



AFTER RECORDING, RETURN TO  
Bonneville Power Administration  
~~TR-TPP-4~~ 2410 E. Hawthorne Road  
~~P.O. BOX 61409~~ Mead, WA 99021  
~~VANCOUVER, WA 98666-1409~~ ATTN: Mari Rosales (TRF/Bell-1)

124 21245

Legal description: A portion of the N $\frac{1}{4}$ SE $\frac{1}{4}$  &  
NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 18 North,  
Range 20 East, W.M., Kittitas County,  
Washington, as described in Exhibits A & B.  
(Affects Assessor's Parcel Nos. 18-20-06000-0008  
& 18-20-06000-0009)

Real Estate Excise Tax  
Exempt

Kittitas County Treasurer

By K. Hill  
APP # 15152  
06-17-02

Tract No. AUC-7-A-3  
V-MV-28-A-39

U.S. DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION  
CONTRACT AND GRANT OF EASEMENT  
~~Transmission-Line and Danger Trees~~

THIS AGREEMENT, made this 20th day of May, 2002, between  
NANCY JASWAY ARQUETTE, LUCINDA BILL, MATILDA T. ALLEN, MAY T. LEWIS, RICHARD  
THOMPSON, WOODROW BILL, BARBARA ISADORE, PERRY ISADORE, WILMA BILL BUCK,  
CARL BILL, NANETTE ROBINSON, BESSIE BILL, GAILEEN BILL, DONALD ISADORE JR.,  
GASTON BILL, IVAN ISADORE, VALETTA BILL, LESLIE BILL, and TOMMY ELI, the Grantor,  
whether one or more, and the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power  
Administration, hereinafter referred to as 'BPA', pursuant to the Bonneville Project Act, approved August  
20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 (1977); the Federal Columbia River  
Transmission System Act, approved October 18, 1974, (P.L. 93-454), 88 Stat. 1376, 16 U.S.C. 838 (Supp  
IV); the Department of Energy Organization Act, approved August 4, 1977, (P.L. 95-91); and the Pacific  
Northwest Electric Power Planning and Conservation Act, approved December 5, 1980, (P.L. 96-501),

WITNESSETH:

That the parties hereto covenant and agree as follows:

The Grantor, for and in consideration of the sum of ONE HUNDRED FOUR THOUSAND FOUR  
HUNDRED DOLLARS (\$104,400.00) and the provisions contained in this agreement, hereby grants and  
conveys to the BPA, a perpetual easement and right-of-way for electric power transmission purposes in,  
upon, over, and under the following-described land, to wit:



As described in Exhibits A and B, attached hereto and by this reference made a part hereof.

The grant shall include the right to enter and to locate, construct, operate, maintain, repair, reconstruct, upgrade, remove and patrol one or more lines of poles or structures and appurtenances thereto, supporting conductors of one or more electric circuits of any voltage and any communication lines or equipment and appurtenances thereto, together with the present and future right to clear the right-of-way and to keep the same clear of all trees, whether natural or cultivated, and all structure supported crops, other structures, trees, brush, vegetation, fire and electrical hazards, except non-structure supported agricultural crops less than 10 feet in height. All such trees, brush, vegetation, structures, and fire hazards presently on the right-of-way shall become the property of the BPA on the date of acceptance hereof and may be disposed of by the BPA in any manner it deems suitable.

The Grantor also hereby grants and conveys to the BPA the present and future right to top, limb, or fell, and to remove, sell, burn, or otherwise dispose of "danger trees" located on Grantor's land adjacent to said right-of-way. A danger tree is any growing or dead tree, or snag, whether stable or unstable, which the BPA at any time determines could within a five-year period fall, bend or swing against the transmission or communications lines or equipment or within electrical arcing distance of said lines, or which the BPA determines could interfere with the construction or maintenance of said lines and equipment.

The Grantor covenants to and with the BPA and its assigns that the title to all brush and timber cut or hereinafter growing within said parcel of land and also all danger trees identified or cut from Grantor's land adjacent to said right-of-way is and shall be vested in the BPA and its assigns and that the consideration paid for conveying said easement and rights herein described is accepted as full compensation for all damages incidental to the exercise of any said rights. At the BPAs' election title to danger trees may revert to the Grantor.

The rights granted herein are subject to easements of record and mineral rights of third parties. BPA will not interfere with the operation and maintenance of the NW Pipeline easement, which currently resides in a portion of the proposed BPA easement area.

In addition to the consideration recited herein, the BPA shall repair or make compensation for damage to agricultural crops, and to the BPAs' permitted fences, irrigation and drainage systems within the easement area. The BPA shall repair or make compensation only for damage caused by the BPA and which results from and during construction, reconstruction, removal, or maintenance activities within the easement area. Payment for such damage shall be made on the basis of a damage estimate approved by the BPA. Except as explicitly stated herein, the BPA shall be responsible for any loss or damage to property or injury to persons resulting from any acts or omissions in accordance with the provisions of the Federal Tort Claims Act 62 Stat. 982, as amended.

