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MTC 12839

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EXCHANGE DEED

WEYERHAEUSER COMPANY, a Washington corporation, Grantor, for and in consideration of an exchange of land under the provisions of the Act of March 1, 1911 (36 Stat. 961,962), as amended; and the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2743), the receipt of which is hereby acknowledged, conveys to the UNITED STATES OF AMERICA, Grantee, and its assigns, all of the following described real property situate in the County of Klamath, State of Oregon:

Willamette Meridian

<u>Parcel Number</u>	<u>Winema National Forest</u>
1	T. 30 S., R. 9 E., Sec. 28, Lot 2, NE $\frac{1}{4}$ SW $\frac{1}{4}$
2	T. 34 S., R. 7 E. Sec. 9, Lots 4 & 5, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
3	T. 35 S., R. 9 E. Sec. 26, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$
4	T. 36 S., R. 9 E. Sec. 1, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
5	T. 36 S., R. 10 E. Sec. 7, E $\frac{1}{2}$ E $\frac{1}{2}$
6	Sec. 25, NW $\frac{1}{4}$
7	Sec. 26, NE $\frac{1}{4}$
8	T. 36 S., R. 11 E. Sec. 27, W $\frac{1}{2}$

<u>Parcel Number</u>	<u>Fremont National Forest</u>
9	T. 34 S., R. 12 E. Sec. 1, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$
10	T. 34 S., R. 13 E. Sec. 1, Lot 11, Lot 14
11	Sec. 14, NE $\frac{1}{4}$
12	Sec. 21, W $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 3 & 4
13	Sec. 27, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$
14	Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

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- 15 T. 35 S., R. 13 E.
16 Sec. 1, SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$
17 Sec. 10, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
18 Sec. 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$
19 Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
S $\frac{1}{2}$ S $\frac{1}{2}$
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

SUBJECT TO THE FOLLOWING:

I.

- A. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
- B. Subject to reservation of subsurface rights, except water, to the heirs of John Skellock, their heirs and assigns, as contained in Patent dated November 10, 1955, recorded March 12, 1957, in Volume 290, Page 291, Deed Records of Klamath County, Oregon.
(Affects Parcel 1)
- C. Reservations as contained in Deed to Weyerhaeuser Timber Company, a Washington corporation, dated June 25, 1957, recorded in Volume 293, Page 294, Deed Records of Klamath County, Oregon, including but not limited to the following:
 "There is reserved from the lands hereby granted: (1) Right-of-Way to the Pacific Telephone and Telegraph Company for a pole line approved by Jos. M. Dixon, First Assistant Secretary on March 16, 1931, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1083); Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim; (2) Right-of-Way to the Oregon State Highway Commission for a highway and State Park approved to G. Girard Davidson, Assistant Secretary on August 26, 1948, pursuant to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1084) and Departmental regulations thereunder; (3) Right-of-Way to the California Oregon Power Company for electrical power line for a period not to exceed 50 years from date of approval, approved by Dale E. Doty, Assistant Secretary of the Interior on August 20, 1951 (36 Stat. 1253), subject to 43 CFR (1949 Cum. March 4, 1911 (36 Stat. 1253), subject to 43 CFR (1949 Cum. Pocket Supp.) 245.21 and all future regulations issued and approved under said Act and all prior valid existing rights or adverse claim. Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Marcella Silvers, deceased, Klamath Allottee No. 1498."
 (Affects Parcel 2)
- D. Reservations and restrictions as contained in Deed from Mary Silvers Wright to Weyerhaeuser Timber Company, a Washington corporation, dated June 6, 1957, recorded in Volume 293, Page 375, Deed Records of Klamath County, Oregon, including but not limited to the following:

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"Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, to the grantor, pursuant to the provisions of the Act of August 13, 1954 (68 Stat 720)."

(Affects Parcel 2)

- E. Reservations and restrictions as contained in Patent, dated March 2, 1956, recorded in Volume 283, Page 133, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Subject to the reservation of all subsurface rights, except water, to the heirs of Hollis Chipps, their heirs and assigns, under the terms approved by the Secretary of the Interior, March 25, 1946, pursuant to said Act."

