

Subscribed to as a true and
correct copy of the original
filed in my office
Dated: MAR 19 1976
EDGAR S. SPENCER, Clerk
ATTEST:

Filed
11-20-77
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

DECLARATION
OF
TAKING

CIVIL NO. _____

0.81 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND PACIFIC POWER
AND LIGHT COMPANY, A CORPORATION,
and Unknown Owners, Defendants

C74-185T

(TO 100)

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, *Edward N. [Signature]*, Secretary of the

Amey do hereby declare that:

1. (a) The land hereinafter described is taken under and in
accordance with the Act of Congress approved February 26, 1931 (46 Stat.
1421, 40 U.S.C. 258a), and acts supplementary thereto and amendatory
thereof, and under the further authority of the Acts of Congress
approved April 24, 1888 (25 Stat. 94, 33 U.S.C. 591), and March 1, 1917

(39 Stat. 948, 33 U.S.C. 701) which acts authorize the acquisition of land for flood control projects; the Act of Congress approved August 30, 1935 (49 Stat. 1028), which act authorizes the construction of the Bonneville Lock and Dam (Oregon); the Act of Congress, approved August 20, 1937 (50 Stat. 731), which act authorized completion, maintenance and operation of the project and the Act of Congress approved August 28, 1974 (Public Law 93-393), which act appropriated funds for such purpose.

(b) The public uses for which said land is taken are as follows: The said land is necessary to provide for the construction of a river improvement for the purposes of flood control, navigation and other purposes incident thereto. The said land has been selected by me for acquisition by the United States for use in connection with the reregulation of the peaking discharge which must be provided at the Bonneville Dam, and for such other uses as may be authorized by Congress or by Executive Order.

2. A general description of the land being taken is set forth in Schedule "A" attached hereto and made a part hereof, and is a description of the same land described in the complaint in the above entitled cause.

3. The estate taken for said public uses is the fee simple title to the land described in Schedule "A", subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

4. A plan showing the land taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, including any and all interests hereby taken in said land, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the registry of the said court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land probably will be within any limits prescribed by law on the price to be paid therefor.

IN WITNESS WHEREOF, the United States of America, by its Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said Secretary of the Army, this 15th day of October A.D. 1974, in the City of Washington, District of Columbia,

James H. Callaghan
Secretary of the Army

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 0.81 acres, more or less, situate and being in the County of Skamania, State of Washington, Description of the land taken, and a statement of the sum estimated to just compensation thereof is contained on the following continuation of Schedule "A", comprising two pages, including this page.

The gross sum estimated by the acquiring authority to be just compensation for the estate hereby taken, inclusive of all rights set forth in the Declaration of Taking, is ONE THOUSAND and 00/100 DOLLARS (\$1,000.00).

SCHEDULE "A"

Tract 100

Commencing at the Northeast corner of Block 2, First Addition to the town of Underwood, Washington; thence North 83°43'35" East 18.1 feet along the Southerly line of Main Street extended; thence North 60.00 feet to the point of beginning of the parcel of land to be described; thence East 126.20 feet; thence North 65°00'00" East 366.60 feet; thence South 49°22'00" West to the North right-of-way line of the Washington State Highway No. 14; thence Westerly along said line to the East right-of-way line of the Underwood Hill Highway; thence North along said right-of-way line to a point that lies North a distance of 105.00 feet, more or less, from the point of beginning; thence South to the point of beginning.

