

**WHEN RECORDED RETURN TO:**

**Bonneville Power Administration  
TERR-3  
PO Box 3621  
Portland, OR 97208-3621 auditorium**

**DOCUMENT TITLE(S)**

Land Use Agreement

**REFERENCE NUMBER(S)** of Documents assigned or released:

BPA Case No.: 19980005

☐ Additional numbers on page \_\_\_\_\_ of document.

**GRANTOR(S):**

The Bonneville Power Administration

☐ Additional names on page \_\_\_\_\_ of document.

**GRANTEE(S):**

Department of the Army, Portland District, Corp of Engineers

☐ Additional names on page \_\_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

B.B. Bishop D.L.C. # 39, in Section 21, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington.

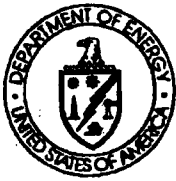
☐ Complete legal on page \_\_\_\_\_ of document.

**TAX PARCEL NUMBER(S):**

02072100

☐ Additional parcel numbers on page \_\_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.



**Department of Energy**  
 Bonneville Power Administration  
 P.O. Box 3621  
 Portland, Oregon 97208-3621

**JAN 27 1998**

In reply refer to: TSRF-3  
 TRACT No. AEF-1-A-1; B-V-2; HA-O-1008  
 LAND USE No. 19980005  
 LINE: Bonneville-North Bonneville No. 3 and 4;  
 Hanford-Ostrander No. 1 (str 15/3; Bonneville-North Bonneville;  
 Bonneville-Vancouver; Bonneville-Coulee; and  
 Bonneville-Vancouver Line 1 and 2

**CERTIFIED - RETURN RECEIPT REQUESTED**

Mr. John Minger  
 Department of the Army  
 Portland District, Corps of Engineers  
 P.O. Box 2946  
 Portland, OR 97208-2946

**LAND USE AGREEMENT**

Bonneville Power Administration (BPA) hereby agrees to use of BPA's permit area for construction/installation, use, and maintenance of a juvenile fish bypass system.

The location of your use is partially within the B.B. Bishop No. 39 Donation Land Claim of Section 21, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington, as shown on the attached drawing marked Exhibit A and segments of BPA Drawing Nos. 150451D, 158010 and 158009, marked Exhibits B, C and D.

PLEASE NOTE: BPA is not the owner of this property and, if you are not the owner, you must obtain the owners' permission to use this property. There may also be other uses of the property which might be located within the same area as your project. This agreement is subject to those other rights.

**BPA'S AGREEMENT IS CONTINGENT ON THE FOLLOWING CONDITIONS:**

1. The fish flume pipe is approved at the location as shown on the attached Drawing marked Exhibit A.

2. Maintain a minimum distance of 20 feet between construction equipment and transmission line conductors (wires).
3. Maintain a minimum distance of at least 40 feet between your pipeline and the point where the steel lattice tower leg or concrete foundation enters the earth.
4. The electrical duct bank is assumed to be PVC or another suitable plastic. If not, the electrical wires should be placed in plastic conduit where they come closer than 50 feet from the point where BPA's lattice steel tower legs enter the earth.
5. Design any access roads which the fish flume pipeline crosses to withstand HS-20 loading from BPA's heavy vehicles.
6. Equipment, machinery, and vehicles traveling on BPA's right-of-way shall come no closer than 25 feet to any BPA structure or guy anchor ground attachment point.
7. Access to transmission line structures by BPA's maintenance crews shall not be interfered with or obstructed.
8. Storage of flammable materials or refueling of vehicles/equipment beneath BPA's transmission lines is prohibited.
9. **CAUTION:** Nuisance shocks may occur within the right-of-way. Grounding metal objects helps to reduce the level of shock.
10. Restore BPA's right-of-way to its original condition, or better following construction. Disposal of overburden on the right-of-way will not be allowed. There should be no change in ground to conductor clearance.
11. Construction/installation, use, and maintenance of the fish flume pipeline shall be at no cost to BPA.

Other uses and utilities on the right-of-way must be applied for separately.

You shall not make any changes or additions to your use of the right-of-way without BPA's review and written approval.

**IN ADDITION, THE FOLLOWING IS BROUGHT TO YOUR ATTENTION AND MUST ALSO BE COMPLIED WITH:**

**Hazard or Interference:** The subject use of this permit has been determined not to be a hazard to, nor an interference with, BPA's present use for electric transmission line purposes. Accordingly, there is no present objection to such use. However, if such use should, at any time, become a hazard to the presently installed electrical facilities of BPA, or any facilities added or constructed in the future, or if such use should interfere with the inspection, maintenance, or

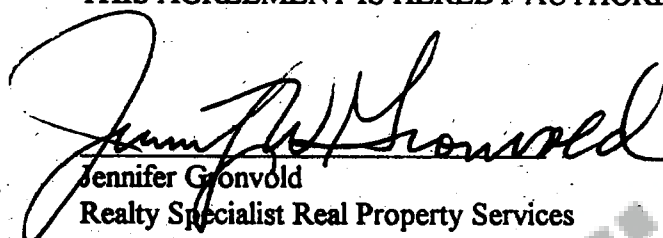
repair of the same, or with the access within the permit area, you will be required to remove such hazard or interference at no expense to BPA.

This Land Use Agreement becomes effective upon the commencement of use as set forth in the agreement. If you have any questions or concerns, please notify us. This agreement is a permit, revocable at will by the U.S., and does not convey any easement, estate, or interest in the land.

**IF WE DO NOT HEAR FROM YOU WITHIN 30 DAYS FROM THE RECEIPT OF THE AGREEMENT, THE TERMS OF THE AGREEMENT WILL BE ASSUMED TO BE ACCEPTABLE. THE AGREEMENT WILL THEN BECOME A PART OF OUR PERMANENT FILE AND MAPPING SYSTEM.**

You may direct any communication to this office, Bonneville Power Administration, Real Property Services (TSRF-3), P.O. Box 3621, Portland, Oregon 97208, or by telephoning Jennifer Gronvold at 1-800-836-6619 or directly at (503) 230-3274.

THIS AGREEMENT IS HEREBY AUTHORIZED

  
Jennifer Gronvold  
Realty Specialist Real Property Services

bcc:

Aircraft Services - TC/Hangar  
Jim Jellison - TFO/Olympia  
Walt Banker - TFOP/Vanc TLM  
Official File - TSR-3 (Case No. 19980005)

CESutton:ces:ko:x3255:1/26/98 (TSR-3:8978:C:\MSOFFICE\



P 494 596 642

US Postal Service

**Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to <b>John Ninger</b>	
Street & Number <b>P.O. Box 2946</b>	
Post Office, State, & ZIP Code <b>Portland, OR 97208-2946</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

3

Tract No. AEF-1-A-1, B-V-2, HA, O-1008  
Land Use No. 19980005



STATE OF WASHINGTON  
SKAMANIA COUNTY  
WASHINGTON SOUTH ZONE  
OREGON NORTH ZONE  
MULTNOMAH COUNTY  
STATE OF OREGON