(Affects Parcel 3)

- F. Reservations and restrictions as contained in Deed from Lela M. Lawver, to Weyerhaeuser Timber Company, dated September 19, 1955, recorded in Volume 279, Page 449, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, excepting water, are hereby reserved in trust for the grantor."

(Affects Parcel 4)

- G. Reservations and restrictions as contained in Patent, dated November 19, 1956, recorded in Volume 289, Page 72, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Subject to the reservation of all subsurface rights, except water, to the heirs of Eunice Portia Miller, their heirs and assigns, under the terms approved by the Secretary of the Interior, March 25, 1946, pursuant to said Act."

(Affects Parcel 5)

- H. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated August 22, 1956, recorded in Volume 345, Page 287, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved in

trust, for the heirs of Amanda Riddle, deceased, Klamath Allottee No.: 834."

(Affects Parcel 5)

- I. An Easement created by instrument, including the terms and provisions thereof, Dated: October 21, 1957, Recorded: June 11, 1958, Volume: 300, Page 76, Deed Records of Klamath County, Oregon, In favor of: United States of America, For: road use and maintenance.

(Affects Parcel 5)

- J. Reservations and restrictions as contained in Deed from the United States of America to Weyerhaeuser Timber Company, dated July 24, 1957, recorded in Volume 293, Page 534, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Julia Faithful, deceased, Klamath Allottee No. 738."

(Affects Parcel 7)

- K. Reservations and restrictions as contained in Deeds from Donald Lloyd Schonchin and Evangeline Schonchin, to Weyerhaeuser Timber Company, dated July 20, 1956, recorded in Volume 345, Page 283 and Volume 345, Page 285, Deed Records of Klamath County, Oregon, including but not limited to the following:

"This conveyance is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust by the grantors."

(Affects Parcel 6)

- L. Reservations and restrictions as contained in Patent, dated December 26, 1957, recorded in Volume 297, Page 401, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Subject to the reservation of all subsurface rights, except water, to the heirs of Norris Smith, their heirs and assigns, under the terms approved by the Secretary of the Interior March 25, 1946, pursuant to said Act."

(Affects Parcel 8)

- M. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated August 28, 1956, recorded in Volume 345, Page 281, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved in trust, for the heirs of Montie Hutchinson, deceased, Klamath Allottee No. 1116."

(Affects Parcel 8)

- N. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated October 10, 1957, recorded in Volume 295, Page 478, Deed Records of Klamath County, Oregon, including but not limited to the following:

"There is reserved from the lands hereby granted a Fire Road constructed by the United States, with the rights of the United States to maintain, operate, or improve the same, so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513). Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved in trust, for the heirs of Jerry Chocktoot, deceased, Klamath Allottee No. 1006."

(Affects Parcel 9)

- O. Reservations and restrictions as contained in Deed from the United States of America to Weyerhaeuser Timber Company, dated May 28, 1957, recorded in Volume 292, Page 588, Deed Records of Klamath County, Oregon, including but not limited to the following:

"There is reserved from the lands hereby granted the River Bed Lookout Road, No. P-63, constructed by the United States, with the rights of the United States to maintain, operate or improve the same, so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513). Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved in trust, for the heirs of Clark Chocktoot, deceased, Klamath Allottee No. 1001."

(Affects Parcel 9)

- P. Reservations and restrictions as contained in Deed from the United States of America to Weyerhaeuser Timber Company, dated October 15, 1956, recorded in Volume 289, Page 197, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above described property is conveyed subject to any existing easements for public roads and highways for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Atkins Copperfield, deceased, Klamath Allottee No. 1478."

(Affects Parcel 12)

- Q. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated October 15, 1956, recorded in Volume 289, Page 199, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Imogene Moore, deceased, Klamath Allottee No. 1210."

(Affects Parcel 14)

- R. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated October 15, 1956, recorded in Volume 289, Page 390, Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Olive Jackson, deceased, Klamath Allottee No. 1137."