The tract of land herein described contains 0.81 of an acre, more or less.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 100,
BONNEVILLE DAM, RESTORATION OF
INDIAN FISHING GROUNDS,
BIG WHITE SALMON SITE

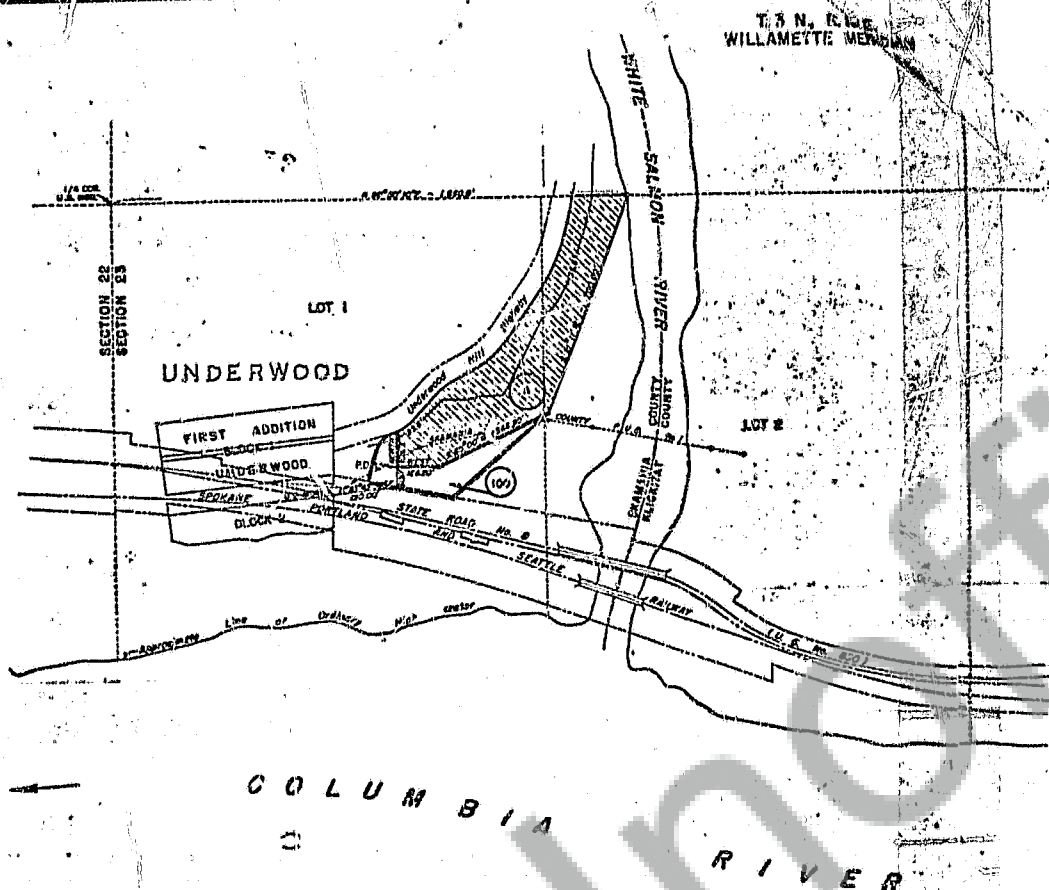
Pacific Power and
Light Company

Room 619,
920 S.W. Sixth Avenue
Portland, Oregon 97204

Estimated Compensation

One Thousand and No/100
Dollars (\$1,000.00)

WORKS OF ENGINEERS

T. N. K. E.
WILLAMETTE MENDIAN

ACQUISITION TRACT REGISTER			
TRACT NO.	LAND OWNER	ACREAGE	REMARKS
100	Department of the Army	4.19	Reassigned from Bonneville Dam by order from the Secretary of the Army to the Secretary of the Interior 11/15/1931
100	Pacific Power & Light Co.	0.61	

P.L. No. 14,
65 Stat. 754
14 Aug 1917NOTE:
The boundary of this segment was compiled from
aerial survey and field observations.

SUMMARY

FEE: 30.39 ACRES
TRANSFER: 0.57
LESS RITS: 8.40

FEE: 224.84 ACRES 1/4 WILKINSON COUNTY, WASH.

FEE: 8.00 ACRES IN WASCO COUNTY, ORE.

