

83734

827314

EXCHANGE DEED

WEYERHAEUSER COMPANY, a Washington corporation, Grantor, for and in consideration of an exchange of land under the provisions of the Act of March 20, 1922, as amended (42 Stat. 465, 43 Stat. 1090, 74 Stat. 205) and the Federal Land Policy and Management Act of 1976 (P.L. 94-579), which is of equal value to the land herein conveyed, the receipt of which is hereby acknowledged conveys to the United States of America, Grantee, and its assigns, all of the following-described real property situate in the Counties of Skamania and Lewis, State of Washington:

T. 9 N., R. 5 E., W.M. - Skamania County

Sec. 7, Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Sec. 9, All

Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 21, All

T. 10 N., R. 5 E., W.M. - Skamania County

Sec. 3, Lots 1 to 14 inclusive, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Sec. 11, Lots 1, 2 and 8 to 19 inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Secs. 10, 11, and 14 Chicago Golden Crown #2,

El Capitan #1 and El Capitan #2

Plat Mining Claim,

General Survey No. 850-A

Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$

Sec. 23, Lots 1 to 9 inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

Sec. 27, All

Sec. 33, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$

T. 10 N., R. 6 E., W.M. - Skamania County

Sec. 21, Lot 1, E $\frac{1}{2}$ NW $\frac{1}{4}$

Sec. 28, Lots 1 and 9

Sec. 29, Lots 1 and 3, N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and Lot 2 except that portion reconveyed to U. S. by Deed dated 12/27/27

T. 11 N., R. 5 E., W.M. - Lewis County

Sec. 11, S $\frac{1}{2}$

Sec. 13, All

Sec. 27, S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Containing 6,701.68 acres

4566

No. 4566
TRANSACTION EXCISE TAX

MAR 21 1977

Amount Paid *Exempt*

Skamania County Treasurer
By *Therese J. Halligan* *Clerk*



62590

(Checked as to description, acreage, consideration and conditions.
Dated this _____ day of _____, 19____.

75059
010010

SUBJECT TO:

1. That part lying within public roads, being an easement to Skamania County in T. 9 N., R. 5 E., Section 13 for County Road No. 504 as recorded in Skamania County Records Book 27, Page 572, in a warranty deed from W. E. Boeing et ux to Weyerhaeuser Timber Company.
2. Reservation to Weyerhaeuser Company, or assigns, of the right to enter upon the following described land to prospect for, mine, and remove all gold, silver, iron, copper, lead, zinc, molybdenum, germanium, sulfur, therefrom, the exercise of which is subject to the Secretary's Regulations, 36 C.F.R. 251.15, a copy of which is attached and made a part hereof:

T. 10 N., R. 5 E., Section 11, Skamania County, Washington.

(The acquiring agency is the Forest Service, Department of Agriculture.)

and covenants that Grantor is the owner of the above-described property free of all encumbrances and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

Dated this 7th day of March, 1977.

(Corporate Seal)

WEYERHAEUSER COMPANY

By George H. Weyerhaeuser
Title President

ATTEST:

By Joyce E. Hultman
Title Treasurer

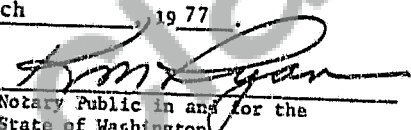
Weyerhaeuser Co.
Box C
Tacoma, W.V.

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss:
COUNTY OF KING)

On this day personally appeared George H. Weyerhaeuser and Joyce E. Hubbard, who, being duly sworn, did say that they are the President and Assistant Secretary, respectively, of Weyerhaeuser 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 they acknowledged said instrument to be its voluntary act and deed.

Before me this 27th day of March, 19 77.


Notary Public in and for the
State of Washington
Residing at Tacoma



77 MAR 10 AM 11 43
ROBERT J. WELDON, NOTARIAL
LEWIS & CLARK
BY 1/1/77

FILED VOL PAGE

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICECONDITIONS, RULES AND REGULATIONS TO GOVERN EXERCISE OF MINERAL RIGHTS
RESERVED IN CONVEYANCES TO THE UNITED STATES

Code of Federal Regulations Title 36 - Chapter II - Section 234.15

(a) Except as otherwise provided in paragraph (b) and (c) of this section, in conveyances of lands to the United States under authorized programs of the Forest Service, where owners reserve the right to mine and remove minerals, oil, gas, or other inorganic substances, said reservations shall be subject to the following conditions, rules and regulations which shall be expressed in and made a part of the deed of conveyance to the United States and such reservations shall be exercised thereunder and in obedience thereto:

(1) Whoever undertakes to exercise the reserved rights shall give notice in writing to the Forest Service and shall submit satisfactory evidence of authority to exercise such rights. Only so much of the surface of the land, to be occupied, used, or disturbed as is necessary in connection with prospecting for, drilling, mining (including the milling or concentration of ores), and removal of the reserved minerals, oil, gas, or other inorganic substances.

