

SWR #

POWER CLAIM #

384/385

PC 25

386

PC 116

387

PC 122

388

PC 24

389

PC 117

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

CHECK BASIN MAP yes NAME Lower Klamath # 2C UNADJUDICATED AREA ? yes
RECEIPT # 95629 S W R NUMBER 388
CHECK ENCLOSURES yes PRELIMINARY DATA BASE ENTRY yes
ACKNOWLEDGEMENT LETTER yes ENTER ON STREAM INDEX _____
CHECK QUADRANGLE MAP _____ CHECK GLO PLATS _____
WATERMASTER CHECKLIST _____ PUBLIC NOTICE PUBLICATION yes

FORM REVIEW

_____ blanks filled in
_____ signed
_____ date received stamped

MAP REVIEW

source and trib
 diversion point location
 conveyances (pipes, ditch, etc.)
 place of use
_____ scale
 township, range, section
 north arrow
 CWRE stamp
 disclaimer
 date survey was performed
 P.O.B. of survey
 dimensions and capacity of diversion system
 "beneficial use" type title
 "permanent-quality" paper

WATER RIGHT RECORD CHECK _____ FIELD INSPECTION _____

FINAL FILE REVIEW _____ FINAL DATA BASE ENTRY _____

ENTER ON PLAT CARDS _____

THE NORTHWEST

PGE's Willamette water rights cause worries

The electric utility's assertion of century-old claims has cities which drink from the river concerned about their future supply

The Associated Press

EUGENE — Portland General Electric Co. is legally asserting century-old rights to Willamette River water, a move that worries cities and utilities along the waterway.

PGE's claim threatens to override community water claims that were filed many years after PGE first began drawing water from the river in the late 1800s.

Officials at the Eugene Water & Electric Board and at the city of Corvallis are among those concerned that, in times of low water, municipalities might be forced to pay PGE for drinking water.

"They could tell us, 'We'll let you use it, but you've got to reimburse

us,'" said Kimber Johnson, manager of water planning for EWEB, which draws Eugene's drinking water supply from the McKenzie River, a Willamette tributary.

Under Oregon law, water rights extend not only to the main river, but to all upstream tributaries, Johnson said.

"The way the law reads, they could call for that water any time they wanted," he said.

Corvallis Public Works Director Rolland Baxter expressed concerns similar to Johnson's.

"If, through the courts or through legislation, PGE is able to establish their water rights, it could dramatically increase the cost of using Wil-

lamette River water," Baxter said. "The word going around is, they would offer to sell us the water back."

Such fears are exaggerated, PGE spokeswoman Roxanne Bailey said.

"We're not in the business of selling water," Bailey said.

But Bailey acknowledged that, as population in the Willamette Valley grows, water in the Willamette could become a scarce and precious commodity. If PGE were forced to cut back power production, it might require upstream water users to start paying, she said.

"If we have to go elsewhere for power and purchase it at a higher price, there's a possibility of charging for water," Bailey said.

PGE filed papers with the state last fall claiming priority rights to 11,700 cubic feet per second of water

to operate the Sullivan hydropower plant near Oregon City. The water flows through turbines near Willamette Falls, then is returned to the river.

At certain times of the year, 11,700 cfs represents all the water in the river, said Bob Hall, PGE governmental affairs representative.

If the river flow falls below that number, PGE might be entitled to call for restrictions on upriver use of the water.

Hall said PGE filed the claim only because it was required to do so by the 1987 Legislature. The Legislature said anyone or any corporation with water rights established before 1909 had to register their claim by last December or risk losing their rights.

The idea was to straighten out a complex network of water rights extending back before the turn of the century.

PGE's claim rests on the principle that water users are granted access to public waterways based on a first-come, first-served basis.

However, water priorities can change through the adjudication process, said Lorna Stickel, chairman of the state Water Resources Commission, which issues water rights.

"It has the potential to reorganize or reprioritize how water might be called upon in the Willamette," Stickel said. Some uses, such as municipal drinking water supplies, could be granted a higher priority.

"Whether or not a hydropower plant has the ability to make a claim on water like that I think is a big question," Stickel said.

