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Exhibit D

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JAN 24 1963

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Application for Road Rights-of-Way
in nature of Permanent Non-Exclusive
Easements

(Act of March 3, 1899, 30 Stat.
1233, 16 U.S.C. 525)

District Land Office
Serial No. WASH. 05064

Rights-of-Way for Roads
Name of Project: Lewis River
Cooperative Area
Gifford Pinchot National Forest

1. NORTHERN PACIFIC RAILWAY CO. on July 15, 1963
of Seattle, Washington
a corporation organized under the laws of the State of Wisconsin,
hereby applies for rights-of-way in the nature of permanent non-exclusive
easements over National Forest lands in the State of Washington, Gifford
Pinchot National Forest to be used in the administration, protection and
utilization of forest lands and the resources thereof, owned or controlled
by Applicant, pursuant to the rules and regulations of the Department of
the Interior and the Department of Agriculture hereinafter set forth.
2. The road rights-of-way herein applied for are parts of the Lewis River
Cooperative Area Road System, Gifford Pinchot National Forest, and
traverse the National Forest lands described in Schedule 1 attached hereto
and made a part hereof and are delineated on the map submitted herewith.
In consideration of the approval of these rights-of-way and the payment
of \$ 1.00, the Applicant has conveyed to the United States needed
reciprocal rights-of-way, including roads thereon, over Applicant's lands,
or owned by Applicant, for the development and use of said road system.
The needed reciprocal rights-of-way, including roads thereon, conveyed by
the Applicant to the United States are described in documents dated
July 15, 1963.
3. The Applicant agrees to comply with the applicable rules and regulations
of the Department of Agriculture, those applicable rules and regulations
of the Department of the Interior set forth in 43 C.F.R. Subparts A and F
of Part 244, except Sections 244.9 and 244.16, and with applicable
Executive Orders, State and Federal laws.
4. The Applicant agrees to comply with and be bound by the Stipulations
approved by the United States, acting by and through the Regional Forester,
Forest Service, United States Department of Agriculture, attached hereto
as Schedule A and made a part hereof.

Approved:

Acting K.O. Wilson
Regional Forester,
Forest Service,
U. S. Department of Agriculture

NORTHERN PACIFIC RAILWAY COMPANY

Applicant
By W.B. Sten
Title, if corporate official
Vice President

Date July 15, 1963

Applicant: NORTHERN PACIFIC RAILWAY
COMPANY

SCHEDULE A OF APPLICATION

Name of Project: Lewis River

Cooperative Area

Gifford Pinchot National Forest

WASH: 05064

STIPULATIONS

1. The road rights-of-way applied for are parts of the Lewis River Road System, Gifford Pinchot National Forest, in consideration for which and the payment of \$ 1.00, the Applicant has conveyed to the United States other needed reciprocal rights-of-way over its property for the development and use of this road system. The needed rights-of-way conveyed by the Applicant to the United States are described in documents dated July 15, 1963.

2. The road rights-of-way shall be non-exclusive and shall not exceed 66 feet in width except for such additional widths as are necessary to protect cuts and fills.

3. The road rights-of-way are subject to all valid rights.

4. The Applicant will comply with the applicable rules and regulations of the Department of Agriculture, those applicable rules and regulations of the Department of the Interior set forth in 43 C.F.R. Subparts A and F of Part 244, except Sections 244.9 and 244.16, and with applicable Executive Orders, State and Federal laws.

5. National Forest timber will not be cut or destroyed without first obtaining a permit from the Forest Service.

6. The Applicant will take all reasonable precautions to prevent forest fires and will not dispose of material by burning in open fires during the closed season established by law or regulations without a written permit from the Forest Service.

7. The United States shall have unrestricted use of the rights-of-way and roads thereon in connection with the administration, protection and utilization of the National Forests and the resources thereof.

