

DEPARTMENT OF PUBLIC LANDS  
Office of Commissioner

.....  
In re: Application No. 23629 by  
Pacific Power and Light Company  
for Right to Overflow Certain State  
Land in Skamania County.  
.....

O R D E R

June 19, 1956

It appearing to the Commissioner at this time that Application No. 23629 has been filed in this office by the Pacific Power and Light Company for an easement for right to overflow portions of Section 28, Township 7 North, Range 5 East, W.M., in Skamania County; that said application was filed in accordance with the provisions of Section 102, Chapter 255 of the Session Laws of 1927 and the land affected by and included in said application is more particularly described as follows:

Lots 1, 5, 6 and 7, the N $\frac{1}{2}$  of NE $\frac{1}{4}$ , S $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , E $\frac{1}{2}$  of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , N $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 28, Township 7 North, Range 5 East, W.M., and that portion of Lot 9, said Section 28, lying north of the following described line:

Beginning at a point on the east line of said Section 28, which is 330 feet from the southeast corner thereof and running thence west 660 feet, north 330 feet, and west 660 feet, more or less, to the northeast corner of the S $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 28.

The above described subdivisions have a total area of 276.15 acres.

and

It further appearing that the application is filed in connection with a hydro-electric power project and it is a companion application to Application No. 23630 filed by Pacific Power and Light Company for right of way for dam site, maintenance site and facilities appurtenant thereto over portions of said Section 28 and the bed and shore lands of the North Fork of the Lewis River; that the amount of the damage resulting to the State by the exercising of the right to overflow and inundate said land does not exceed the sum of \$8,284.00 for the perpetual use of the land; that there is timber involved which will be destroyed in the overflow of the property and there will be additional timber destroyed in the construction of the dam, maintenance site and facilities appurtenant

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thereto included in Application No. 23630 by the Pacific Power and Light Company for right of way for such purposes; that in connection with both of said applications, Nos. 23629 and 23630, the Pacific Power and Light Company agrees to pay the State of Washington the total sum of any amounts received from the sale of the timber under said applications with the minimum to be \$518,580.00; and the Commissioner being fully advised and believing that the applications should be granted, it is therefore

ORDERED and DETERMINED that the value of the land included in said Application No. 23629, together with the damages to or upon the land remaining and including all damages suffered by the State in the overflowing and inundating of the land hereinabove described, be and the same is hereby fixed at \$8,284.00; and in addition thereto the applicant, Pacific Power and Light Company, shall pay to the State the proportionate share of the total value of the timber on the areas included in Applications Nos. 23629 and 23630, the total timber value for the two applications being a minimum of \$518,580.00, but said proportionate amount to be the portion of the amount actually received by Pacific Power and Light Company in the disposal of the timber under both applications; that the value of the land and damages have been paid by the applicant and proper arrangements have been made for payment for the said timber in accordance with the schedule as hereinabove set forth and the right to overflow and perpetually back and hold water upon and over the land covered by said Application No. 23629, as hereinabove more particularly described, may be exercised in accordance with the statute.

DATED this 19th day of June, A. D., 1956.

OTTO A. CASE, COMMISSIONER

By:

*Frank O. Sether*  
Frank O. Sether

Assistant Commissioner

FOS/jr

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S. F. No. 62-1-53-5M. 33643.

OFFICE OF COMMISSIONER OF PUBLIC LANDS

ORIGINAL

Counter Receipt No 2287

\$ 15422<sup>00</sup>  
\$ 15422<sup>00</sup> Olympia, Wash June 19-1956  
Fifteen thousand four hundred twenty two - DOLLARS  
Paid by Pacific Power & Light Co  
For \$1828<sup>00</sup> + 1<sup>00</sup> fee - App 23629  
6136 + 1<sup>00</sup> " App 23630

OTTO A. CASE, Commissioner,

By *Sether*