The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the BPA and to obtain such curative documents as may be requested by the BPA. The BPA shall pay all costs incidental to the preparation and recordation of this instrument and for the procurement of the title evidence.

The Grantor covenants to and with the BPA that the Grantor is lawfully seized and possessed of the land aforesaid, with a good and lawful right and power to sell and convey the same; that the land is free and clear of encumbrances, except as herein provided; and that the Grantor will forever warrant and defend the title to the rights granted herein and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and upon the assigns of the BPA.



This Contract & Grant of Easement is being acquired under 25CFR Sections 169.5, 169.20, and 169.27 in effect as of the date of this document, attached hereto and by this reference made a part of. Approval by the Secretary, or his designee, constitutes an acknowledgement that the BPA is a Federal agency and a waiver for the BPA from any requirements within the above Code of Federal Regulations that Federal agencies are so prohibited by law from executing.

This Contract and Grant of Easement cancels and supercedes the Easement for tract V-MV-39 granted and approved on October 16, 1964 for a fifty-year term in accordance with the provisions of the Act of February 5, 1948 (62 Stat. 17).

Nancy Jasway Arquette  
Nancy Jasway Arquette

Bessie J. Bill  
Bessie Bill

Lucinda Bill  
Lucinda Bill

Gaileen Bill  
Gaileen Bill

Matilda T. Allen  
Matilda T. Allen

Donald Isadore, Jr.  
Donald Isadore, Jr.

May T. Lewis  
May T. Lewis

Gaston J. Bill  
Gaston Bill

Richard Thompson  
Richard Thompson

Ivan Isadore  
Ivan Isadore

Woodrow Bill  
Woodrow Bill

Valetta Bill  
Valetta Bill

Barbara Isadore  
Barbara Isadore

Leslie Bill  
Leslie Bill

Perry Isadore  
Perry Isadore

Nanette Robinson  
Nanette Robinson

Wilma Bill Buck  
Wilma Bill Buck

Tommy Eli  
Tommy Eli

Carl Bill  
Carl Bill



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Page: 4 of 29  
06/17/2002 01:05P  
EAS 47.00

Kittitas Co Auditor USA-BPA

Accepted for the:  
UNITED STATES:  
DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION:

Mari Rosales  
Title: Realty Specialist  
Date: 5-29-02

The within deed is hereby approved:

[Signature] 6/13/02  
Title:

RECEIVED  
B.P.A. - NWRO  
LAND TITLES & RECORDS  
2002 JUN 28 PM 1:25

Tract Nos AUC-7-A-3  
V-MV-28-A-39

BPA OCTOBER 2001

124 21245

U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION

MULTIPLE ACKNOWLEDGMENT

State of Washington  
Kittitas County

On this 29th day of May, 2002, before me personally appeared Nancy Jasway Arquette, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.



Reuben Bending  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002

On this 29th day of May, 2002, before me personally appeared Bessie L. Bill, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.



Reuben Bending  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002

On this 29th day of May, 2002, before me personally appeared Lucinda Bill, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.



Reuben Bending  
Notary Public in and for the State of Washington

Residing at Toppenish WA

My commission expires October 12, 2002

BPA OCTOBER 2001

U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION

MULTIPLE ACKNOWLEDGMENT

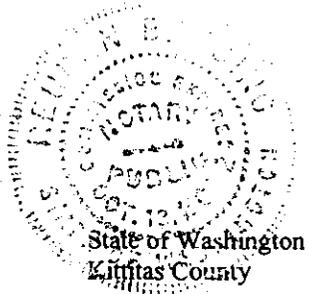
State of Washington  
Kittitas County

On this 29th day of May, 2002, before me personally appeared Gaitken Bill, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Ranba Bendin  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



On this 29th day of May, 2002, before me personally appeared Matilda T. Allen, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Ranba Bendin  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



On this 29th day of May, 2002, before me personally appeared May T. Lewis, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Ranba Bendin  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION

MULTIPLE ACKNOWLEDGMENT

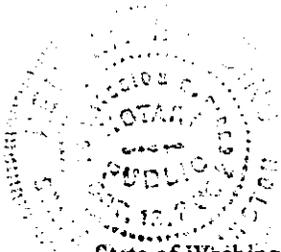
State of Washington  
Kittitas County

On this 29th day of May, 2002, before me personally appeared Richard Thompson, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Reula Bendis  
Notary Public in and for the State of Washington

