

## STATE OF WASHINGTON

## STATE FOREST BOARD

.....  
 In re: Application No. F-3650  
 by Pacific Power and Light  
 Company for Right to Overflow  
 Certain State Land in Skamania  
 County.  
 .....

## O R D E R

December 20, 1956

It appearing to the Board at this time that Application No. F-3650 was filed by Pacific Power and Light Company for right to overflow State Forest Board land in Skamania County, the complete description being as follows:

Those portions of Government Lots 9 and 10 and E½SW¼, Section 31, Township 7 North, Range 6 East, W.M., owned by the State of Washington, lying below the 1010 foot elevation, referred to mean sea level datum and containing an area of 81.60 acres, more or less, as shown on the map thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington.

and

It further appearing that the said application was filed under the provisions of State law providing for the granting of the right to overflow State land; that the application was filed in connection with a hydro-electric power project and the amount of damage resulting to the State by exercise of the right to overflow and for perpetual use of the land applied for under said application does not exceed the sum of \$2,448.00; and

It further appearing that on the area covered by the said application there is timber involved which will be destroyed in such use; that 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 Application No. F-3650 with the minimum to be \$69,639.00; that the payment for the use of the land and timber located thereon is limited to the area below the 1000 foot elevation referred to mean sea level datum and the grant herein made is with the understanding that the overflow right will extend to the 1010 foot elevation with the further understanding

that no rights for use or for any timber are to be exercised on that area between the 1000 foot and 1010 foot elevations and the Pacific Power and Light Company will be held responsible to the State for any damage caused to the land or timber within that area should any damage occur; and

It further appearing that Pacific Power and Light Company agrees to furnish this office with a map showing the project boundaries from which a metes and bounds description of the overflow area may be prepared; that when said map is submitted a new order describing the area by metes and bounds will be issued in lieu of this order and adjustment for any difference in acreage developed by the new map can be made when a final order is executed; and the Board being fully advised and believing that the application should be granted, it is therefore

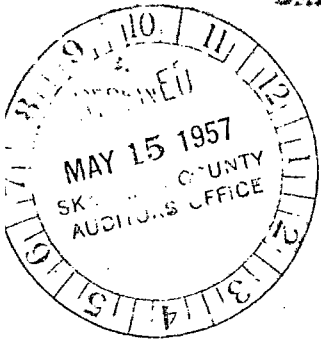
ORDERED and DETERMINED that the value of the land included in Application No. F-3650, together with the damages to or upon the land remaining and including all damages suffered by the State in granting the right to overflow under said application be and the same is hereby fixed at the figure as hereinabove set forth; that the said damages shall be paid in cash by Pacific Power and Light Company and in addition thereto, said company shall pay to the State the entire amount received from the sale of the timber on the overflow area but in no event less than the amount of \$69,639.00 as hereinabove set forth; that proper arrangements have been made for the payment for the right to overflow and for payment for the timber as hereinabove set forth and the right to overflow the lands covered by Application No. F-3650, as hereinabove more particularly described, may be exercised in accordance with the statutes.

PROVIDED that Pacific Power and Light Company agrees that it will be responsible for any damage to State land or timber should the reservoir level reach an elevation of 1010 feet referred

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to mean sea level datum and to be responsible for payment for any timber cut or destroyed on the area between the 1000 foot and the 1010 foot elevations.

DATED this 20th day of December, A. D., 1956.



STATE FOREST BOARD  
OTTO A. CASE, SECRETARY

By:

*Frank O. Sether*  
Frank O. Sether  
Assistant Secretary

FOS/jr

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