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OREGON STATE HIGHWAY COMMISSION

SALEM

May 7, 1935

IN REPLY PLEASE
REFER TO FILE NO.

Mr. Ches. E. Stricklin,
State Engineer,
Building.

Dear Sir:

Attention Mr. L. A. Stanley

Reference is made to prior letters from you relative to application by D. N. Hendricks for diversion of water for domestic use in Lot 3, Section 35, Township 6 South, Range 11 West, W. M., in Lincoln County.

We deeply regret the unreasonable delay in replying to your communication but we have never had an opportunity to make an examination of the situation in the field so as to make an intelligent and proper answer.

At the present time we own a quarry site in this vicinity and some negotiations have been under way with the present owner, Daniel Rees, whereby a strip of land along the westerly side of the quarry site is being exchanged for other land along the northerly and easterly sides of the quarry site.

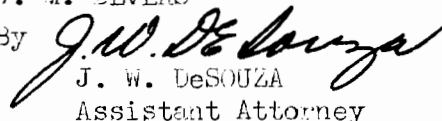
From examination on the ground it appears that there is some water which originates in the quarry site and which flows in a westerly direction down a canyon toward the property in which Mr. Hendricks is interested. There likewise is a spring in the southerly side of the quarry site, and this flows down a canyon in a southerly direction on Mr. Rees's property.

We are not particularly interested in the application of Mr. Hendricks. So far the quarry operations which we have carried on do not appear to have injured the water supply, but we would very much dislike seeing any applications granted or action taken which would serve as a basis for claims against us in the event that future public operations in the quarry might interfere with the water flow. We do not know what restrictions you are authorized to make in the permits which you issue but we would like to request that the rights of the public be preserved as far as we can do so legally.

Yours very truly,

J. M. DEVERS

By



J. W. DeSOUZA

Assistant Attorney

JWD:AW