8. Construction, reconstruction, improvement, resurfacing, use and maintenance of said roads shall be in accordance with the terms and conditions set forth in the right-of-way documents and in the Road Right-of-Way and Use Agreement between the Applicant and the United States dated July 15, 1963, and/or as it may be amended.

9. The Applicant shall have the right to charge and to enforce collection from users of said roads for construction, reconstruction, improvement, maintenance and resurfacing performed by Applicant, in accordance with the reservations, agreements, terms and conditions set forth in the right-of-way documents and in the Road Right-of-Way and Use Agreement between the Applicant and the United States dated July 15, 1963, and/or as it may be amended.

10. The United States and its authorized users shall have the right to cross and recross said roads at any place by any reasonable means and for any purpose deemed necessary or desirable in connection with the control, management, administration, and utilization of the National Forests and the resources thereof.

11. Except as expressly stated in the right-of-way documents and in these Stipulations, these roads may be opened by the United States to such public and private use as will not interfere unduly with the use by the Applicant, and subject to such restrictions as may be imposed by the Regional Forester.

12. The rights-of-way herein granted and roads constructed thereon shall not be subject to charge by the Applicant or for Applicant's use except as herein provided.

13. In the event the rights-of-way herein applied for are not granted, the rights-of-way conveyed to the United States by the documents mentioned in clause 1, shall be reconveyed to the Applicant under the provision of Public Law 120 (5 U.S.C. 567).

14. Any segment of the rights-of-way shall cease and terminate in the event the road is not constructed, or in the event it is abandoned or shall cease to be used for a continuous period of 5 years, except when maintained in a "put to bed status," for the purpose granted.

NORTHERN PACIFIC RAILWAY COMPANY

Applicant

K.O. Wilson
Regional Forester,
Forest Service,
U. S. Department of Agriculture

By L. J. S. Van Vorst
Title, if corporate official

Vice President

Date July 15, 1963

4/1/63

Gifford Pinchot N.F.
Lewis River Cooperative Area

REF 34466

SCHEDULE ONE

WASH. 05064

The road rights-of-way herein applied for traverse the following National Forest lands:

<u>T7N, R5E, W.M.</u>		<u>Road Name</u>	<u>Road No.</u>	
			<u>F.S.</u>	<u>Co.</u>
Sec. 2,	Lot 3, SE 1/4 NW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4,	West Marble	N809	
Sec. 6,	Lots 3, 4, ^{5 SE NW} SE 1/2 NW 1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4,	Cougar Cr. Rd.	N816	210
Sec. 12,	W 1/2 NE 1/4, W 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NE 1/4 NW 1/4	Cougar Creek West Marble	N816 N809	210
Sec. 20,	NW 1/4 NE 1/4,	Swift Creek Muddy	N83	200
<u>T7N, R6E, W.M.</u>				
Sec. 1,	Lot 4, SE 1/4 NW 1/4,	Spencer	N920	
Sec. 6,	Lots 1, 2, 3, 4, SE 1/4 NE 1/4, NE 1/4 SE 1/4,	Westpine	N71	
Sec. 8,	NW 1/4 NE 1/4, S 1/2 NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, W 1/2 SW 1/4,	Westpine Stag	N71 N71B	200, 300, 600
Sec. 10,	NE 1/4, SE 1/4,	Jackpine	N833	800
Sec. 11,	SW 1/4 SE 1/4,	-	-	800
Sec. 14,	W 1/2 NW 1/4, N 1/2 S 1/2, SE 1/4 SE 1/4,	Jackpine	N833	600, 610
Sec. 26,	NW 1/4 NW 1/4,	Swamp Creek	N79	110
<u>T8N, R5E, W.M.</u>				
Sec. 24,	SW 1/4 SW 1/4, SE 1/4 SE 1/4,	June Lake	N826	240, 247
Sec. 28,	S 1/2 S 1/2, NW 1/4 SE 1/4,	West Fork Swift Creek	N827A	

T8N, R5E, W.M. (Cont.)

