

(17) and eighteen (18), township three (3) north of range thirteen (13) east of the Willamette Meridian.

(b) All lands in the north half of the northwest quarter of section thirty-five (35), township three (3) north of range twelve (12) east of the Willamette Meridian, lying between the present existing wagon road on the south side of the said Klickitat River and a line drawn on the north side of said river and ten (10) feet from the extreme high water mark on the said north side of said river.

(c) All lands lying in the northwest quarter of the northeast quarter of said section thirty-five (35) north of the wagon road on the left bank of said river.

(d) A dam site of not exceeding two (2) acres, lying in the southwest quarter of the northeast quarter of section twenty-three (23) in township four (4) north of range thirteen (13) east of Willamette Meridian, as shall be located and used for the construction of a dam by the party of the second part in said contract; and also any other dam site which the party of the second part in said contract shall select and on which he shall construct a dam between the south line of the north half of the said section thirty-five (35), township three (3) north of range twelve (12) east of the Willamette Meridian, and the east line of the west half of the east half of section twenty-three (23), township four (4), north of range thirteen (13) east of the Willamette Meridian.

(e) At the option of the party of the second part in said contract, the land between the flume line commonly called the upper flume line as at present surveyed and established by the party of the first part in said contract, and the existing wagon road in the northwest quarter of the northeast quarter of the said section thirty-five (35), upon which certain buildings now stand; and also, at the option of the party of the second part in said contract, any other lands in the said northwest quarter of the northeast quarter of said section thirty-five (35) desired by the said party of the second part for his purposes in the development of power.

(f) All the riparian rights in and to the waters of the said Klickitat River from the line between sections seventeen (17) and eighteen (18) in township three (3) north of range thirteen (13) east of Willamette Meridian, to the east line of the west half of the east half of section twenty-three (23), township four (4) north of range thirteen (13) east of the Willamette Meridian.

(g) A strip of land along said river on each side thereof extending inland ten feet (10) east in width from the mean high water line on each side of said river, wherever the party of the first part in said contract now owns said land or may acquire the same prior to January first, 1913, between the south line of the north half of the northwest quarter of section thirty-five (35) township three (3) north of range twelve (12) east of Willamette Meridian, and the east line of the west half of the east half of section twenty-three (23), township four (4) north of range thirteen (13) east of Willamette Meridian; subject, however, to the right of free access by the party of the first part in said contract or its successors in interest to the waters of said river over and across said strips of land described, as the said water may rise and fall; and subject to the right of use of said strips for warehouse and railroad purposes.

(h) A right of way for a flume, ditch, canal, or pipe line, or any combination of the same, not to exceed one hundred (100) feet in width, over the lands of the first party in said contract, to be located in accordance with the terms thereof.

(i) Satisfactory right of way for a pipe or flume line across the right of way of and under the track of the Goldendale branch of the Spokane, Portland & Seattle Railway, said crossing to be on section twenty-six (26) or section thirty-five (35), township three