

ELECTRIC LINE RIGHT-OF-WAY EASEMENT  
FREMONT - WINEMA NATIONAL FORESTS  
CHEMULT RANGER DISTRICT

CONSENT AGREEMENT

File Code: 5460, T.28S., R.8E., WM., Key #1  
Road Name & Number: Forest Service Road #86

State of Oregon, County of Klamath  
Recorded 07/23/2004 9:14a  
Vol M04 Pg 48239-40  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2  
500 o.p.

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 easement deed dated August 4, 1961 in Volume 332, Page 437 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.28S., R.8E., WM.  
Section 16, N1/2SW1/4

WHEREAS, Midstate Electric Cooperative, Inc. hereinafter called Midstate, has a need to bury, operate, maintain, replace, and remove an underground 25KV distribution electric line within the Government's easement, subject to the following conditions:

1. Midstate shall repair all damage to the Forest Service road caused by Midstate in the operation, maintenance, replacement, and removal of said powerline.
2. This agreement is executed with the express understanding that should future reconstruction or maintenance of the Forest Service's road require the relocation of the powerline, such relocation will be done by Midstate at its expense within sixty (60) days following a written request to relocate.
3. Midstate 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 operation, maintenance, replacement, and removal of said powerline.

26  
500 o.p.

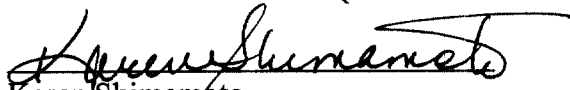
Pr: Midstate Electric  
PO Box 127  
La Pine OR 97739

ELECTRIC LINE RIGHT OF WAY EASEMENT  
Consent Agreement – MIDSTATE – Road #86 Continued

T.28S., R.8E., WM.  
Section 16, N1/2SE1/4  
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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 1<sup>st</sup> day of July, 2004.

UNITED STATES OF AMERICA

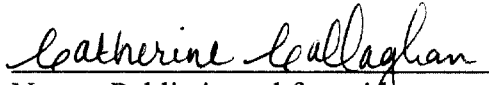
  
Karen Shimamoto  
Forest Supervisor  
Fremont - Winema National Forests  
Pacific Northwest Region  
Forest Service  
Department of Agriculture

ACKNOWLEDGMENT

STATE OF OREGON           )  
  )ss.  
COUNTY OF Lake        )

On this 1<sup>st</sup> day of JULY, 2004, 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.

  
Notary Public in and for said  
State of Oregon  
Residing at Lakeview  
My Commission expires August 26, 2006

