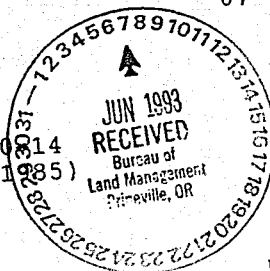


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07-16-93A11:41 RCVD

Vol. m93 Page 17252FORM 2800-114
(August 1985)Issuing Office
Deschutes Resource AreaUNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

SERIAL NUMBER OR 49176

1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

William G. Padgham
P.O. Box 4514
Sunriver, OR 97707

receives a right to operate, maintain, and terminate an access road on public lands described as follows:

T. 24 S., R. 10 E., W.M.
Section 1: S1/2NE1/4, N1/2SW1/4
Section 2: SE1/4
Section 10: NE1/4, SW1/4, NW1/4SE1/4
Section 11: NW1/4NE1/4, N1/2NW1/4
Section 15: NW1/4NW1/4

T. 24 S., R. 11 E., W.M.
Section 6: Lots 8, 9, 14, 15

- b. The right-of-way or permit area granted herein is 15 feet wide, 4.05 miles long and contains 7.36 acres, more or less.
- c. This instrument shall terminate on 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument may be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the

provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The map set forth in Exhibit A attached hereto, is incorporated into and made a part of this grant instrument as fully and effectively as if it were set forth herein in its entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. No hauling or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support equipment. If such equipment creates ruts in excess of 6 inches deep, the soil shall be deemed too wet and activities shall be suspended.

- h. The holder shall conduct all activities associated with the operation, maintenance and termination of the right-of-way within the authorized limits of the right-of-way. The total width of the right-of-way is 15 feet. The Holder shall perform preventive maintenance at the end of each hauling season and during nonhauling periods which occur between operations to minimize weather damage. Post haul blading shall be conducted to remove ruts and surface irregularities that interfere with normal runoff of water.
- i. The holder shall permit free and unrestricted public access to and upon the right-of-way for all lawful purposes.
- j. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer. A regular maintenance program shall include blading.
- k. BLM reserves the right to issue subsequent rights over roads included within this right-of-way.
- l. Use must also be made in accordance with the terms and conditions as outlined by the Bonneville Power Administration in their land use agreement dated April 27, 1993 attached hereto.
- m. The land use agreement with Bonneville Power Administration must be kept current and a copy provided to this office for this right-of-way to remain in effect.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

William G. Padham
(Signature of Holder)

a private individual
(Title)

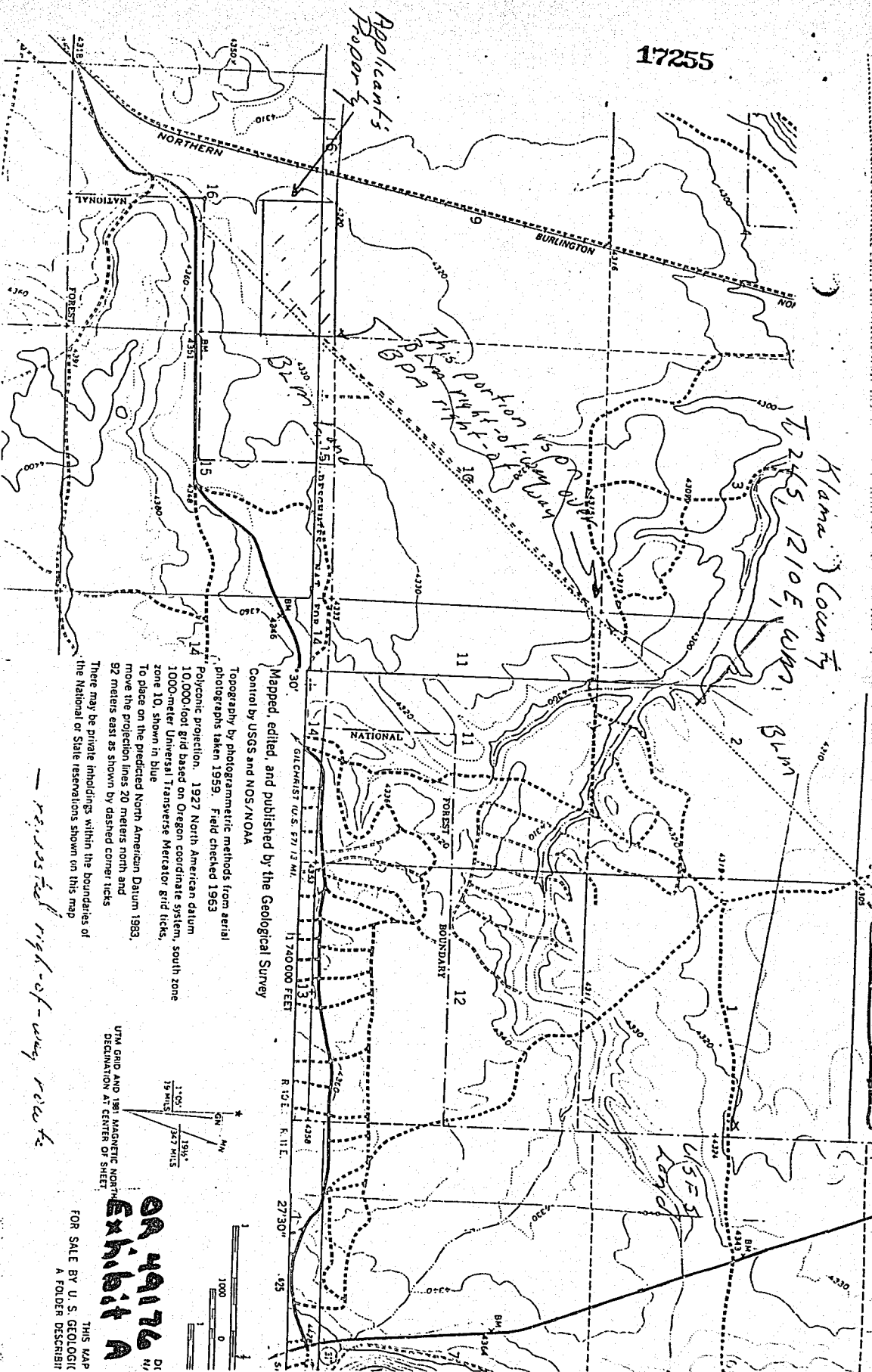
June 3, 1993
(Date)

James H. [Signature]
(Signature of Authorized Officer)

Area Manager
(Title)

June 11, 1993
(Effective Date of Grant)

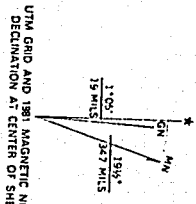
17255



Topography by photogrammetric methods from aerial photographs taken 1959. Field checked 1963.
 Polycyclic projection, 1927 North American datum, 10,000-foot grid based on Oregon coordinate system, south zone 10, shown in blue.
 To place on the predicted North American Datum 1983, move the projection lines 20 meters north and 82 meters east as shown by dashed corner ticks.
 There may be private inholdings within the boundaries of the National or State reservations shown on this map.

— 10,000 ft. high of way route

ON 49176
 Exhibit A
 FOR SALE BY U. S. GEOLOGIC
 A FOLDER DESCRIBIT



17256

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. G. Padgham the 16th day
of July A.D., 19 93 at 11:41 o'clock A M., and duly recorded in Vol. M93,
of Deeds on Page 17252.

Evelyn Biehn - County Clerk

By Daniel Mulendore

FEE \$30.00

Return: Wm. G. Padgham
Tree Farm Operation
P.O. Box 4514
Sunriver, Or. 97707