PGE's claims do appear to be valid, however, she said, adding that such cities as Eugene and Corvallis "are right to be concerned about it."

Child-care a problem at night

For growing ranks of parents who work odd hours a safe, affordable service is hard to find



March 22, 1993

JULIE KEIL C/O
PORTLAND GENERAL ELECTRIC COMPANY
121 SW SALMON STREET
PORTLAND OR 97204

Dear MS KEIL,

This will acknowledge that your Surface Water Registration Statement in the name of PORTLAND GENERAL ELECTRIC COMPANY has been received by our office. The fees in the amount of \$9077.75 have been received and our receipt #95629 is enclosed. Your registration statement has been numbered SWR-388.

Our office will review your form and map in the near future. If necessary we will schedule a meeting with you that will include a site inspection. If there are problems with your form we are usually able to take care of them during our visit. We will be able to answer any questions you might have about the adjudication process at that time.

Please feel free to contact this office if you have any questions.

Sincerely,



Don Knauer
Adjudication Specialist

Enclosure

M:\WP51\SWR\CLAIMANT\SWR-0388.001



Estacada, OR
(Clackamas Co.)
Clackamas County News
(Cir. W. 2,500)

NOV 11 1992

Clackamas County News Est. 1888

City officials wary as PGE files for water rights on Clackamas

By DAVID BATES
Managing Editor

Portland General Electric is preparing to file for "massive" water rights on the Clackamas River in a move that city officials say could require smaller water districts to curtail use in the future.

City attorney Tom Rastetter told the Estacada City Council Thursday about the development and said it might affect Estacada when the river was low.

According to PGE spokesperson Roxanne Bailey, the power company is preparing to file for water rights it acquired prior to 1909.

State law requires those who own water rights dated prior to 1909 to register them before the end of the year or lose them.

City officials and Bailey both noted that the action doesn't mean PGE will actually use all the water it is filing for.

"We're filing to protect those

rights because it's an important resource to us," Bailey said. "It's just a matter of protecting our options in the future."

Bailey said she didn't know how much additional water PGE would be entitled to, but Rastetter, whose clients include the South Fork Water Board, said it was "substantial."

"If they do get those rights approved, it could impact us a lot," said City Manager Shelly Jones. "But I really don't see it happening. Just because they have (the rights) on paper doesn't mean they'll use them."

Estacada has rights to four cubic feet of water per second from the Clackamas River, but it uses only a fourth of that.

The city's water rights date back to the 1950s, and since PGE's would be older, they would have priority during low river flows.

Bailey said PGE would be open to discussion with water users along the Clackamas.

FORUM

OPINION & COMMENTARY

PGE water claims raise alarm

Water districts fear old rights may curtail their use of rivers

By ERIC GORANSON

Metropolitan Portland and Willamette Valley residents sometime in the future could wind up paying their water bills — along with their electric bills — to Portland General Electric Co. That's the fear of dozens of water suppliers, stemming from PGE, Smurfit Newsprint Corp. and others reaffirming late last year their water rights on the Willamette, Sandy, Little Sandy and Clackamas rivers.

Their claims are among 3,900 water-rights applications pending before the Oregon Water Resources Department as water threatens to surpass the spotted owl and salmon as a political football.

Had the applicants not refiled, they face the loss of water rights that predate 1909 and are senior to the claims by most municipal water suppliers.

If PGE's claims are endorsed by the Oregon Water Resources Department, as expected, it would be treated presumptively as vested rights. PGE and the others would have the state enforce these rights against the holders of junior upstream rights.

The endorsements also could remove the Willamette River from any further appropriation during low flows.

There are only about 1,600 cubic-feet-per-second of water left to appropriate on a year-round basis in the Willamette near Wilsonville, said the Water Resources Department. But this does not include PGE's and other pre-1909 claims at Willamette Falls.

The Willamette is one of the major sources being studied to fill future municipal needs of Portland's 720,000 customers and other suppliers.

PGE officials say that water suppliers and customers need not worry.

"We're not about to be a water seller, selling water for premium prices," said Roxanne Bailey, a PGE spokeswoman.

The Portland company needs water for its Willamette Falls hydropower plant. It's a nonconsumptive use, but any drop in revenues from not having water to make electricity will have to be made up by the cities and customers benefiting from PGE's power cutback.