Residing at Toppenish WA

My commission expires October 12, 2002



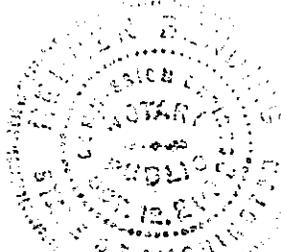
State of Washington  
Kittitas County

On this 29th day of May, 2002, before me personally appeared Gaston J. Bill, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Reula Bendis  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



State of Washington  
Kittitas County

On this 29th day of May, 2002, before me personally appeared Tommy Eli, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Reula Bendis  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION

MULTIPLE ACKNOWLEDGMENT

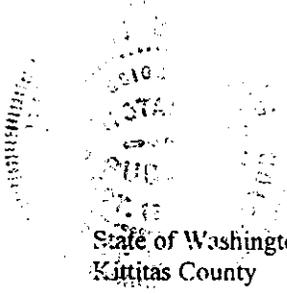
State of Washington  
Kittitas County

On this 29<sup>th</sup> day of May, 2002, before me personally appeared Mari Rosales, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Ranba Bandy  
Notary Public in and for the State of Washington

Residing at Toppenish WA

My commission expires October 12, 2002



State of Washington  
Kittitas County

On this 13 day of June, 2002, before me personally appeared Clarence Holford, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

Ranba Bandy  
Notary Public in and for the State of Washington

Residing at Toppenish, WA

My commission expires October 12, 2002



State of Washington  
Kittitas County

On this \_\_\_\_\_ day of \_\_\_\_\_, 2002, before me personally appeared \_\_\_\_\_, known to me, or proved to me on the basis of satisfactory evidence, to be the person whose name ( he / she ) subscribed to the within instrument and who acknowledged to me that ( he / she ) executed the same as ( his / her ) voluntary act and deed for the uses and purposes therein mentioned.

\_\_\_\_\_  
Notary Public in and for the State of Washington

Residing at \_\_\_\_\_

My commission expires \_\_\_\_\_

EXHIBIT A

V-MV-39

A strip of land 275 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 18 North, Range 20 East of the Willamette Meridian, Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from, 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground, over, across, upon, or adjacent to the above described property. Said survey line is particularly described as:

Beginning at a point in the east line of said Section 6, N.00°49'30"W. a distance of 750.6 feet from the southeast corner of said section, which point is designated as survey station 1529+83.0; thence N.57°22'10"W. a distance of 3476.7 feet to a point in the east-west quarter section line of said Section 6, being S.88°30'50"E. a distance of 2320.1 feet from the quarter-section corner in the west line of said section, which point is designated as survey station 1564+59.7.

Subject to the rights of the public in and to a Kittitas County Road known as Cooke Canyon Road.

BPA Tract V-MV-28-A-39 contains 15.6 acres, more or less.

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EXHIBIT B

AUC-7-A-3

A 200 foot right-of-way over and across the NE1/4SW1/4 and the N1/2SE1/4 of Section 6, Township 18 North, Range 20 East, of the Willamette Meridian, Kittitas County, State of Washington, for the Bonneville Power Administration (BPA) Schultz-Wautoma transmission line. The boundary lines of said 200 foot wide right-of-way lie 75 feet distant northerly from and 125 feet distant southerly from and parallel with the survey centerline as monumented on the ground for the BPA Schultz-Wautoma Transmission Line. The southerly boundary is contiguous to the existing northerly right-of-way boundary of the BPA Vantage-Raver No. 1 Transmission Line. The survey centerline is described with reference to the Washington Coordinate System (NAD83/91), South Zone, as follows:

Beginning at survey station 1593+51.2 on the west boundary of Section 6, Township 18 North, Range 20 East, of the Willamette Meridian, Kittitas County, Washington, which point lies S.00°10'40"E, a distance of 1034.3 feet from a found 3-1/4 inch Aluminum cap marking the northwest corner of said Section 6; thence S.57°21'59"E, a distance of 6232.3 feet to survey station 1531+18.9 on the east boundary of said Section, which point lies N.00°54'37"W, a distance of 990.5 feet from a found 2 1/2 inch Aluminum cap marking the section corner common to Sections 5, 6, 7 and 8, Township 16 North, Range 23 East, of the Willamette Meridian, Kittitas County, Washington.

BPA Tract AUC-7-A-3 contains 11.5 acres, more or less.

BPA 3 1/4 inch Aluminum capped monuments are set at survey stations 1593+48.7, 1581+57.0, 1569+39.7, 1561+35.3, 1543+03.5 and 1530+89.0.

AUC-7-A-3



124 81245

[Code of Federal Regulations]  
[Title 25, Volume 1]  
[Revised as of April 1, 2001]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 25CFR169.5]

[Page 555-556]

TITLE 25--INDIANS

CHAPTER I--BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 169--RIGHTS-OF-WAY OVER INDIAN LANDS--Table of Contents

Sec. 169.5 Application for right-of-way.