(2) None of the lands in which minerals are reserved shall be so used, occupied, or disturbed as to preclude their full use for authorized programs of the Forest Service until the record owner of the reserved rights, or the successors, assigns, or lessees thereof, shall have applied for and received a permit authorizing such use, occupancy, or disturbance of any specifically described parts of the lands as may reasonably be necessary to exercise of the reserved rights.

(3) Said permit shall be issued upon agreement as to conditions necessary to protect the interest of the United States including such conditions deemed necessary to provide for the safety of the public and other users of the land, and upon initial payment of the annual fee, which shall be at the rate of \$2 per acre or fraction of acre included in the permit.

(4) The permit shall also provide that the record owner of the reserved right or the successors, assigns, or lessees thereof, will repair or replace any improvements damaged or destroyed by the mining operations and restore the land to a condition safe and reasonably serviceable for authorized programs of the Forest Service, and shall provide for a bond in sufficient amount as determined necessary by the Forest Service to guarantee such repair, replacement or restoration.

(5) Failure to comply with the terms and conditions of the above permit shall be cause for termination of all rights to use, occupy, or disturb the surface of the land covered thereby, but in event of such termination a new permit shall be issued upon application when the causes for termination of the preceding permit have been satisfactorily remedied and the United States reimbursed for any resultant damage to it.

(6) All structures, other improvements, and materials shall be removed from the lands within one year after date of termination of the aforementioned permit. Should the holder of the permit fail to do so within the specified time, the Forest Service may remove, destroy or otherwise dispose of said structures, other improvements, and materials at the permittee's expense, or in lieu thereof, may upon written notice to the permittee, assume title thereto in the name of the United States.

(7) Timber and/or young growth cut or destroyed in connection with exercise of the reserved right shall be paid for at rates determined by the Forest

Service to be fair and equitable for comparable timber and/or young growth in the locality. All slash resulting from cutting or destruction of timber or young growth shall be disposed of as required by the Forest Service.

(8) In the prospecting for, mining, and removal of reserved minerals, oil, gas, or other inorganic substances all reasonable provisions shall be made for the disposal of tailings, dumpage, and other deleterious materials or substances in such manner as to prevent obstruction, pollution, or deterioration of water resources.

(9) Nothing herein contained shall be construed to exempt operators of the mining operations from any requirements of applicable State laws nor from compliance with or conformity to any requirements of any law which may be enacted and which otherwise would be applicable.

(10) While any activities and/or operations incident to the exercise of the reserved rights are in progress, the operators, contractors, subcontractors, and any employees thereof shall use due diligence in the prevention and suppression of fires, and shall comply with all rules and regulations applicable to the land.

(11) The conditions, rules and regulations set forth in subparagraphs (1) through (7) of paragraph (a) of this section shall not apply to reservations contained in conveyances of lands to the United States under the Act of March 3, 1925, as amended (43 Stat. 1133, 64 Stat. 62; 16 U.S.C. 555).

(12) In cases where a State, or an agency, or a political subdivision thereof, reserves minerals, oil, gas, or other inorganic substances, in the conveyance of land to the United States under authorized programs of the Forest Service and there are provisions in the laws of such State or in conditions, rules and regulations promulgated by such State, agency or political subdivision thereof, which the Chief, Forest Service, determines are adequate to protect the interest of the United States in the event of the exercise of such reservation, the Chief, Forest Service, in hereby authorized, in the discharge of his duty, to subject the exercise of the reservation to such statutory provisions or such conditions, rules and regulations in lieu of the conditions, rules and regulations set forth in subparagraphs (1) through (7) of paragraph (a) of this section. In that event, such statutory provisions or such conditions, rules and regulations shall be expressed in and made a part of the deed of conveyance to the United States and the reservation shall be exercised thereunder and in obedience thereto.

All regulations heretofore issued by the Secretary of Agriculture to govern the exercise of mineral rights reserved in conveyances of lands to the United States under authorized programs of the Forest Service shall continue to be effective in the cases to which they are applicable, but are hereby superseded as to mineral rights heretofore reserved in conveyances under such programs.

(30 Stat. 85, as amended, 16 U.S.C. 551. Interprets or applies 30 Stat. 851, as amended, 16 U.S.C. 513-519. 42 Stat. 465, as amended, 16 U.S.C. 465, 466, and 30 Stat. 825, as amended, 7 U.S.C. 1011)

Signed at Washington, D.C., on April 30, 1938.

(S) ORVILLE L. FREEMAN,
Secretary,