City says it won't turn off the tap for water users but probably would charge suppliers for any water the utility

have to forgo to meet municipal needs.

End-water users would pay their customary purveyors; they, in turn, would pay PGE. But the next step, some water suppliers fear, would be for PGE to become a regulated water supplier in their place.

The water suppliers have united and introduced Senate Bill 1062, which would subordinate PGE's rights to those of the public.

Among those requesting the bill are water districts in Sandy, Estacada, Gladstone, Lake Oswego, Milwaukie, Molalla, Oregon City, Tualatin and the Damascus, Clairmont, Clackamas, Mount Scott, Oak Lodge, South Fork, Tigard and Tualatin Valley.

Portland is not included.

"We don't think PGE ought to get all the river water," said Dennis Klingbile, superintendent of the Damascus Water District, which uses only well water. "The way things are going, we may wind up using surface water, and PGE shouldn't have all the water just because its rights predate 1909."

The PGE claim is the biggest. On the Willamette its rights total 11,700 cfs, thus affecting almost all water users on the river's main stem plus its tributaries above Willamette Falls.

These tributaries include the Molalla, Tualatin, Yamhill, Santiam, Marv's and McKernan rivers.

Cities affected include Eugene, Corvallis, Cottage Grove, Creswell, Salem, Stayton, Albany, Philomath, Independence, Junction City, Newberg, Molalla, Monmouth and Forest Grove, plus the Tualatin Valley and Clairmont water districts.

Affected by PGE's filing for 4,600 cfs on the Clackamas River are West Linn, Estacada, Oregon City and Clairmont Water District. Affected by the Sandy River system filings for 1,600 cfs are Sandy, Portland and Hoodland corridor.

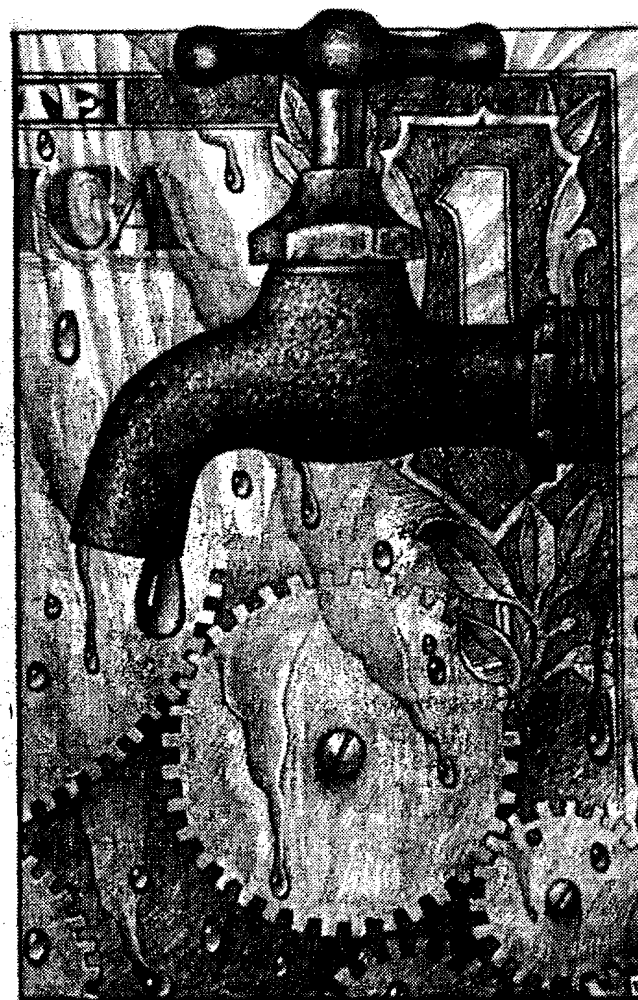
Another bill, HB2110, in effect would give water combatants and the state breathing time to work out a settlement and avoid litigation.

Both PGE and water suppliers hope the House bill will head off a repeat of the current 16-year litigation over water rights on the Klamath River.

