constituting an integral and continuous section of the main line of the railroad owned by the Railway Company and a part of the main line of railroad operated by said Railway Company, extending from Portland, Oregon to Spokane, Washington; and

WHEREAS, that part of said line of railroad between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, for a distance of approximately 52 miles in length, will be affected in many sections by the overflow caused by the construction and operation of said Bonneville Project; the property of the Railway Company between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, consists of a roadbed and embankment, constructed within the limits of the right of way of the said railroad, and thereon the main line track, passing tracts and sidetracks, an automatic block signal system and various switch stands and other appurtenances, all of the foregoing being hereinafter called the "roadbed and tracks", and, in addition, some margin of land on either side of the roadbed within the limits of the right of way and located thereon, station buildings, freight houses and other structures appurtenant to the railroad (hereinafter called the "right of way and structures"), and in addition also, a few parcels of land outside the limits of the right of way (hereinafter called "other property"); and

WHEREAS, in and by the operation of the said Bonneville Project, in many sections the roadbed and embankments of said railroad between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, will be partially inundated and eroded by overflow and backwater to such an extent as to render the tracks, signals and other appurtnences thereon unsafte for operation and to destroy the said roadbed and tracks, and portions of the said right of way and structures and other property will be flooded or destroyed and permanently appropriated by the Government, and it will be imperative for the Railway Company to expend large sums of money in new construction to make possible a continuance of railroad operation and prevent the interruption of railroad service; and

WHEREAS, it is essential to the operation by the Government of the said Bonneville Project that the Government acquire from the Railway Company a continuing and perpetual right to overflow, to the extent herein stated, the roadbed and tracks, right of way and structures and other property of the Railway Company between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, and the Government will acquire the said right by the exercise of its right of eminent domain unless granted by the Railway Company; and the Railway Company is willing to grant to the Government said right, in order to obviate the threatened exercise of the right of eminent domain;

NOW THEREFORE:

1. The Railway Company, in consideration of the payment to it by the Government of the sum of One Million One Hundred Twenty-four thousand Seven Hundred eighteen and 00/100 Dollars ($1,124,718.00), the receipt of which is hereby acknowledged, does hereby grant to the Government or its assigns, forever, the continuing and perpetual right, power and privilege, in the maintenance and operation of the said Bonneville Project to inundate and overflow all those poritons of the roadbed and tracks, right of way and structures and other property of the Railway Company, along the north side of the Columbia River between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, in Skamania and Klickitat Counties, Washington, the surface of which is below the said 800,000 c.f.s. controlled backwater curve of said river, which backwater curve is stillwell elevation and exclusive of variations caused by wind, waves or river traffic.

2. The roadbed and tracks, rights of way and structures and other property over which