(Affects Parcel 13)

- S. Reservations and restrictions as contained in Deed from Donald Lloyd Schonchin and Evangeline Schonchin, his wife, dated September 30, 1955, recorded in Volume 279, Page 455, Records of Klamath County, Oregon, including but not limited to the following:

"This conveyance is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or

rights-of-way or record. All subsurface rights, excepting water, are hereby reserved in trust for the grantors."

(Affects Parcel 15)

- T. Reservations and restrictions as contained in Deed from the United States of America to Weyerhaeuser Timber Company, a Washington corporation, dated February 4, 1957, recorded April 10, 1957, in Volume 291, Page 126, Deed Records of Klamath County, Oregon, including but not limited to the following:

"There is reserved from the lands hereby granted the Sycan Road No. S-61, constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513). Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Beatrice Brown, deceased, Klamath Allottee No. 978."

(Affects Parcel 11)

- U. Reservations and restrictions as contained in Deed from the United States of America to Weyerhaeuser Timber Company, dated August 28, 1956, recorded May 15, 1963, in Volume 345, Page 273, Deed Records of Klamath County, Oregon, including but not limited to the following:

"There is reserved from the lands hereby granted a right-of-way to Weyerhaeuser Timber Company for a logging railroad approved in two parts, first portion approved September 6, 1940 by Assistant Secretary of the Interior, Oscar L. Chapman and the balance was approved July 31, 1941 by the acting Assistant Secretary of the Interior, W. C. Mendenhall. Approval was in the form a revocable permit as per Central Office letters Nos. 43515-41 and 1373-43. Title to the above described property is conveyed subject to any existing easements for public roads and highways and fire roads constructed by the United States Indian Service, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Maggie Foster, deceased, Klamath Allottee No. 908."

(Affects Parcels 18 and 19)

- V. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated August 21, 1956, recorded May 15, 1963, in Volume 345, Page 275, Deed Records of Klamath County, Oregon, including but not limited to the following:

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"Title to the above-described property is conveyed subject to the right-of-way to Weyerhaeuser Timber Company for a logging railroad through the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, T. 35 S., R. 13 E., Willamette Meridian, Oregon, approved by Oscar L. Chapman, Assistant Secretary of the Interior on September 6, 1940, as a revocable permit, also subject to any existing easements for public roads and highways, and for any other easements or railroads and pipe lines and for any other easements or rights-of-way or record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Esther Schonchin, deceased, Klamath Allottee No. 846."

(Affects Parcel 18)

- W. Reservations and restrictions as contained in Deed to Restricted Indian Land, dated July 20, 1956, recorded May 15, 1963, in Volume 345, Page 277, Deed Records of Klamath County, Oregon, including but not limited to the following:

"This conveyance is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way or record. All subsurface rights, except water, are hereby reserved, in trust, by the grantor (Sarah Foster Weiser)."

(Affects Parcels 17 and 18)

- X. Reservations and restrictions as contained in Deed from United States of America to Weyerhaeuser Timber Company, dated August 23, 1956, recorded in Volume 345, Page 279, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements and rights-of-way or record. All subsurface rights, except water, are hereby reserved, in trust for the heirs of Emeline Schonchin, deceased, Klamath Allottee No. 842."

(Affects Parcel 15)

- Y. Reservations and restrictions as contained in Deed recorded in Volume 291, Page 128, Deed Records of Klamath County, Oregon, from the United States of America to Weyerhaeuser Timber Company, including but not limited to the following:

"There is reserved from the lands hereby granted a Fire Road, constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513).

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Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record.

All subsurface rights, except water, are hereby reserved in trust, for the heirs of George Chocktoot, deceased, Klamath Allottee No. 302."

(Affects Parcel 16)

- Z. Reservations and restrictions as contained in a Deed from the United States of America to Weyerhaeuser Timber Company, a Washington corporation, dated June 25, 1958, recorded in Volume 301, Page 121, Deed Records of Klamath County, Oregon, including but not limited to the following:

"Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or right-of-way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of James Foster, deceased, Klamath Allottee No. 907."

(Affects Parcel 19)

II.