Suppliers also want Congress to change Army Corps of Engineers policies regarding stored water behind dams that feed the Willamette. Almost all of the 1.9 million acre-feet of water is allocated for navigation, irrigation, hydro and flood-control uses.

To use that water, irrigators pay \$1.50 an acre-foot, municipalities from \$300 to in excess of \$1,500 an acre-foot. Talks to change the allocations and charges have taken place in Washington, D.C.

Not everyone opposes the idea of having PGE as a water purveyor. One Portland Water Bureau official said it "might



RICHARD MILLHOLLAND/Los Angeles Times

not be a bad idea." He said getting water from the utility might be cheaper than tapping sources such as the Cascade reservoirs.

The efficiency of a private company providing water probably would be greater than Portland or a regional water authority. Having PGE meter readers record water and power uses on the same visit would save time and labor. The Oregon Public Utility Commission could control water rates as it does phone and power rates.

Having a utility sell power and water is not unique. The Eugene Water & Electric Board does both.

What will happen is as uncertain as the weather that supplies our water. Whether the disputing sides can settle without litigation rests with the Legislature. We need both power and water. Hopefully the lawmakers can broker a peaceful compromise.

High court demands judges, not lobbyists

By ANTHONY LEWIS

In the weeks since Justice Byron White's decision to retire from the Supreme Court, the press has run various stories about whom President Clinton may appoint in his place.

The speculation has proved little about the choice, but it has done one depressing thing, shown how narrowly politicized some people want the process of selection to be.

One story mentions a possible nominee and then says that some interest group is likely to object to him or her. Why? Because the person has strayed, however slightly, from the party line of that group.

An example to hand is Judge Ruth Bader Ginsburg of the U.S. Court of Appeals for the District of Columbia. When her name was mentioned as a Supreme Court possibility, she was said to have angered some women's groups by what she said about the 1973 abortion decision, Roe vs. Wade, in a recent speech.

Judge Ginsburg gave the James Madison Lecture at New York University Law School in March. She used the occasion to explore how appellate judges can best do their work and how they should function as one of the three branches of government in our constitutional system.

She emphasized, first, the need for collegiality — for mutual respect — on a court of many judges. "One must be sensitive," she said, "to the sensibilities and mind-sets of one's colleagues."



LEWIS

Kurds working toward self-reliance may set example

INVOICE DATE	INVOICE NO.	VOUCHER	GROSS	DISCOUNT	NET
12/29/92	FARADAY	93862	9,077.75	.00	9,077.75

RECEIVED

DEC 30 1992

WATER RESOURCES DEPT.
SALEM, OREGON

TOTALS ▲ 9,077.75

.00 9,077.75

9,077.75

PLEASE DETACH BEFORE DEPOSITING.

STATE OF OREGON
WATER RESOURCES DEPARTMENT
RECEIPT # **95629** 3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED
OVER THE COUNTER

RECEIVED FROM: PGE APPLICATION

BY: _____ PERMIT

CASH: CHECK: # 66-153 OTHER: (IDENTIFY) TRANSFER

TOTAL REC'D \$9077.75

01-00-0 WRD MISC CASH ACCT		
842.010	ADJUDICATIONS	\$ <u>9077.75</u>
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month	\$
	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE	CASH ACCT.	\$
COST CENTER AND OBJECT CLASS	VOUCHER #	

03-00-0 WRD OPERATING ACCT		
MISCELLANEOUS:		
840.001	COPY FEES	\$
850.200	RESEARCH FEES	\$
880.109	MISC REVENUE: (IDENTIFY)	\$
520.000	OTHER (P-6): (IDENTIFY)	\$

WATER RIGHTS:		EXAM FEE		RECORD FEE
842.001	SURFACE WATER	\$	842.002	\$
842.003	GROUND WATER	\$	842.004	\$
842.005	TRANSFER	\$	842.006	\$
WELL CONSTRUCTION		EXAM FEE		LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023	\$
842.016	WELL DRILL OPERATOR	\$	842.019	\$
	LANDOWNER'S PERMIT		842.024	\$