Written application identifying the specific use requested shall be filed in duplicate with the Secretary. The application shall cite the statute or statutes under which it is filed and the width and length of the desired right-of-way, and shall be accompanied by satisfactory evidence of the good faith and financial responsibility of the applicant. An application filed by a corporation must be accompanied by a copy of its charter or articles of incorporation duly certified by the proper State official of the State where the corporation was organized, and a certified copy of the resolution or bylaws of the corporation authorizing the filing of the application. When the land covered by the application is located in a State other than that in which the applicant was incorporated, it must also submit a certificate of the proper State official that the applicant is authorized to do business in the State where the land is located. An application filed by an unincorporated partnership or association must be accompanied by a certified copy of the articles of partnership or association, or if there be none, this fact must be stated over the signature of each member of the partnership or association. If the applicant has previously filed with the Secretary an application accompanied by the evidence required by this section, a reference to the date and place of such filing will be sufficient. Except as otherwise provided in this section, the application shall be accompanied by a duly executed stipulation, in duplicate, expressly agreeing to the following:

- (a) To construct and maintain the right-of-way in a workmanlike manner.
- (b) To pay promptly all damages and compensation, in addition to the deposit made pursuant to Sec. 169.4, determined by the Secretary to be due the landowners and authorized users and occupants of the land on account of the survey, granting, construction and maintenance of the right-of-way.
- (c) To indemnify the landowners and authorized users and occupants against any liability for loss of life, personal injury and property damage arising from the construction, maintenance, occupancy or use of the lands by the applicant, his employees, contractors and their employees, or subcontractors and their employees.
- (d) To restore the lands as nearly as may be possible to their original condition upon the completion of construction to the extent compatible with the purpose for which the right-of-way was granted.
- (e) To clear and keep clear the lands within the right-of-way to the extent compatible with the purpose of the right-of-way; and to dispose of all vegetative and other material cut, uprooted, or otherwise accumulated during the construction and maintenance of the project.
- (f) To take soil and resource conservation and protection measures, including weed control, on the land covered by the right-of-way.
- (g) To do everything reasonably within its power to prevent and suppress fires on or near the lands to be occupied under the right-of-way.

(h) To build and repair such roads, fences, and trails as may be destroyed or injured by construction work and to build and maintain necessary and suitable crossings for all roads and trails that intersect the works constructed, maintained, or operated under the right-of-way.

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(i) That upon revocation or termination of the right-of-way, the applicant shall, so far as is reasonably possible, restore the land to its original condition.

(j) To at all times keep the Secretary informed of its address, and in case of corporations, of the address of its principal place of business and of the names and addresses of its principal officers.

(k) That the applicant will not interfere with the use of the lands by or under the authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way is granted.

When the applicant is the U.S. Government or a State Government or an instrumentality thereof and is prohibited by law from executing any of the above stipulations, the Secretary may waive the requirement that the applicant agree to any stipulations so prohibited.

[33 FR 19803, Dec. 27, 1968, as amended at 45 FR 45910, July 8, 1980. Redesignated at 47 FR 13327, Mar. 30, 1982]



[Code of Federal Regulations]  
[Title 25, Volume 1]  
[Revised as of April 1, 2001]  
From the U.S. Government Printing Office via GPO Access  
[CITE: 25CFR169.20]

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TITLE 25--INDIANS

CHAPTER I--BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 169--RIGHTS-OF-WAY OVER INDIAN LANDS--Table of Contents

Sec. 169.20 Termination of right-of-way grants.

All rights-of-way granted under the regulations in this part may be terminated in whole or in part upon 30 days written notice from the Secretary mailed to the grantee at its latest address furnished in accordance with Sec. 169.5(j) for any of the following causes:

- (a) Failure to comply with any term or condition of the grant or the applicable regulations;
- (b) A nonuse of the right-of-way for a consecutive 2-year period for the purpose for which it was granted;
- (c) An abandonment of the right-of-way.

If within the 30-day notice period the grantee fails to correct the basis for termination, the Secretary shall issue an appropriate instrument terminating the right-of-way. Such instrument shall be transmitted by the Secretary to the office of record mentioned in Sec. 169.15 for recording and filing.

[33 FR 19803, Dec. 27, 1968, as amended at 45 FR 45910, July 8, 1980. Redesignated at 47 FR 13327, Mar. 30, 1982]

{Code of Federal Regulations}  
{Title 25, Volume 1}  
{Revised as of April 1, 2001}  
From the U.S. Government Printing Office via GPO Access  
{CITE: 25CFR169.27}

{Page 562-565}

TITLE 25--INDIANS

CHAPTER I--BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

PART 169--RIGHTS-OF-WAY OVER INDIAN LANDS--Table of Contents

Sec. 169.27 Power projects.

