

DEPARTMENT OF PUBLIC LANDS
Office of Commissioner

8-30-189
8-30-194
8-30-195

.....
In re Applications Nos. 24353, 24354
and 24355 by Pacific Northwest Pipe-
line Corporation for Right of Way for
Natural Gas Pipeline over State Land
in Skamania County
.....

O R D E R

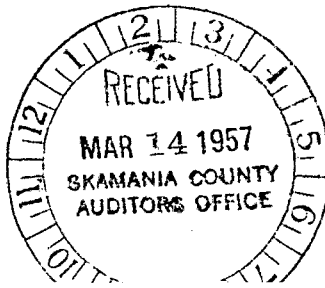
January 11, 1957

It appearing to the Commissioner at this time that Applica-
tions No. 24353, 24354 and 24355 have been filed in this office by
Pacific Northwest Pipeline Corporation for easements for rights of way
for natural gas pipelines over portions of sections 24, 25 and 26, all
in township 2 north, range 6 east, W.M., in Skamania County, as here-
inafter more particularly described; and

It further appearing that the applicant has satisfactorily
met the requirements of the statutes in the matter of the filing of a
map showing the location of the pipeline; that the area included in
said rights of way, as applied for, is limited to an amount necessary
for the construction of said pipeline, together with sufficient land
on either side thereof for ingress and egress to maintain and repair
the same; and

It further appearing that said land is under the jurisdiction
of the State Parks and Recreation Commission, and that said Commission
has agreed on a flat charge of \$1,000.00 for the granting of the ease-
ments under these three applications; that this amount will cover
damages to land and timber included in said rights of way; that no good
reason exists why this right of way should not be granted; and the
Commissioner being fully advised, it is therefore

ORDERED and DETERMINED that damages by reason of the granting
of said easements be and the same are hereby appraised at \$1,000.00;
that said amount, together with the necessary fee, has been deposited
in this office by the applicant, and easements for rights of way for
natural gas pipelines be and the same are hereby granted to the Pacific
Northwest Pipeline Corporation over and across and to include the
following described lands:



Those portions of the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of section 24, government lot 9, section 25, and the $S\frac{1}{2}$ of $NE\frac{1}{4}$ of section 26, all in township 2 north, range 6 east, W.H., included within the limits of 3 strips of land each 50 feet in width and having 30 feet of such width on the northwesterly side and 20 feet of such width on the southeasterly side of the following described lines:

Beginning at a point on the east line of said section 24, which is N $0^{\circ} 20'$ E 76 feet from the southeast corner thereof and running thence S $63^{\circ} 30'$ W 12 feet and thence S $62^{\circ} 30'$ W 158 feet to a point on the south line of said section 24 which is S $89^{\circ} 45'$ W 149 feet from the southeast corner thereof, and having an area of 0.25 acre; also

Beginning at a point on the north line of said section 25, which is S $89^{\circ} 40'$ E 5154 feet from the northwest corner thereof and running thence S $62^{\circ} 30'$ W 976 feet, S 70° W 2025 feet, S $68^{\circ} 50'$ W 1032 feet, S $62^{\circ} 50'$ W 495 feet, S $58^{\circ} 23'$ W 458 feet, S $79^{\circ} 09'$ W 198 feet, S $59^{\circ} 41'$ W 40 feet, S $53^{\circ} 44'$ W 259 feet, and thence S $62^{\circ} 39'$ W 154 feet to a point on the west line of said section 25, which is S $0^{\circ} 27'$ E 2293 feet from the northwest corner thereof and having an area of 1.38 acres; also

Beginning at a point on the east line of said section 26, which is S $0^{\circ} 27'$ E 2293 feet from the northeast corner thereof and running thence S $62^{\circ} 39'$ W 523 feet, S $71^{\circ} 59'$ W 435 feet, S $77^{\circ} 48'$ W 603 feet, S $64^{\circ} 37'$ W 301 feet, N $78^{\circ} 06'$ W 143 feet, S $77^{\circ} 26'$ W 133 feet, S $68^{\circ} 50'$ W 155 feet, S $73^{\circ} 20'$ W 2602 feet, and thence S $89^{\circ} 03'$ W 918 feet to a point on the east line of said section 26, which is S $0^{\circ} 27'$ E 3774 feet from the northwest corner thereof and having an area of 1.94 acres;