06-00-0 WELL CONST START FEE			
842.013	WELL CONST START FEE	\$	CARD #
	MONITORING WELLS	\$	CARD #

45-00-0 LOTTERY PROCEEDS		
864.000	LOTTERY PROCEEDS	\$

07-00-0 HYDRO ACTIVITY		LIC NUMBER	
842.011	POWER LICENSE FEE(FW/WRD)		\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
	HYDRO APPLICATION		\$

RECEIPT # **95629** DATED: 12/30/92 BY: C. Engel

Distribution—White Copy-Customer, Yellow Copy-Fiscal, Blue Copy-File, Buff Copy-Fiscal



Portland General Electric Company

RECEIVED

DEC 30 1992

WATER RESOURCES DEPT.
SALEM, OREGON

December 30, 1992

Oregon Water Resources Department
3850 Portland Rd. NE
Salem, Oregon 97310

Re: Surface Water Registration statements

To Whom It May Concern:

I am delivering with this letter the following six surface water registration statements:

Clackamas River (River Mill Project)
Clackamas River (Cazadero/Faraday Project)
Oak Grove Fork/Three Lynx Creek (Oak Grove Project)
Sandy River/Little Sandy River (Bull Run Project)
Willamette River (Willamette Falls)
Willamette River (Willamette Falls Locks).

These registration statements are required by ORS 539.240.

Each notebook is accompanied by a rolled mylar map, prepared by a certified water rights examiner and a check for the required filing fee. I have also provided a duplicate copy of each filing, to be date stamped and returned to me for my records.

Very truly yours,

Julie A. Keil



Portland General Electric Company

**Cazadero/Faraday
Hydroelectric Project**

**Water Rights
Registration Statement
pursuant to
ORS 539.240**

SWR-388

ATTACHMENT A

AFFIDAVIT OF JULIE A. KEIL

STATE OF OREGON)
) ss.
Multnomah County)

I, Julie A. Keil, being duly sworn, depose and say:

1. I am the Project Manager, Hydro Licensing, of Portland General Electric Company ("PGE"). My job responsibilities include securing state water rights for PGE's federally licensed hydroelectric projects. I am also the custodian of PGE's documents related to hydroelectric licensing. In preparing this registration statement, I have reviewed these company records, including historic generation and construction records. I have personal knowledge of the matters set forth in this affidavit.

2. "Attachment A-1" consists of true and correct copies of selected pages from Portland Electric Power Company with Its Predecessor and Subsidiary Companies (December 16, 1860 - December 31, 1935), a history of PGE's predecessor, which was compiled in 1935 by R.R. Robley, Superintendent of Operation, Portland General Electric Company, at the request of the senior management of the company. R.R. Robley was a long-time employee of PGE and its predecessor companies. Mr. Robley prepared the history based on contemporaneous documents and interviews with many of the men who were involved in the original construction of the hydroelectric plants, including

Alf Drill, T.W. Sullivan and O.B. Coldwell. Pertinent portions of pages from this document have been underscored for ease of reference.

3. "Attachment A-2" consists of true and correct copies of selected pages from a document titled History of Portland General Electric Company, a corporate history compiled in 1982 by Arthur H. Greisser, former Superintendent of Production for PGE. Pertinent portions of these pages have been underscored for ease of reference.

4. Construction work for the Cazadero project (currently known as the Faraday development or Station "G") started in 1902 with the surveying and initial construction of the Cazadero powerhouse foundation.

5. On May 2, 1903, George I. Brown, acting on behalf of Oregon Water Power Railway Company ("OWPRC"), posted Notice of Appropriation for 10 million cubic inches per second (about 69,444 cfs) from the Clackamas River. OWPRC posted the Notice "About 600 feet South and 200 feet East of the center of Section 3 T. 4 S. R. 4 E. of the W.M. *** on a rock about ten feet West of the West edge of the Clackamas River." The purpose of the appropriation was for "power, electric power, manufacture and other purposes permitted by the laws of the State of Oregon." OWPRC recorded the notice with the Clackamas County recorder on May 5, 1903. "Attachment A-3" is a certified copy from the Clackamas County records of the Notice to Appropriate filed by OWPRC.

6. In October 1905 the partially completed dam washed out. OWPRC continued construction of the Cazadero/Faraday project in 1906. "Attachment A-4" contains true and correct copies of photographs depicting the construction process.