(a) The Act of March 4, 1911 (36 Stat. 1253), as amended by the Act of May 27, 1952 (66 Stat. 95; 43 U.S.C. 961), authorizes right-of-way grants across tribal,

{Page 563}

individually owned and Government-owned land for electrical poles and lines for the transmission and distribution of electrical power. Rights-of-way granted under that act shall be subject to the provisions of this section as well as other pertinent sections of this part 169. Except when otherwise determined by the Secretary, rights-of-way granted for such purposes under the Act of February 5, 1948 (62 Stat. 17; 25 U.S.C. 323--328) shall also be subject to the provisions of this section.

(b) All applications, other than those made by power-marketing agencies of the Department of the Interior, for authority to survey, locate, or commence construction work on any project for the generation of electric power, or the transmission or distribution of electrical power of 66 kV or higher involving Government-owned lands shall be referred to the Office of the Assistant Secretary of the Interior for Water and Power Resources or such other agency as may be designated for the area involved, for consideration of the relationship of the proposed project to the power development program of the United States. Where the proposed project will not conflict with the program of the United States, the Secretary, upon notification to the effect, may then proceed to act upon the application. In the case of necessary changes respecting the proposed location, construction, or utilization of the project in order to eliminate conflicts with the power development program of the United States, the Secretary shall obtain from the applicant written consent to or compliance with such requirements before taking further action on the application.

(c) A right-of-way granted under the said Act of March 4, 1911, as amended, shall be limited to a term not exceeding 50 years from the date of the issuance of such grant.

(d) Rights-of-way for power lines shall be limited to those widths which can be justified and in no event shall exceed a width of 200 feet on each side of the centerline.

(e) The applicant shall make provision, or bear the reasonable cost (as may be determined by the Secretary) of making provision, for avoiding inductive interference between any project transmission line or other project works constructed, operated, or maintained by it on the right-of-way authorized under the grant and any radio installation, telephone line, or other communication facilities now or hereafter constructed and operated by the United States or any agency thereof. This provision shall not relieve the applicant from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive interference.

(f) An applicant for a right-of-way for a transmission line across



Government-owned lands having a voltage of 66 kV or more must, in addition to the stipulation required by Sec. 169.5, execute and file with its application a stipulation agreeing to accept the right-of-way grant subject to the following conditions:

(1) The applicant agrees that, in the event it becomes necessary for the United States to acquire the applicant's transmission line or facilities constructed on or across such right-of-way, the United States reserves the right to acquire such line or facilities at a sum to be determined upon by a representative of the applicant, a representative of the Secretary of the Interior, and a third representative to be selected by the other two for the purpose of determining the value of such property thus to be acquired by the United States.

(2) To allow the Department of the Interior to utilize for the transmission of electrical power any surplus capacity of the line in excess of the capacity needed by the holder of the grant for the transmission of electrical power in connection with the applicant's operations, or to increase the capacity of the line at the Department's expense and to utilize the increased capacity for the transmission of electrical power. Utilization by the Department of surplus or increased capacity shall be subject to the following terms and conditions:

(i) When the Department desires to utilize surplus capacity thought to exist in a line, notification will be given to the applicant and the applicant shall furnish to the Department within 30 days a certificate stating

[[Page 564]]

whether the line has any surplus capacity not needed by the applicant for the transmission of electrical power in connection with the applicant's operations, and, if so, the extent of such surplus capacity.

(ii) In order to utilize any surplus capacity certified by the applicant to be available, or any increased capacity provided by the Department at its own expense, the Department may interconnect its transmission facilities with the applicant's line in a manner conformable to approved standards of practice for the interconnection of transmission circuits.

(iii) The expense of interconnection will be borne by the Department, and the Department will at all times provide and maintain adequate switching, relaying, and protective equipment so as to insure that the normal and efficient operation of the applicant's line will not be impaired.

(iv) After any interconnection is completed, the applicant shall operate and maintain its line in good condition; and, except in emergencies, shall maintain in a closed position all connections under the applicant's control between the applicant's line and the interconnecting facilities provided by the Department.

(v) The interconnected power systems of the Department and the applicant will be operated in parallel.

(vi) The transmission of electrical power by the Department over the applicant's line will be effected in such manner and quantity as will not interfere unreasonably with the applicant's use and operation of the line in accordance with the applicant's normal operating standards, except that the Department shall have the exclusive right to utilize any increased capacity of the line which has been provided at the Department's expense.

(vii) The applicant will not be obligated to allow the transmission over its line by the Department of electrical power to any person receiving service from the applicant on the date of the filing of the application for a grant, other than persons entitled to statutory preference in connection with the distribution and sale of electrical power by the Department.