- A. Easement dated October 21, 1957 to U.S. Department of Interior, Bureau of Indian Affairs for a road. Recorded in Volume 300, Page 76, Deed Records of Klamath County, Oregon. Assigned to Klamath County February 5, 1960. Affects Parcel 5.
- B. Easement dated December 28, 1959 to U.S. Department of Interior, Bureau of Indian Affairs for a road, recorded Klamath County, Vol. 13, Page 594. Part assigned to Klamath County June 17, 1960, recorded Klamath County Commissioners Journal Vol. 30, Page 279, accepted by Klamath County Court August 19, 1960. Part assigned to Klamath County July 6, 1960, recorded Klamath County Commissioners Journal Vol. 30, Page 318, accepted by Klamath County Court September 24, 1960. Klamath County, in turn, conveyed part to U.S. Forest Service May 23, 1962, recorded Klamath County Commissioners Journal, Vol. 32, Page 271. Affects Parcels 1, 3, 11 and 17.
- C. Easement to Bonneville Power Administration dated January 20, 1966, for transmission line, recorded Klamath County, Vol. M66, Page 2852. Affects Parcels 13 and 14.
- D. Easement to Portland General Electric dated January 20, 1966 for transmission line, recorded Klamath County, Vol. M66, Page 1391. Affects Parcels 13 and 14.

- E. Road Right-Of-Way Construction and Use Agreement, to U.S. Forest Service, dated July 1, 1971, and supplements. Affects Parcels 10 through 19.
- F. Road Right-Of-Way Construction and Use Agreement, to U.S. Forest Service, dated December 13, 1968, and supplements. Affects Parcels 1 through 8.
- G. Easement to Pacific Power and Light Company dated April 3, 1981, for electrical transmission line, recorded Klamath County Vol. M81, Page 8778. Affects Parcels 13 and 14.

All subsurface rights, not reserved by others are hereby reserved by Grantor herein. Such reserved rights of Grantor include all rights and privileges contained in the following:

Reserving to Weyerhaeuser Company all minerals, including gold, silver, copper, iron, lead, zinc, molybdenum, germanium, sulphur, coal, oil, gas, and all geothermal steam and heat in above conveyed Parcels Nos. 1 through 9 and 11 through 19; and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same under applicable law, SUBJECT TO the regulations of the Secretary of Agriculture (36 CFR 251.15).

Reserving to Weyerhaeuser Company all minerals, including gold, silver, copper, iron, lead, zinc, molybdenum, germanium, sulphur, coal, oil, gas, and all geothermal steam and heat in Government Lots 11 and 14 of Section 1, Township 34 South, Range 13 East, W.M.; and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same under applicable law, SUBJECT TO the regulations of the Secretary of Agriculture (36 CFR 251.15).

Reserving to Weyerhaeuser Company an easement for an existing logging railroad, being 100 feet in width, lying equally on each side of the centerline, with such additional widths as are required for cuts and fills, over and across the following lands:

T. 35 S., R. 13 E., W.M.
Sec. 1, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 13, NW $\frac{1}{4}$ NE $\frac{1}{4}$

The centerline of said logging railroad being more specifically described as:

Segment No. 1

Beginning at a point 491 feet, more or less, west of the east one-quarter corner of said Section 1, thence, southwesterly over and across to a point 772 feet, more or less, south and 990 feet, more or less, west of said east one-quarter of Section 1, the point of ending.

Segment No. 2

Beginning at a point 880 feet, more or less, north and 990 feet, more or less, west of the corner common to Sections 1, 6, 7 and 12, thence, southerly over and across to a point 868 feet, more or less, west of the said corner common to Sections 1, 6, 7 and 12, the point of ending. (Sections 6 and 7 are located in T. 35S, R. 14E., W.M.)

Segment No. 3

Beginning at a point 536 feet, more or less, west of the northeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12, thence, southwesterly over and across to a point 1,222 feet, more or less, west of the southeast corner of said Section 12, the point of ending.

Segment No. 4

Beginning at a point 102 feet, more or less, south of the northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13, thence, southwesterly over and across to a point 1,171 feet, more or less, south of the northwest corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13, the point of ending.