7. On December 31, 1906, OWPRC transferred all of its rights to Portland Railway, Light & Power Company ("PRL&P"). "Attachment A-5" is a certified copy of the deed transferring these rights.

8. The Cazadero/Faraday project was completed in 1906 and brought into service in February 1907. "Attachment A-6" contains true and correct copies of photographs of the original generators as installed in 1907.

9. On June 21, 1908, overspeed in one unit caused it to fly apart and destroy three units. PRL&P replaced one unit on July 10, 1908. Two new replacement generators and turbine casings for the other turbines were placed in service in November 1908.

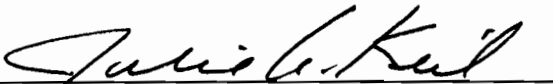
10. PGE added the fourth unit in October 1909 and a fifth unit in August 1910. See "Attachment A-2" at 37. "Attachment A-7" contains three photographs depicting the project and includes a true and accurate copy of a 1910 photograph with all five units installed.

11. The diversion capacity of the five-unit project is 2370 cfs. These units have operated annually since their original installation and continue to operate today. The water

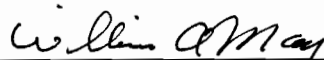
usage claimed at Cazadero/Faraday is based on review of historical river flows correlated to generation records and analysis of flows used for fish ladders and other associated facilities. The review was done by Harold Csergei, Certified Water Rights Examiner, and PGE hydroelectric engineering staff.

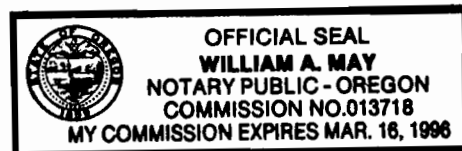
12. In 1957, PGE constructed a sixth unit at Cazadero/Faraday. PGE is not seeking a pre-1909 water right for water use associated with the sixth unit because the pre-1909 development plans did not include provisions for a sixth unit.

13. "Attachment C" contains chain of title information for the Cazadero Project.


Julie A. Keil

Subscribed and sworn to before me this 29 day of December, 1992.


Notary Public for Oregon
My Commission Expires: 3/16/96



ATTACHMENT A-1

PDX1-29784.1 18317 0002

of all property of the Oregon City and Southern Company to the Portland City
(26)
and Oregon Company as of June 13, 1902.

The Portland City and Oregon Railway Company was incorporated
February 1, 1901 by J. Frank Watson, Fred S. Morris and W. H. Hurlburt with
a capitalization of \$500,000. At the directors' meeting of February 6, 1901,
it was voted to purchase the property of the East Side Railway Company held
by Fred S. Morris. At a subsequent meeting held April 24, 1901, the presi-
dent and secretary were authorized to purchase the property of the Portland,
Chicago and Mt. Scott Railway Company and on June 13, 1902, the directors
voted to purchase all the assets of the Oregon City and Southern Railway
Company.

On December 7, 1901, the Oregon General Electric Company was in-
corporated by Fred S. Morris, J. Frank Watson, A. B. Crossman and Wm. T.
Muir with a capitalization of \$2,000,000 to do a general utility business in
the State of Oregon. At the directors' meeting of June 5, 1902, the name
of the company was changed to Oregon Water Power and Railway Company and
the articles of incorporation changed to allow the company to build a rail-
road from Portland to the North Fork of the Clackamas River. The properties
of the Portland City and Oregon Railway Company were transferred to the new
company on June 28, 1902. (26) The new company was evidently organized to
make a hydro development at Cazadero and the major energies of the company
were exerted toward that end. Franchises to operate in the cities of
Portland and Oregon City were obtained in 1903, and as heretofore stated,
an agreement was entered into with Portland General Electric Company in 1904
for the sale of electric energy to the latter company. The first step in
the development was the building of a standard gauge railroad from Sellwood
(Golf Junction) to Cazadero, a distance of 32 miles with a branch line,

completed in 1907, extending north from Linneman Junction to Fairview and Troutdale. Steam motive power was first employed but the line was soon electrified. The powerhouse of the East Side Power Company, acquired through constituent companies, was the Portland supply of energy for electric operation while a new steam plant was built at Boring, one of the engines being taken from the East Side powerhouse to Boring, later known as Station "K", about 1903 and belted to a 400-kw., 500-volt Bullock generator and a 400-kw., 33-cycle, 10,000-volt Stanley generator. Substations were built at Golf Junction, Gresham and Eagle Creek, two 400-kw., 600-volt rotaries being installed at Golf Junction and one of the same size at each of the other two substations. Gresham and Eagle Creek Substations received energy from Boring over a 10,000-volt, 33-cycle line while the substation at Sellwood was fed over a similar line from the power plant in Portland.