(viii) The Department will pay to the applicant an equitable share of the total monthly cost of maintaining and operating the part of the applicant's line utilized by the Department for the transmission of



electrical power, the payment to be an amount in dollars representing the same proportion of the total monthly operation and maintenance cost of such part of the line as the maximum amount in kilowatts of the power transmitted on a scheduled basis by the Department over the applicant's line during the month bears to the total capacity in kilowatts of that part of the line. The total monthly cost may include interest and amortization, in accordance with the system of accounts prescribed by the Federal Power Commission, on the applicant's net total investment (exclusive of any investment by the Department) in the part of the line utilized by the Department.

(ix) If, at any time subsequent to a certification by the applicant that surplus capacity is available for utilization by the Department, the applicant needs for the transmission of electrical power in connection with its operations the whole or any part of the capacity of the line theretofore certified as being surplus to its needs, the applicant may modify or revoke the previous certification by giving the Secretary of the Interior 30 months' notice, in advance, of the applicant's intention in this respect. After the revocation of a certificate, the Department's utilization of the particular line will be limited to the increased capacity, if any, provided by the Department at its expense.

(x) If, during the existence of the grant, the applicant desires reciprocal accommodations for the transmission of electrical power over the interconnecting system of the Department to its line, such reciprocal accommodations will be accorded under terms and conditions similar to those prescribed in this paragraph with respect to the transmission by the Department of electrical power over the applicant's line.

(xi) The terms and conditions prescribed in this paragraph may be modified at any time by means of a supplemental agreement negotiated between

[[Page 565]]

the applicant and the Secretary of the Interior or his designee.

(g) Applicants may apply for additional lands for generating plants and appurtenant facilities. The lands desired for such purposes may be indicated on the maps showing the definite location of the right-of-way, but separate maps must be filed therefor. Such maps shall show enough of the line of route to indicate the position of the tract with respect to said line. The tract shall be located with respect to the public survey as provided in Sec. 169.8, and all buildings or other structures shall be platted on a scale sufficiently large to show clearly their dimensions and relative positions.

[33 FR 19803, Dec. 27, 1968, as amended at 38 FR 14680, June 4, 1973. Redesignated at 47 FR 13327, Mar. 30, 1982]



United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .01041666 in hereby said land do \_\_\_\_\_ (Do Not ) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$1,087.50)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Wilma Bill Buck  
Wilma (Bill) Buck

~~Wilma~~  
I want the shares investigated, I should received more than Floyd Bill.

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .005208333 in hereby said land do \_\_\_\_\_

(Do Not ) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$543.75)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Renba Berby  
Mari Rosales

Bessie Bill  
Bessie Bill

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .1666666 in hereby said land do \_\_\_\_\_  
(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$17,400.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses  
Rambert G  
Mari Rosales

Tommy Eli  
Tommy Eli

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002
Allotment No. S188li Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW1/4NE1/4SE1/4, SE1/4NW1/4SE1/4, SW1/4NE1/4NW1/4SE1/4, N1/4SW1/4NW1/4SE1/4, NW1/4NW1/4SE1/4, NE1/4NE1/4SW1/4, and NE1/4NW1/4NE1/4SW1/4 of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .125000 in hereby said land do (Do Not ) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$13050.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses
Rene Bandy
Mari Rosales

May Thompson Lewis
May (Thompson)Lewis

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S188ll Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road.  
BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .005208333 in hereby said land do \_\_\_\_\_  
(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration. On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$543.75)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses  
Kerben Budy  
Mari Rosales

Gailen Bill  
Gailen Bill



United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S188II Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .025000 in hereby said land do \_\_\_\_\_

(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$13,050.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Carla B. [Signature]  
Mari Rosales

Nancy [Signature]  
Nancy (Jasway) Arquette

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road.  
BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .125000 in hereby said land do \_\_\_\_\_  
(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$13,050.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Bonnie Beady  
Mari Rosales

Matilda Thompson Allen  
Matilda(Thompson) Allen

United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S188II Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .005208333 in hereby said land do \_\_\_\_\_  
(Do Not ) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$543.75)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Korben Bend  
Mari Rosales

Gaston J. Bill  
Gaston Bill



United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S188II Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road.  
BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .026041 in hereby said land do \_\_\_\_\_

(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$2,718.75)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Gaston J. Bill  
Robert Berry

Lucinda Talpocken Bill  
Lucinda (Talpocken) Bill

United States  
Department of The Interior  
Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road.  
BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .1666666 in hereby said land do \_\_\_\_\_  
(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$17,400.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Raula Bernal  
Mari Rosales

Richard Thompson  
Richard Thompson



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United States

Department of The Interior

Bureau of Indian Affairs

Consent of Owners To Grant Right of Way

Yakama Agency Agency, May 2002  
Allotment No. S18811 Allottee Billy Peters Haup

Description: A strip of land 475 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec. 6, T. 18 N., R. 29 E., W.M., Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground. Over, across, upon, or adjacent to the above described property. Said survey line is particularly desc. as.