The railroad easement reservation is subject to the following stipulations:

1. This easement includes the right to construct, reconstruct, improve, use, control and maintain the existing logging railroad for all lawful purposes by Weyerhaeuser Company and its assigns, including the right to cut timber upon the easement to the extent necessary for constructing, reconstructing and maintaining the railroad. Timber so cut shall, unless otherwise agreed to, be cut into lengths specified by the Forest Service and decked along the railroad for disposal by the Forest Service.
2. That Weyerhaeuser Company will report by the quickest practicable method all fires observed by it in the vicinity of their logging railroad and will extinguish or cause to be extinguished, without cost to the Forest Service, all fires starting on their easement or fires on lands adjoining the easement, the origin of which is directly or indirectly caused by its railroad operation.
3. That Weyerhaeuser Company will promptly furnish all reasonable assistance in men and materials to be under the direction of Forest Supervisor, Fremont National Forest, to fight fires originating upon or immediately adjacent to their logging railroad easement. If Weyerhaeuser Company, its employees or contractors, were not directly or indirectly responsible by act or neglect for the origin or spread of the fire, reimbursement will be made.
4. That the Weyerhaeuser Company, its successors or assigns, will, if liable therefor, pay the United States, through the Forest Supervisor, Fremont National Forest, on demand for any and all damages, including suppression costs, for which Weyerhaeuser is liable under Stipulation 2 above, or under the applicable law of

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Oregon; and it is agreed that the liability for such damages, as well as liability for damage which shall occur upon such United States' lands by fires started by Weyerhaeuser Company on other land, shall in all cases be determined by the laws of the state, or the United States, if applicable thereto.

5. That Weyerhaeuser Company will maintain and operate, during the fire season, as determined by the Forest Supervisor, Fremont National Forest, a properly equipped speeder patrol or approved water car following the passage of any empty or loaded train within this easement area.
6. That Weyerhaeuser Company will be liable to all provisions of the State of Oregon Forest laws as such apply to the operation of logging railroads.
7. That Weyerhaeuser Company will satisfactorily dispose of all slash material and any other debris resulting from the construction and maintenance of the logging railroad.
8. Upon the abandonment of the reserved easement, either by formal release, by termination, or by nonuse for a consecutive two-year period, all improvements thereon not the property of the United States shall be removed, therefrom, within six months from the date of the abandonment, otherwise such improvement shall vest in and become the property of the United States. Continued maintenance for future use by trains shall be considered as use of the railroad line for the purposes of this stipulation.
9. Officers of the Forest Service shall have free ingress and egress on and over the reserved easement for all purposes necessary and incidental to the protection and administration of all National Forest land and resources.

(The acquiring agency is the Forest Service, U.S. Department of Agriculture.)

DATED this 6th day of September, 1983.

WEYERHAEUSER COMPANY

By:

George H. Weyerhaeuser
President

Attest:

Robert N. Ingerson
Assistant Secretary



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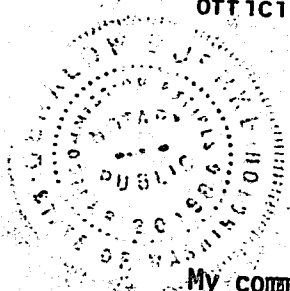
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STATE OF WASHINGTON }
COUNTY OF KING } ss.

On this 7th day of September, 1983, before me personally appeared George H. Weyerhaeuser and Robert N. Mogensen, to me known to be the President and Assistant Secretary, respectively, of WEYERHAEUSER COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Arnold J. Brink
Notary Public in and for the State of
Washington, residing at Federal Way.

My commission expires:

March 20, 1984

Return: Mountain Title Co. Inc
407 Main Street
Klamath Falls, Oregon
97601
attn: Jean

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

on this 30th day of Nov. A.D. 19 83
at 3:03 o'clock P M, and duly
recorded in Vol. M83 of Deeds
page 20500
EVELYN BIEHN, County Clerk
By *[Signature]* Deputy
Fee 56.00

01/5324/1/22
6/29/83