running N. 15° E. 5.99 chains, containing a total frontage of 5.99 lineal chains;
In front of part of Lot 5, Section 18, described as follows: Beginning at the meander corner to fractional sections 17 and 18, in Township 19 North, Range 1 West, which meander corner is 39.43

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Commissioner Pub. Lands

chains north of the corner to sections 17, 18, 19 and 20; thence N. 41° W. 11.85 chains to true point of beginning; running thence N. 35½° W. 11.61 chains, containing 11.61 lineal chains; except such portions thereof as may have been previously sold by the State of Washington and conveyed as oyster lands;

all of the foregoing lying and being in Township 19 North, Range 1 West of the Willamette Meridian.

In front of Lot 4, Section 1, 34.71 lineal chains;
In front of Lot 1, Section 12, 12.93 lineal chains;
In front of Lot 2, Section 12, 21.59 lineal chains;
In front of Lot 3, Section 12, 23.38 lineal chains;
In front of Lot 4, Section 12, 21.15 lineal chains;
In front of Lot 1, Section 11, 22.83 lineal chains;
In front of that part of Lot 2, Section 11, described as follows: Beginning at a point 420 feet east of the quarter corner between sections 11 and 14, Township 19 North, Range 2 West, thence North 20° East 1040 feet to the meander line and true point of beginning; thence following said meander line N.52° 30' W. 280 feet; thence N. 21° 30' W. 629.64 feet; thence N. 57° 30' W. 221.76 feet; thence S. 48° 15' W. to the interesection of the meander line with the west line of said lot 2 and terminal point of this description;
In front of Lot 3, Section 11;
In front of Lot 1, Section 14;
In front of the Isaac Dofflemeyer Donation Land Claim No.39;
In front of the Joseph Shaw Donation Land Claim No.41;
In front of Lot 1, Section 26; 21.43 lineal chains;
In front of Lot 2, Section 26, 20.29 lineal chains;
In front of that part of Lot 3, Section 26, described as follows: Beginning at the intersection of the north line of Lot 3 in Section 26, Township 19 North, Range 2 West with the meander line; running thence S. 4¼° E. 8.80 chains to terminal point, containing 8.80 lineal chains;

all of the foregoing lying and being in Township 19 North, Range 2 West of the Willamette Meridian.

Dated at Olympia, Washington, this 12th day of August, 1913, at 8:00 A.M.

THURSTON COUNTY ABSTRACT COMPANY,

By Robt. W. Elwell

Manager.

(Note: In the Auditor's record, in Vol. 80 of Deeds, page 514, where is recorded the deed from the State of Washington to Boston Harbor R.R.S.S.and Land Co.,dated Jan.6,1910, the description of Lot 6, Section 6, T.19 N.,R.1 W. is omitted. This company's records were posted from the original deed when filed for record, and show that said description was included in the said deed.)

and Extreme Low Tide

TO THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON: June 6th 1911

I, Boston Harbor Railroad, Steamship & Land Company, ~~[illegible]~~, of 842 - Central 13 Bldg, Seattle, Washington, do hereby apply to purchase that certain tract of tide lands of the second class, lying between the line of mean low tide and the line of extreme low tide and in front of the following described tide lands which were heretofore sold or conveyed by the State of Washington. I herewith enclose* ..... in the sum of $ ..... in payment for the same at the rate of $1.00 per lineal chain; according to the measurement of the government meander line along the tide lands heretofore sold, and $5.00 in payment of fee for deed. The tide lands hereby applied for are situate in Thurston County, Washington, and lie in front of the following described tide lands heretofore sold by the state, to-wit:

(Contract #2148. Beg. at M.C. to Secs. 5 & 32 on S. Bdy. of Twp. 20-1-W. along Govt M. Line. N. 19° E 13 chs. to M.C. to Secs. 32 & 33. N. 18° 30' E 21.90 chns N. 58° E. 13.90 N. 75° E 12.50 to end of dec. Cont. 61.30 chns lin.)