See attached copies of description of property for Right of Way . (Exhibit A and Exhibit B)

Subject to rights of the public in and to a Kittitas County Road known as Cooke-Canyon Road. BPA 7-A-3 Tract V-MV-28-A-39 and AUC-7-A-3 contains 27.1 acres, more or less.

The undersigned owner of an undivided interest of .1666666 in hereby said land do \_\_\_\_\_  
(Do Not \_\_\_\_\_) give permission to the granting of Right of Way Easement for Electric Transmission line thereover, as contemplated by the application of Department of Energy Bonneville Power Administration On the payment of a negotiated monetary consideration in the amount of \$ 104,400.00 (share of payment is \$17,400.00)rights granted, and severance damages as determined by Appraised Fair Market Value dated and concurrently approved by the Bureau of Indian Affairs Branch of Appraisal as of March 18, 2002

Witnesses

Buscott B. Secord  
Shane Hamigan

Woodrow Bill  
Woodrow Bill



EXHIBIT A

V-MV-39

A strip of land 275 feet in width, over and across the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 6, Township 18 North, Range 20 East of the Willamette Meridian, Kittitas County, Washington. The boundaries of said strip are 75 feet distant northerly from, 200 feet distant southerly from, and parallel with the survey line for the Vantage to Maple Valley No. 1 transmission line as now located and staked on the ground, over, across, upon, or adjacent to the above described property. Said survey line is particularly described as:

Beginning at a point in the east line of said Section 6, N.00°49'30"W. a distance of 750.6 feet from the southeast corner of said section, which point is designated as survey station 1529+83.0; thence N.57°22'10"W. a distance of 3476.7 feet to a point in the east-west quarter section line of said Section 6, being S.88°30'50"E. a distance of 2320.1 feet from the quarter-section corner in the west line of said section, which point is designated as survey station 1564+59.7.

Subject to the rights of the public in and to a Kittitas County Road known as CookeCanyon Road.

BPA Tract V-MV-28-A-39 contains 15.6 acres, more or less.

EXHIBIT B

AUC-7-A-3

A 200 foot right-of-way over and across the NE1/4SW1/4 and the N1/2SE1/4 of Section 6, Township 18 North, Range 20 East, of the Willamette Meridian, Kittitas County, State of Washington, for the Bonneville Power Administration (BPA) Schultz-Wautoma transmission line. The boundary lines of said 200 foot wide right-of-way lie 75 feet distant northerly from and 125 feet distant southerly from and parallel with the survey centerline as monumented on the ground for the BPA Schultz-Wautoma Transmission Line. The southerly boundary is contiguous to the existing northerly right-of-way boundary of the BPA Vantage-Raver No. 1 Transmission Line. The survey centerline is described with reference to the Washington Coordinate System (NAD83/91), South Zone, as follows:

Beginning at survey station 1593+51.2 on the west boundary of Section 6, Township 18 North, Range 20 East, of the Willamette Meridian, Kittitas County, Washington, which point lies S.00°10'40"E, a distance of 1034.3 feet from a found 3-1/4 inch Aluminum cap marking the northwest corner of said Section 6; thence S.57°21'59"E, a distance of 6232.3 feet to survey station 1531+18.9 on the east boundary of said Section, which point lies N.00°54'37"W, a distance of 990.5 feet from a found 2 1/2 inch Aluminum cap marking the section corner common to Sections 5, 6, 7 and 8, Township 16 North, Range 23 East, of the Willamette Meridian, Kittitas County, Washington.

BPA Tract AUC-7-A-3 contains 11.5 acres, more or less.

BPA 3 1/4 inch Aluminum capped monuments are set at survey stations 1593+48.7, 1581+57.0, 1569+39.7, 1561+35.3, 1543+03.5 and 1530+89.0.

