

## DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

#23632

O. S. Larsen et al to United States

(OFFICE CHIEF OF ENGINEERS, Nov. 23, 1936, 6500 (Bonneville Dam) 590/1.)

FLOWAGE EASEMENT

THIS INDENTURE, Made this 10th day of August, 1936, between O. C. Larsen, Frank Larsen, Amos Larsen, Philip Aaron Larsen, Lewis Larsen and Nora Larsen Bolle, sole heirs at law of C. E. Larsen and Mary Larsen, deceased, each owning an undivided one-sixth interest and holding as separate property, hereinafter called the Grantors, and the United States of America, hereinafter called the Government, witnesseth:

THAT WHEREAS, the Government is constructing a dam across the Columbia River between the States of Oregon and Washington at Bonneville, Oregon, and upon the completion of said dam will operate and maintain a spillway, power house and ship lock; and

WHEREAS, under operating conditions, all lands abutting on either bank of said river from Bonneville to the Celilo Canal which are below the elevation of the backwater curve which begins at the dam at 72.0 feet above mean seal level (as determined by reference to the U. S. C. & G. S. bench mark, B. 24, situate about one mile east along the Oregon-Washington Railroad & Navigation Company's track from Warrendale, Multnomah County, Oregon, in the north end of a concrete culvert, at elevation 72.533 feet) will be permanently flooded; and

WHEREAS, the Government in operating said structures, will increase periodically the depth and duration of the overflow on a portion of said lands, later described, lying above elevation 72.0 feet; and

WHEREAS, the Government desires to purchase a perpetual flowage easement from the said Grantors, and said Grantors desire to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said Grantors, for and in consideration of the sum of One Thousand and 00/100 Dollars (\$1,000.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the Government or its assigns, forever, the full and perpetual right, power, privilege and easement to overflow, as hereinbefore stated, all that portion of the following described lands lying below the 95-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the north bank of the Columbia River, containing 11.7 acres more or less, situate in the County of Skamania and State of Washington:

Government Lot 2 in Section 21, Township 3 North, Range 10 East of the Willamette Meridian, excepting therefrom the following:

a. A parcel of land described as follows: Commencing at the point of intersection of the north line of the County Road as constructed December 14, 1931, through Lot 2 in Section 21, Township 3 North, Range 10 East of the Willamette Meridian, with the East line of said Section 21, thence north along said section line 90 feet, more or less, to the small creek, thence southwesterly along the said creek to the north line of said County Road, thence easterly 100 feet, more or less, along the north line of said road to the point of beginning, it being the intent that the said creek form the northerly and westerly boundaries of the land hereby excepted; also the right to take water from any spring situated upon said Government Lot 2, together with the right to construct thereon such reservoir or reservoirs as may be necessary or convenient for the storage of said water and to lay and maintain a pipe line over and across said Government Lot 2 to the parcel of land last described.

b. A strip of land 100 feet in width granted Portland and Seattle Railway Company, now Spokane, Portland & Seattle Railway Company, being 50 feet in width on each side of the center line of the railroad of said railway company, as located and constructed over and across Government Lot 2 in Section 21, Township 3 North, Range 10 East of the Willamette Meridian.

c. A strip of land granted Portland and Seattle Railway Company, now Spokane, Portland & Seattle Railway Company, being 50 feet in width upon the northerly side of, and a strip of land 150 feet in width upon the southerly side of, parallel with and immediately adjacent to the right of way of said railway company as located and constructed prior to February 23, 1907, beginning at Station 759+50 of the railway survey of said railway company and extending in a southwesterly direction to the west line of Lot 1 in Section 21, Township 3 North, Range 10 East of the Willamette Meridian.