The total area of the above three rights of way is 3.57 acres according to the plats thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington;

SUBJECT, however, to the following stipulations:

1. The right of way shall be no more than 50 feet wide, leaving all large trees standing within that right of way, particularly through the $SW\frac{1}{4}$ of the $NW\frac{1}{4}$ of section 25, township 2 north, range 6 east.
2. Any trees over 16 inches in diameter to be cut in this parcel are to be tagged and individually approved for removal by the State Parks and Recreation Commission.
3. The right of way after the job is completed is to be graded smooth and U. S. Forestry type log deflectors installed on grades where it is possible for water to run down the newly cleared and graded right of way. Grass seed is to be sown on the entire right of way area consisting of standard quality seed of creeping red fescue sowed at the rate of 50 pounds per acre. This item may be changed if a better type grass for the area is determined before the seeding has started.
4. At points where the right of way crosses either park roads, parking areas, or picnic areas, there are to be planted white fir trees 3 to 4 feet high where the newly cleared right of way enters the natural woodland area. This will require approximately 75 to 100 trees and a specific planting plan will be furnished the pipeline company by the State Parks and Recreation Commission.

5. All debris from the clearing, grading, and other operations on the right of way is to be cleaned up, removed and/or burned.
6. All roads, road cut or fill banks, parking areas, or other facilities including water lines will be replaced at least in as good condition as they were before the right of way was granted.
7. The pipeline company shall relocate pit toilets, play equipment, parking guard rails, or other facilities and equipment which may need to be moved during the actual operation.

and

PROVIDED that the right of way is not to be fenced and that the State, its successors or assigns, shall at all times have ingress and egress across said right of way in connection with the use or the service of this tract; and

SUBJECT, however, to the following conditions:

That the grantee of the easement rights herein agrees to be responsible and to hold its contractors and their assigns responsible for the existence of any fire hazards on said right of way created wholly or in part by inflammable debris created by their logging or other forest operations, land clearing or right of way clearing, and which by reason thereof is likely to cause or to further the spread of fire; and that until a certificate of clearance has been obtained from the supervisor of forestry of the State of Washington, the grantee, its contractors and/or their assigns shall be responsible for any expense of fire fighting made necessary by reason of such hazard or the spread of fire therefrom in accordance with RCW 76.04.370; that the grantee agrees to be responsible and to hold its contractors and their assigns responsible for any fire fighting costs from any fire started by their employees, machines or debris-burning fires that may occur on or adjacent to the right of way; and that all fire fighting costs made necessary by the aforementioned reasons shall be paid promptly by the grantee and/or its contractors and/or their assigns upon demand and the grantee agrees to include in any contract involving the lands included in this easement the above provisions relating to costs and expenses in connection with fire fighting; and

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That all machinery and equipment, light or heavy, shall be kept within the limits of the right of way; that all felling of timber, yarding and removal of same shall be kept strictly within the right of way, and logs shall be removed on right of way to some access road; that penalty for violation of the above restrictions shall be imposed; that any and all merchantable timber, live or dead, standing or down, which is cut, damaged or removed from state land other than said right of way shall be paid for at treble the stumpage prices shown on the cruise; that all reproduction trees 2 to 8 inches in diameter 18 inches above the ground that are damaged or destroyed on state land other than said right of way shall be paid for at treble the price of \$1.00 per tree; and that any dirt, gravel or rock dumped on state land from said right of way shall be paid for at the rate of \$2.00 per yard.

Dated this 11th day of January, A. D., 1957.

OTTO A. CASE, Commissioner

By

Frank O. Sether
Assistant Commissioner

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