AUC-7-A-3



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EAS 47.00

Kittitas Co Auditor USA-BPA

**MEMORANDUM**

**May 31, 2002**

**TO: Superintendent, Yakama Agency**

**FROM: Reuben D. Bending, Realty Administrator**

**SUBJECT: BPA Right of Way on S18811**

**Approval of the attached Right of Way is recommended . Pursuant to 25 CFR 169.3(c)(2) and 25 CFR 169.18. .**

DEPARTMENT OF THE INTERIOR  
 UNITED STATES INDIAN SERVICE  
 Yakama Indian Agency

Toppenish, WA June 12, 2002

SCHEDULE OF DAMAGES

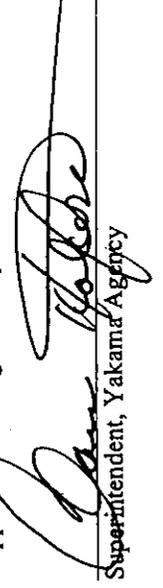
Showing damages assessed against Bonneville Power Administration in connection with application, dated June 12, 2002, under the Act of February 5, 1948 for Electric Transmission Line right of way over the following allotted lands:

Allot. No.	Name of Allottee	Description of Land	Length Right of Way	Width Right of Way	Acres Right of Way	Value per Acre	Damage to Land	Other Damages	Total Damages
S1881	Billy Peters Haup	N $\frac{1}{2}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 6, T. 8 N., R. 20 E., W.M., WA, cont 160 acres, more or less	2478 $\pm$	486.11 $\pm$	26.71 $\pm$	\$3,908.65	\$104,400.		\$104,400.00

CERTIFICATE

I hereby certify that the foregoing appraisal of damages was made by me or under my direction; that the damages as scheduled are fair and adequate to compensate the Indian owners of the land for all damages involved; that the proposed right of way project was fully explained to the Indian owners and that the full amount of damages, totaling \$ 104,400.00, has been paid into this office for proper distribution to the individual owners upon final approval of the right of way.

Approved: 6/13/02  
 (Date)

  
 Superintendent, Yakama Agency

## U.S. DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION

## LETTER OF AGREEMENT

The Bonneville Power Administration (BPA) and the Yakama Nation Bureau of Indian Affairs (BIA) agree to the following in regards to Allotment S18811:

BPA agrees to disburse payment directly to the Allotees based on information provided by the BIA.

The BIA agrees to provide to BPA a payout voucher, which will include the name, address, and amount due each Allotee. This payout voucher will be provided within three (3) business days of concurrence by the Yakama Nation BIA Superintendent of the Contract and Grant of Easement for tracts AUC-7-A-3 and V-MV-28-A-39.

Payment will be made, by BPA, within three (3) business days after the Contract and Grant of Easement has been recorded.

Accepted for:

UNITED STATES  
DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMIN.

Mari Rosales  
Printed Name: Mari Rosales  
Title: Realty Specialist

5-29-02  
Date

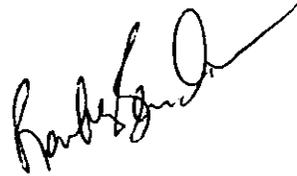
UNITED STATES  
DEPARTMENT OF INTERIOR  
BUREAU OF INDIAN AFFAIRS  
YAKAMA NATION

Reuben Bending  
Printed Name: Reuben Bending  
Title: Realty Administrator

5/29/02  
Date

Nancy Jasway Arquett P.O. Box 190 White Swan, WA 98952	\$13,050.00	Lucinda Bill 104 Adams View Drive Wapato, WA 98951	\$2,718.75
Matilda T. Allen 11832 State Route 22 Toppenish, WA 98948	\$13,050.00	May T. Lewis P.O. Box 456 White Swan, WA 98952	\$13,050.00
Richard Thompson 1821 West Satus Road Toppenish, WA 98948	\$13,050.00	Woodrow Bill P.O. Box 109 Toppenish, WA 98948	\$17,400.00
Tommy J. Eli P.O. Box 304 Toppenish, WA 98948	\$17,400.00	Barbara Isadore 200 Medicine Valley Road White Swan, WA 98952	\$1,812.50
Perry Isadore 421 Elmwood Road Toppenish, WA 98948	\$1,812.50	Wilma (Buck) Bill P.O. Box 711 White Swan, WA 98952	\$1,087.50
Nanette Robinson 2048 NW Douglas St Camas, WA 98607	\$604.17	Gaileen Bill P.O. Box 399 Harrah, WA 98933	\$543.75
Donald Isadore Jr. P.O. Box 1306 Toppenish, WA 98948	\$604.16	Gaston Bill 104 Adams View Park Wapato, WA 98951	\$543.75
Ivan Isadore P.O. Box 539 White Swan, WA 9852	\$604.17	Valetta Bill 104 Adams View Park Wapato, WA 98951	\$543.75
Bessie Bill P.O. Box 399 Harrah, WA 98933	\$543.75	Leslie Bill c/o P.O. Box C Warm Springs, OR 97761-3001	\$1,087.50

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**MEMORANDUM****June 12, 2002****TO: Superintendent, Yakama Agency****FROM: Reuben D. Bending, Realty Administrator****SUBJECT: Right of Way for S18811**

**As per our conversation on June 11, 2002 the signature of Woodrow Bill has been obtained. A tape showing the amount of approving undivided interest has been attached for reference.**