The plans for the new development, in addition to the railroad, called for a diversion dam across the Clackamas River, a system of canals and wooden flumes to convey water to a forebay to be built on an upper level above the powerhouse, a powerhouse to accommodate an ultimate of five generators, a transformer house to be built across the river from the powerhouse and two 33,000-volt transmission lines to Portland.

The Clackamas River is not a glacial stream, its source being in springs and meadows on the west slope of the Cascade Mountains between Mt. Hood and Mt. Jefferson. The minimum flow of the river at the Cazadero powerhouse is around 700 cubic feet per second, and occurs usually in August. As a maximum, floods of 50,000 cubic feet per second have been recorded. Drainage area is about 700 square miles.

The diversion dam is of wood crib rockfilled construction built across the Clackamas River about $1\frac{1}{2}$ miles above the site of the powerhouse

EXHIBIT

A-1

PAGE

2/4

and $37\frac{1}{2}$ miles from Portland. It is 40 feet high with a spillway 200 feet long and diverts water through a concrete double gate headworks construction into a wooden box flume tapering from the headworks to a regular size of 25 feet 6 inches wide by 10 feet 8 inches deep. The side posts and sills of the flume began to fail about 1917, at which time reinforced concrete yokes with iron tie bolt across the top were cast in place at 4-foot spacings. The distance from the diversion dam to the upper end of the forebay is approximately 5700 feet of which 2180 feet is wooden flume and 3520 open dirt canal. Capacity of the flume and canal is 2000 cubic feet per second. The forebay with an artificial bank built up on the river side is roughly 3100 feet long with an area of 50 acres. Water storage in the forebay is 24,000,000 cubic feet and in the diversion dam pond 6,000,000 cubic feet. The powerhouse is built on the river bank directly below the lower end of the forebay and is of brick superstructure on concrete foundation approximately 57 feet x 176 feet in dimension.

The intake structure at the forebay and the powerhouse were each planned for an ultimate of five generating units. Three units only were originally installed, each of these being made up of a 42-inch double runner 5000-hp. Platt water wheel direct connected to a 2500-kw., 11,000-volt, 3-phase, 33-cycle Bullock generator. Each unit took water through a steel penstock 8 feet in diameter, 250 feet long and each with a separate head gate at the forebay. Normal operating head is 130 feet. A separate 11,000-volt lead across the river was provided from each generator to its own bank of three -- 850-kw. single-phase water-cooled Stanley transformers to step voltage from 11,000 volts up to 33,000 volts for transmission of energy to Portland. Transmission to Portland was over two parallel wood pole transmission lines with conductors made up of seven strands of No. 8 B & S gauge copper. The lines were built one on either edge of the railway right-of-way

except that they were built on county roads from Barton Station to Sycamore Station to secure a more direct route. The lines left the right-of-way again near the eastern city limits of Portland and were routed over different streets to the terminal at the Portland General Electric Company Substation "d" located on Knott Street between Williams and Rodney Avenues.

At the directors' meeting of the company held April 30, 1906, all of the officers resigned and executives of the Portland General Electric Company organization were elected instead. Mr. H. W. Goode was elected president, Mr. F. I. Fuller, vice president and Mr. C. N. Huggins, secretary and treasurer. O. F. Paxton was appointed general counsel and the retiring president, W. H. Hurlburt, was appointed general manager. The work from that time on proceeded under the general direction of the Portland General Electric Company, work being directed by Mr. O. B. Coldwell assisted by Mr. H. A. Laidlaw. Mr. Alf Drill was put in direct charge of general construction with T. W. Sullivan in charge of hydraulic work. From early September, 1906 until the plant was put in commission in February, 1907, the writer was in charge of the installation of electrical equipment.

