

ASSIGNMENT AGREEMENT

THIS AGREEMENT made this 29 day of ~~October~~ ^{Sept}, 1959, by and between PACIFIC POWER & LIGHT COMPANY, a corporation, hereinafter referred to as "Pacific," and PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY, WASHINGTON, hereinafter referred to as "District," WITNESSETH:

WHEREAS, by Order No. 23630, dated June 19, 1956, recorded July 11, 1956, at Page 72, Volume 42, Deed Records of Skamania County, Washington, the Commissioner of Public Lands of the State of Washington granted to Pacific a right of way for a dam site, maintenance site and facilities appertaining thereto over the bed and shore lands of the North Fork of the Lewis River owned by the State of Washington in front of Government Lots 2, 3, 4 and 5, Section 28, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington.

AND WHEREAS, the power canal of the Swift Hydroelectric Development, consisting of Pacific's Swift No. 1 Project and District's Swift No. 2 Project, has been constructed by the District in part on said bed and shore lands in front of said Government Lot 3, and said power canal is a facility appertaining to Pacific's said Swift No. 1 Project in that the waters from the power house of said Swift No. 1 Project are discharged directly into said power canal.

NOW, THEREFORE:

1. Pacific, for value received, hereby sells, assigns and transfers to the District the right, but only insofar as granted to Pacific by said Order No. 23630, to construct and maintain said power canal upon that part of the bed and shore lands in front of said Government Lot 3, more particularly described as follows:

That part of the following described tract, to wit:

Beginning at a point on the west line of said Section 28 which point is S 0°33'05" W 142.38 ft. from the west quarter corner of said Section, thence S 78°18'40" E 90.05', thence S 69°30'50" E 130'00', thence S 20°21'15" W 382.59', thence S 79°01'00" W 82.63' to a point on the west line of said Section 28, thence N 0°33'05" E 438.20' along said West Line of said Section to point of beginning;



which lies southerly of and below the line of ordinary high water on the north bank of the Lewis River in front of said Government Lot 3, the meander line of which begins at the meander corner on the west line of said Section 28, which said corner bears South 0°33'05" West 569.69 feet from the west quarter corner of said section; thence North 70°38'35" East 96.36 feet.

2. The rights hereby assigned are accepted by District subject to all the terms, conditions and limitations contained in said Order No. 23630.

IN WITNESS WHEREOF, the parties hereto have executed this agreement by their respective officers thereunto duly authorized, as of the date first above written.

Attest:

[Signature]
Secretary

PACIFIC POWER & LIGHT COMPANY

By *E. Robert de Luccia*
Vice President

Attest:

E. T. Cooney
Secretary

PUBLIC UTILITY DISTRICT NO. 1 OF
COWLITZ COUNTY, WASHINGTON

By *[Signature]*
President and Commissioner

By *W. E. Sailors*
Vice President and Commissioner

STATE OF OREGON)

County of Multnomah)

ss.

APPROVED AS TO FORM

[Signature]
ATTORNEY FOR P. U. D.

On this 26th day of September, 1959, personally appeared E. Robert de Luccia, who, being duly sworn, did say that he is the Vice President of Pacific Power & Light Company and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and he acknowledged said instrument to be its voluntary act and deed. Before me:

Leonard Berner 7
Notary Public for Oregon

My commission expires: September 7, 1962.