

# DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

173

of said District, but reserving said lien against the lands of all other landowners therein.

Dated this 26th day of July, 1938.

Cedric Miller  
As Receiver of Underwood  
Irrigation District

STATE OF WASHINGTON )  
                                  ) ss.  
County of Clark )

On this day personally appeared before me Cedric Miller, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that, as Receiver of Underwood Irrigation District and pursuant to the order of the Superior Court of the State of Washington, for Skamania County, he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 26th day of July, 1938.

(Notarial seal affixed)

John Wilkinson  
Notary Public in and for  
the State of Washington, re-  
siding at Vancouver, therein.  
My commission expires May  
May 21, 1940.

Filed for record August 26, 1938 at 1-20 p.m. by Louis Thun.

*Mabel J. Fosse*  
Skamania County, Clerk-Aud.

#26390

Nancy G. Wallace to United States

(OFFICE CHIEF OF ENGINEERS JAN 14 1938 6500 (Bonneville dam) 950/3)

## FLOWAGE EASEMENT

THIS INDENTURE, made this 14th day of December, 1937, between Nancy G. Wallace, an unmarried woman, hereinafter called the Grantor, and the United States of America, hereinafter called the Government, witnesseth:

THAT WHEREAS, the Government is constructing a dam across the Columbia River between the States of Oregon and Washington at Bonneville, Oregon, and upon the completion of said dam will operate and maintain a spillway, power house and ship lock; and

WHEREAS, under operating conditions, all lands abutting on either bank of said river from Bonneville to the Celilo Canal which are below the elevation of the backwater curve which begins at the dam at 72.0 feet above mean sea level (as determined by reference to the U. S. C. & G. S. bench mark, B. 24, situate about one mile east along the Oregon-Washington Railroad & Navigation Company's track from Warrendale, Multnomah County, Oregon, in the north end of a concrete culvert, at elevation 72.533 feet) will be permanently flooded; and

WHEREAS, the Government in operating said structures, will increase periodically the depth and duration of the overflow on a portion of said lands, later described, lying above elevation 72.0 feet; and

WHEREAS, the Government desires to purchase a perpetual flowage easement from the said Grantor, and said Grantor desires to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said grantor, for and in consideration of the sum of One Thousand and 00/100 Dollars (\$1,000.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the Government or its assigns, forever, the full and perpetual right, power, privilege and easement to overflow, as hereinbefore stated, all that portion of the following described lands lying below the 96.4-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the right bank of the Colum-