(Contract #2664 - All 2nd class tidelands owned by State Wash. sit. in front of adj to or abut upon that portion of Govt M. L. as follows. Beg. at a pt on sd. M. L. whence the M. L. to frac. Secs 14 & 23 Twp. 19-2 W. bears S. 13° E 55.86 chs & S. 29° 30' E 7.51 c. dist. from said initial pt. N. 13° W 2.24 chns N. 8° 30' E 10.76 chns. to beg. having a total frontage of 13 chns) (Contract #2769 all tidelands 2nd class etc. Govt M. L. in front of Dofflemeyer D.C. as follows Beg. at a certain pt on the M. L. whence said M. to Secs 11 & 14 Twp. 19-2 W. bears N 49 3/4° E 4.22 chns. and N 14 1/2° E 4.4 chns. thence from said pt of beg. run S 49 3/4° W 3 chns & N. 80 3/4° W 17.44 chns to terminal pt of this description ~~total~~ 20.44 chns) (Contract #2785 all 2nd class etc Govt M. L. lying in front of lots 2 & 3 Sec. 11 & Lot 1 Sec. 14. Twp. 19-2 W. and having a frontage of 76.94 chns) (All tidelands 2nd class owned by State Wash. front of Lot 2. Sec 12 19-2 W. frontage 21.59 lin. chns) (Beginning at the M. L. of Lot 1 Sec. 3 Twp. 19-1 W. which pt. is 30 chns. N. and 2.30 chns E. from S. W. cor. of said Sec. 3. from said point of beg. N.W'ly following course of said M. L. 3.58 chns to intersection of W. line of said Lot 1 Sec. 3 with Govt M. L. to terminal point of this descript with a frontage of 3.58 chns. to extreme N. end of said Lot 1 Sec. 3. Twp. 19-1 W. It being understood ~~that~~ the Sly. line of said strip of tideland is the line drawn at right angles from Govt M. L. at sd pt of beg. 3.58 chns) (Beg. at pt on sd M. L. whence M.C. to frac'l Secs 14 & 23 Twp. 19-2 W. bears S. 13° E 55.18 chns S. 28° 31' E 7.57 chns. dist from sd initial pt. N. 13° W 2.24 chns. N 8° 30' E 10.76 chns. to terminal pt of this des.

Are said lands in front of or within two miles of the corporate limits of any incorporated city or town?.....

Are there any improvements upon the land applied for? If so, what is their character and value and by whom are they claimed? .....

.....

Are you a citizen of the United States?.....

Dated this.....*day of*.....,*1911.*

.....
Applicant.

P. O. Address.....

STATE OF WASHINGTON,
County of..... } *ss.*

....., *being first duly sworn, upon oath deposes and says:*

That.....*he is the applicant described in and who signed the foregoing application; that*.....*he has read the same, knows the contents thereof, and the same is true, including all of the answers made to the questions contained in said application.*

.....

Subscribed and sworn to before me this.....*day of* ....., *1911.*

.....
Notary Public in and for the State of Washington,

Residing at .....

No..... *$*.....

County of.....

Preference Right Application
To Purchase Tide Lands of Second Class Between Mean Low and Extreme Low Tide.
(Chapter 36, Laws 1911.)

Applicant.

Filed ....., *1911*

Deed issued.....

Commissioner of Public Lands.

and Extreme Low Tide

TO THE COMMISSIONER OF PUBLIC LANDS, OLYMPIA, WASHINGTON: June 6th 1911.

I, C. F. Hillman *, of* 842 Central Bldg Seattle, *Washington, do hereby apply to purchase that certain tract of tide lands of the second class, lying between the line of mean low tide and the line of extreme low tide and in front of the following described tide lands which were heretofore sold or conveyed by the State of Washington. I herewith enclose* .... in the sum of $ .... in payment for the same at the rate of $1.00 per lineal chain, according to the measurement of the government meander line along the tide lands heretofore sold, and $5.00 in payment of fee for deed. The tide lands hereby applied for are situate in* Thurston *County, Washington, and lie in front of the following described tide lands heretofore sold by the state, to-wit:*

Contract No. 3789 ... 2nd class tidelands in front of Lot 7. Sec. 6. Twp 19. 1 W. frontage 6.95 chns. } Contract #3791 front of: Beg. at M. C. to fract. Secs 5 and 6 Twp 19. 1 W. – S 80½° E 6.20 chns. S 46° E 5.31 chns. to terminal pt of this ... frontage 11.51 chns. in front of part of Lot 1. Sec 5. Twp 19. 1 W. } ... tideland of 2nd class front of Dofflemyer D.C. – Beg. at pt on said M. L. where M. C. to Secs 11 and 14 T 19 N 2 W ... N. 49° 45' E 4.22 chns. and N. 14° 30' E 4.14 chns from Beg. S. 49° 45' W 3 chns. N 80° 45' W 17.44 chns. to terminal. Cntg 20.4 ... chns. }

total 807.58 chns.

