

That to my knowledge there are no vested or accrued water rights affecting said lands, nor are said lands subject to the right of a proprietor of a vein of lode to extract and remove ore therefrom, nor are there any rights of way for ditches or canals constructed by the authority of the United States, on said lands; also that there are no vested or accrued water rights in third persons, nor are there any parties in possession, not shown of record, nor are there any questions of survey or boundary disputes affecting said lands; nor are there any mechanics' lien claims, not shown of record, against said lands; also that the lease in favor of Raymond & Brown, and mentioned in those certain deeds recorded in Book "K" of Deeds, page 169, Records of Skamania County, Washington, on November 5, 1906, and Volume "K" of Deeds, page 429, Records of Skamania County, Washington, on September 14, 1907, no longer exists and that the same has ceased to be of any effect.

I further say that Christina L. Cook, grantee in that certain deed recorded in Volume "K" of Deeds, page 429, Records of Skamania County, Washington, is one and the same person as Christina H. Cook, grantor in that certain deed recorded in Volume "R" of Deeds, page 65, Records of Skamania County, Washington.

That I make this affidavit for the purpose of meeting certain requirements as pointed out in the Attorney General's opinion under date of October 25, 1937, relative to the above mentioned flowage easement.

C. W. DeGraff

Subscribed and sworn to before me this 1st day of December, 1937.

(Notarial seal affixed)

W. S. Parker
Notary Public for Oregon
My commission expires 4-4-1938

Filed for record December 29, 1937 at 11-15 a.m. by U. S. Engr.

Mabel J. Rose
Skamania County, Clerk-Auditor.

#25117

Portland Trust & Savings Bank to United States of America

(OFFICE CHIEF OF ENGINEERS OCT 6 1937 6500 (Bonneville Dam) 835/3

FLOWAGE EASEMENT

THIS INDENTURE, made this 1st day of September, 1937, between the Portland Trust & Savings Bank, a corporation, hereinafter called the Grantor, 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 sea 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