Sec. 30,	S 1/2 S 1/2 , <i>S 2E, SE 1/4, Lot 4</i>	McBride Lake	N827	
Sec. 32,	NE 1/4 NE 1/4, W 1/2 NE 1/4, W 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4,	West Fork Swift Creek McBride Lake	N827A N827	
Sec. 34,	SE 1/4 NE 1/4, S 1/2 SW 1/4, SE 1/4, NW 1/4 NW 1/4,	Swift Creek Muddy West Marble West Fork Swift Cr.	N83 N809 N627A	200
Sec. 36,	NE 1/4 NE 1/4, S 1/2 NE 1/4, NW 1/4 NW 1/4, S 1/2 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4,	Swift Creek Muddy West Pine	N83 N71	

T. 8 N., R. 6 E.

Sec. 2,	Lot 4			
Sec. 3,	Lots 1, 2, W 1/2 SE 1/4, SE 1/4 SW 1/4, W 1/2 SW 1/4			
Sec. 4,	Lots 1, 2, E 1/2 SE 1/4			
Sec. 10,	W 1/2 NE 1/4, E 1/2 NW 1/4	Smith Creek Ridge	N930	
Sec 16,	W 1/2 NW 1/4, S 1/2 SE 1/4,	Swift Creek Muddy Rusty	N83 N833H	300 834
Sec. 20,	S 1/2 SE 1/4, W 1/2 NE 1/4, E 1/2 NW 1/4, SW 1/4 SW 1/4, E 1/2 SW 1/4,	Swift Creek Muddy Muddy Pine Rusty	N83 N822 N833H	300 800 830
Sec. 28,	SW 1/4, S 1/2 SE 1/4, NE 1/4 SE 1/4,	Muddyview Jackpine	N833G N833	820 800
Sec. 30,	E 1/2 NE 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, NW 1/4 SE 1/4,	Swift Creek Muddy	N83	200 300
Sec. 32,	NW 1/4 NW 1/4, SW 1/4 SW 1/4,			300
Sec. 34,	NW 1/4 SW 1/4, S 1/2 SW 1/4, SW 1/4 SE 1/4,	Jackpine	N833	800

T9N, R6E, W.M.

Sec. 19,	E 1/2 E 1/2 , <i>Lots 1, 4, 5, 10</i>	Muddy River	N92.1	
Sec. 20,	W 1/2 W 1/2, SE 1/4 SE 1/4, E 1/2 NE 1/4,	Muddy River Smith Creek Ridge	N92.1 N930	150
Sec. 28,	SW 1/4 SW 1/4, W 1/2 E 1/2,	Smith Creek Ridge	N930	151

T9N, R6E, W.M.(Cont.)

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Sec. 30, NE 1/4, NE 1/4 SE 1/4,

Muddy River

N92.1 100

Sec. 32, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

Smith Creek Ridge

N930

Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Smith Creek Ridge

N930

T 8 N, R 4 E, W.M.

Sec. 36, E 1/2

Cougar Creek

N816

T 7 N, R 4 E, W.M.

Sec. 1, NE $\frac{1}{4}$

Cougar Creek

N816

Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$

United States of America

to

Northern Pacific Railway

STATE OF WASHINGTON }
COUNTY OF SKAMANIA }

I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING, FILED BY

Northern Pacific Railway

OF Seattle - WASH.

