

FREMONT - WINEMA NATIONAL FORESTS  
BLY RANGER DISTRICT

31.00  
'03 DEC 18 AM 9:24

CONSENT AGREEMENT

State of Oregon, County of Klamath  
Recorded 12/18/03 9:24 a m  
Vol M03 Pg 91788-90  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 3

File Code: 5460, T.37S., R.15E., WM., Key #3  
Road Name & Number: Fishhole Creek Road, #3790

WHEREAS, the United States of America, hereinafter called the Government, has an interest in the real property hereinafter described by virtue of right-of-way quitclaim deed dated May 25, 1960 in Volume 321, Page 453, in the records of Klamath County, Oregon and which easement traverses the following described real property in the County of Klamath, State of Oregon to wit:

T.37S., R.15E., WM.  
Section 18, SW1/4

WHEREAS, CenturyTel of Eastern Oregon, Inc. dba CenturyTel, hereinafter called CenturyTel, has a need to construct, operate, maintain, replace, and remove buried communication cables and appurtenances thereto within the Government's easement, subject to the following conditions:

1. Construction will be in accordance with construction drawings submitted, on file with the Government in the Fremont - Winema National Forests' right-of-way files at the Forest Headquarters in Lakeview, Oregon.
2. CenturyTel shall repair all damage to the National Forest road (which includes surface, shoulder, ditches, etc.) caused by CenturyTel in the construction, operation, maintenance, replacement, and removal of said underground communication cables and appurtenances.
3. This agreement is executed with the express understanding that should future reconstruction or maintenance of Government's road require the relocation of the buried communication cables and appurtenances, such relocation will be done by CenturyTel at its expense within sixty (60) days following a written request to relocate.
4. CenturyTel shall indemnify and hold harmless the Government against all claims or liabilities for damage to life or property arising from all acts or omissions in the construction, operation, maintenance, replacement, and removal of said buried communication cables and appurtenances.
5. This Consent Agreement is issued on the condition that CenturyTel has secured, or will secure permission from the landowner(s).

Rr: Affiliated Land Serv.  
PO Box 17035  
Salem, OR 97305

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Consent Agreement – CenturyTel – Fishhole Creek Road #3790 Continued  
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IN WITNESS WHEREOF, the Government, by the Forest Supervisor, Fremont - Winema National Forests, Pacific Northwest Region, Forest Service, Department of Agriculture, has caused this instrument to be executed this 4 day of DECEMBER, 2003.

UNITED STATES OF AMERICA

Karen Shimamoto

Karen Shimamoto  
Forest Supervisor  
Fremont - Winema National Forests  
Pacific Northwest Region  
Forest Service  
Department of Agriculture

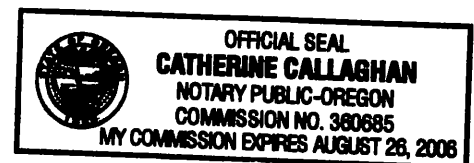
ACKNOWLEDGMENT

STATE OF OREGON           )  
  )ss.  
COUNTY OF Lake         )

On this 4 day of DECEMBER, 2003, before me the undersigned a Notary Public, within and for said State, personally appeared Karen Shimamoto, Forest Supervisor, Fremont - Winema National Forests, Pacific Northwest Region, Forest Service, Department of Agriculture, and that said instrument was signed in behalf of the United States of America by its authority duly given and by her delivered as and for its act and deed. And she did further acknowledge that she executed said instrument as the free act and deed of the United States of America, for the purposes and consideration therein mentioned and set forth, and I do hereby certify.

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

Catherine Callaghan  
Notary Public in and for said  
State of Oregon  
Residing at Lakeview  
My Commission expires 8/26/06



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**Consent Agreement – CenturyTel – Fishhole Creek Road #3790 Continued**  
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**CONSTRUCTION NOTES**

The buried communication cables will be buried at a minimum of 2' deep in a 28' long by 2" diameter pipe that should be pushed under the road to prevent damage to the road surface. Buried lines that cross through or along the road shoulder will be buried at a minimum of 2' deep, with appropriate location markers to show their location.