

Keena, Special assistant to the Attorney General, and John W. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, having made oral motion in the above entitled cause, praying the Court to enter judgment vesting in the United States a perpetual easement and right-of-way in and to the property hereinafter described, said property being the identical property described in the declaration of taking and in the petition for condemnation, and praying the Court for an order fixing the date when the United States of America shall have the right to enter upon said land and exercise the rights and privileges received by it by virtue of such easement; and a hearing having been held in open court on said motion and declaration of taking, and the court having considered the petition filed herein, the court finds:

First. That the United States of America is entitled to acquire property by eminent domain for the purposes of providing for construction, operation and maintenance of electric power transmission lines by the Bonneville Power Administration as set forth and prayed in said petition.

Second. That a petition for condemnation was filed at the request of the Bonneville Power Administrator, the authority empowered by law to acquire the lands described in said petition, and also under authority of the Attorney General of the United States.

Third. That said petition and declaration of taking state the authority under which and the public use for which said perpetual easement and right-of-way was taken, and that the Bonneville Power Administrator is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purposes described in the petition, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings.

Fourth. That a proper description of the property over which the easement is sought to be taken, sufficient for identification thereof, is set out in said declaration of taking.

Fifth. That said declaration of taking contains a statement of the estate or interest in the said property taken for said public use.

Sixth. That a plat showing the property over which the easement is taken is incorporated by reference in said declaration of taking and attached thereto.

Seventh. That a statement is contained in said declaration of taking of a sum of money estimated by said acquiring authority to be just compensation for the perpetual easement and right-of-way, the amount being Ten Dollars (\$10.00).

Eighth. That a statement is contained in said declaration of taking that the ultimate award of damages for the taking of said easement and right-of-way, in the opinion of the said Bonneville Power Administrator probably will be within the limits prescribed by Congress on the price to be paid therefor.

NOW, THEREFORE, it is hereby ordered, adjudged and decreed:

1. That there be vested in the United States of America a perpetual easement and right of way for the construction, operation and maintenance of a road, together with the right to clear the right of way where necessary of trees; stumps; logs and brush, and pile and/or burn the same; to remove any endangering trees; to make all cuts and fills wherever necessary for construction of the roadbed; to construct and install all necessary culverts, bridges, retaining walls or other necessary or appurtenant structures; to connect the tangents with suitable curves and to widen such curves where necessary; to appropriate and use for construction purposes all timber necessary for culverts, bridges, retaining walls or other required structures and sufficient rock or gravel for roadbed surfacing; and to perform all necessary acts in connection with such construction, operation and maintenance, subject, however, to the right of the owners of said land all other persons across whose land the