- 4.19 ACRES, SUBJECT TO A FLOWAGE EASEMENT COVERING 2.81 ACRES OVER THAT PORTION LYING BELOW THE 85.0-FOOT CONTOUR LINE, TRANSFERRED TO THE DEPT. OF THE INTERIOR ON 8 SEPT 1936 FOR BUREAU OF INDIAN AFFAIRS.
- 87.03 ACRES TRANSFERRED TO THE DEPT. OF THE INTERIOR ON 12 FEBRUARY 1939 FOR THE BUREAU OF INDIAN AFFAIRS.
- 3.14 ACRES TRANSFERRED TO THE DEPT. OF THE INTERIOR ON 12 FEBRUARY 1939 FOR THE BUREAU OF INDIAN AFFAIRS. (INCLUDES LICENSE FOR GRADE CROSSING AND ACCESS ROAD, AND PERMIT FOR ROAD APPROACH.)
- 9.00 ACRES TRANSFERRED TO THE DEPT. OF THE INTERIOR ON 8 SEPTEMBER 1938 FOR THE BUREAU OF INDIAN AFFAIRS. FLOWAGE EASEMENT COVERING 131 ACRES RETAINED OVER THAT PORTION LYING BELOW THE 10-FOOT CONTOUR LINE AND REASSIGNED TO BONNEVILLE DAM.
- 224.84 ACRES REASSIGNED TO THE DALLAS DAM ON 10 DECEMBER 1961.
- 140 ACRES TRANSFERRED TO THE DEPT. OF INTERIOR ON 01 APRIL 1934 FOR THE BUREAU OF INDIAN AFFAIRS.

FINAL
PROJECT MAP

AGENCY... DEPARTMENT OF THE
STATE... WASHINGTON
COUNTY... SKAMANIA
DIVISION... NORTH PACIFIC
DISTRICT... PORTLAND
ARMY AREA... SIXTH

LOCATION OF PROJECT
80.1 MILES E. OF PORTLAND, O.
MILES OF

TRANSPORTATION FACILITY
RAILROADS... B.P.R.
STATE ROADS... No. 8
FEDERAL ROADS... No. 830, No. 80
AIR LINES

ACQUISITION
TOTAL ACRES ACQUIRED
ACRES FEE
ACRES TRANSFERRED
ACRES LEASED
ACRES LESSER INTERESTS

DISPOSAL
TOTAL ACRES DISPOSED OF
ACRES SOLD
ACRES TRANSFERRED
ACRES LEASES TERMINATED
ACRES LESS RITS TERMINATED
ACRES REASSIGNED
ACRES TO

LEGEND
EXCEPT FOR THE SPECIAL SYMBOLS SHOWN BELOW
ALL SYMBOLS OF ARMY MAP SERVICE
NO. 10
RESERVATION LINE
RESERVATION LINE (Amended)

ACQUISITION AUTHORIZATION

Public Law No. 14, 2 March 1948
Letter O.C.E. to N.P.D. dated 20 Sept. 1942
2nd Ind. O.C.E. to N.P.D. dated 9 Jan. 1952
3rd Ind. O.C.E. to N.P.D. dated 8 Jan. 1950
4th Ind. O.C.E. to N.P.D. dated 17 April 1958
5th Ind. O.C.E. to N.P.D. dated 17 April 1958
6th Ind. O.C.E. to N.P.D. dated 17 April 1958
7th Ind. O.C.E. to N.P.D. dated 17 April 1958

SEGMENT I

DEPARTMENT OF THE ARMY
OFFICE OF THE PORTLAND DISTRICT ENGINEER
NORTH PACIFIC DIVISION

REAL ESTATE
BONNEVILLE DAM- RESTORATION
INDIAN FISHING GROUND
(BIG WHITE SALMON RIVER)

DRAWN BY...
TRACED BY...
CHECKED BY...
SUMMITED BY...
RECOMMENDED BY...
APPROVED BY...
DATE...
SCALE IN FEET
1" = 100'

SCHEDULE "B"