... 74.30

733.28

26.51
11.48
20.88

Are you at present the actual owner of all of the foregoing described tidelands heretofore sold by the state? ...

Are said lands in front of or within two miles of the corporate limits of any incorporated city or town? No

Are there any improvements upon the land applied for? If so, what is their character and value and by whom are they claimed? No

Are you a citizen of the United States? Yes

Dated this 6th day of June, 1911. Boston Harbor Railro Steam Ship & Land Co

~~C. D. Hillman~~ Applicant.

per E S Bateman manager

P. O. Address 842 - Central Bldg. Seattle

STATE OF WASHINGTON,
County of Thurston } ss.

E S Bateman, being first duly sworn, upon oath deposes and says:

That he is manager of the applicant described in and who signed the foregoing application; that he has read the same, knows the contents thereof, and the same is true, including all of the answers made to the questions contained in said application.

E S Bateman

Subscribed and sworn to before me this 6th day of June, 1911.

Carrie A Gordon
Notary Public in and for the State of Washington,

Residing at Olympia

No. 6864 $ 812.59

County of Thurston

Preference Right Application
To Purchase Tide Lands of Second Class Between Mean Low and Extreme Low Tide.

(Chapter 36, Laws 1911.)

Boston Harbor R R Steamship and Land Co
By C D Hillman
Applicant.

Filed June 6, 1911

Deed issued

Commissioner of Public Lands.

Cash $12.59

Application to Purchase Tide, Shore or Oyster Lands

(SECOND CLASS)

To the Commissioner of Public Lands, Olympia, Washington:

I, Norpia Industries, Inc. of Olympia, Wash., do hereby apply to purchase that certain tract of tide land situated in Thurston County, Washington, particularly described as follows, to-wit:

All tide lands of the second class lying between the line of mean low tide and the line of extreme low tide and in front of that part of Lot 2, Section 11, T 19 N., R 2 W., measured along the meander line as follows:

Beginning at a point 420 feet east of the quarter corner between secs 11 & 14 and running thence N 20° E 1040 feet to the meander line and true point of beginning; thence along said meander line S 52° 30' W 46.36 feet, and N 41 1/4° E 5.13 chains, more or less to the east line of said Lot 2.,

Are you the owner of the abutting upland? If not, give name and last known P. O. address of such owner own abutting tide lands above line of mean low tide

Are there any improvements on the land? If so, state character and value of same and by whom claimed none

This application is made with full knowledge of the character of the land applied for and of the title of the State thereto, and I hereby waive and relinquish all my right to and claim upon the State for the return of the purchase price of said land in case said land or any part thereof shall be found not to be tide *land.*

In support of the above application, I James Burns, secretary of Olympia Industries, Inc. *do solemnly swear that* ~~I am a citizen of the United States~~ it is a state corporation; *that the* tide *land herein applied for is not situated in front of or within two miles of the corporate limits of any incorporated city or town, or in front of any lands reserved by the United States for military, lighthouse or other public purposes; that there are no natural or artificial oyster beds on the land herein described, nor is the same in any state oyster bed reserve; that said land is* not *suitable for the cultivation of oysters, and that said* tide *land is located below the government meander line and above the line of extreme low tide.**

And, therefore, I am entitled, under the laws of the State of Washington, to purchase the tide *land above described.*

James Burns.
Applicant.

Postoffice address 212 5th St.,

Subscribed and sworn to before me this 13th *day of* Jan, *A. D.* 1927

Full Name
Notary Public in and for the State of Washington, residing at

NOTE.—Give postoffice address, so that any correspondence in relation to this application may reach you without any unnecessary delay.

(Use Following Affidavit for Shore Lands)

STATE OF WASHINGTON, County of, *ss.*

The applicant herein, on oath depose and say, that the shore land herein applied for is not subject to tidal flow, nor situated in front of or within two miles of the corporate limits of any incorporated city or town, or in front of any lands reserved by the United States for military, lighthouse or other public purposes.

Postoffice address

Subscribed and sworn to before me this day of, A. D.

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

REFUNDED
MAR 25 1927
DATE

$10.00

APPLICATION TO PURCHASE ~~HIGH TIDE OVERFLOW~~ LANDS
(SECOND CLASS)

INDUSTRIES, Inc.
Applicant.

Olympia

REFUNDED
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