AT 10:00 P.M. August 23, 1964

WAS RECORDED IN BOOK 53

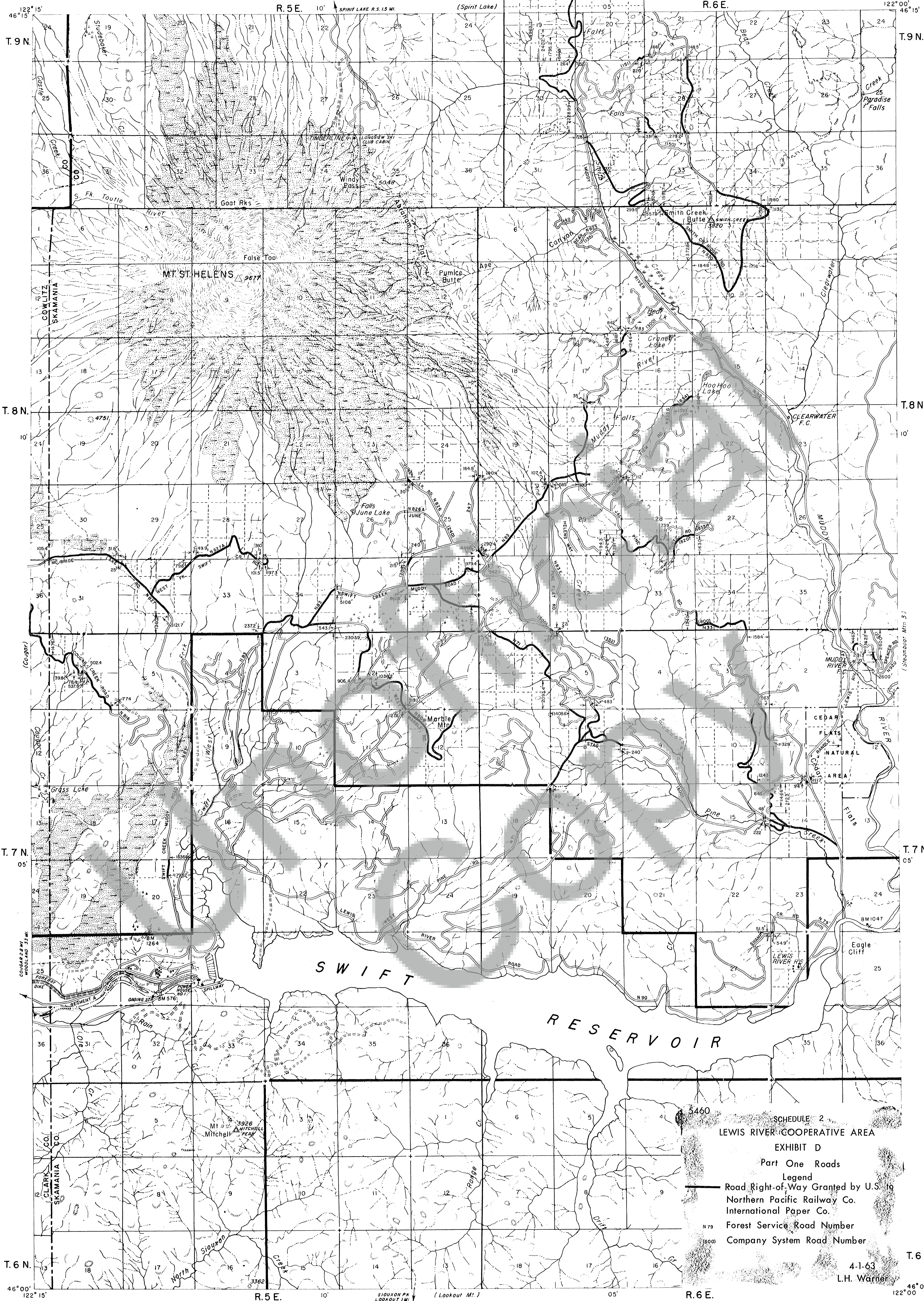
OF Needs AT PAGE 439

RECORDS OF SKAMANIA COUNTY, WASH

Evelyn O. Neal
COUNTY AUDITOR

BY J. L. Hammond
DEPUTY

REGISTERED	5
INDEXED	DR. 5
FILED	5
RECORDED	
COMPARED	
MAILED	



Mapped by U.S. Forest Service, Portland, Oregon
by Stereophotogrammetric methods, 1950.
Control by U.S.C. & G.S., U.S.G.S. and Forest Service.
Aerial photography by U.S. Forest Service

Polyconic Projection, 1927 North American Datum

Corrected 12-3-62