Rebber
On October 20, 1906, the board of directors approved the sale of the property to Portland ^{Railway, Light and Power} ~~General Electric~~ Company as authorized at the stockholders' meeting held previously that same date. Mr. Hagenah has set up the date of transfer as being January 1, 1907. (26)

The corporation was dissolved by action of the board of directors, the certificate of dissolution being dated June 11, 1930.

Coming up through the ranks with the Oregon Water Power and Railway Company were several employes who came into prominence after the merger, and who deserve mention at this time.

B. F. Boynton came from the Los Angeles Railway Company in August, 1902, at the request of Superintendent Tiffany. He served as general

ATTACHMENT A-2

DEC 30 1992

WATER RESOURCES DEPT.
SALEM, OREGON

CHAPTER V

CLACKAMAS RIVER BASIN DEVELOPMENT

A period of significant Company growth occurred in the decade from 1902 to 1912. This was evidenced both in electric service load growth and in exploitation of generation resources to meet the needs of an expanding population. As electric requirements increased at a rapid rate, low-cost hydroelectric generation became ever more attractive for bulk power supply.

The potential for power development on the Clackamas River was recognized at the turn of the century. Power sites were in relatively close proximity to Portland and to projected electric interurban lines. Thus, surveys were started in June 1901 on the John Zobrist donation land claim, and in 1902 property acquisition began for a hydroelectric generating project then named Cazadero (later, Station G, and now, Faraday). In 1908, lands were purchased for a power site a short distance west of Estacada for the River Mill hydroelectric development.

Investments and payrolls for power site investigation, as well as plant and railroad construction and operation, contributed to the stable economy and growth of the Estacada area. The Company built a hotel and picnic park, and excursion trains on an electrified railroad brought crowds of Portlanders to Estacada on weekends for summer enjoyment. The public recreational facility was further enhanced by completion of River Mill dam in 1911, creating Estacada Lake and slack water to the Faraday powerhouse. With excellent hotel meals at reasonable prices as an additional draw, as many as seven extra trains were scheduled on Sundays for the pleasure seekers. The interurban lines were advertised as "The Trout Route", in angler's guides issued by the Company to the public.

A railroad from Portland through Gresham and Boring to Estacada, terminating at Cazadero, had been completed in 1903 by the Oregon Water Power & Railway Company, a predecessor company of PGE. The railroad was built primarily for hauling workmen, equipment and supplies for the construction of the Cazadero hydroelectric plant.

The decision to construct a railroad was made after estimating the cost of an alternative horse and heavy-wagon transportation system. The latter would have required planking a 22-mile roadway from S.P.R.R. Co.'s Clackamas station and upgrading the bridges all along the route.

Benefits from some investor-owned electric interurban railway lines in that period of undependable automobiles and muddy or dusty dirt roads were realized at Estacada and along the route from Portland. According to the *Street Railway Journal* of October 29, 1904: "Estacada is a town of 300 or 400 people . . . where six months ago there was nothing but a small farm and standing timber . . . The Hotel Estacada . . . is owned by the O.W.P. & R.R. Co. and has been constructed with a view of providing accommodations for those desiring short and inexpensive outings. . . . As a special inducement for Sunday traffic, a rate of 50 cents is given for the round trip from Portland to Estacada, instead of the week-day fare of \$1.35. A rate of \$1.50 is offered for the round-trip including dinner at the hotel". The original plat for the "Town of Estacada" was filed in Oregon City on January 9, 1904. In 1905 Estacada was incorporated as a city.

The ultimate projected usage of the interurban railroad to Cazadero, according to the *Street Railway Journal*, was for "tapping of the large and excellent yellow fir region on the Upper Clackamas River. By reason of natural obstructions in the river channel below Cazadero, it has been impossible to float logs down the stream to the Willamette; and as the country is too steep and rugged for logging roads . . . this large timber section . . . has lain dormant for years. This country is settled largely by the pioneers of Oregon who crossed the mountains

(on the Barlow Toll Road) and settled in this section some 50 years ago. Without transportation facilities and a 25 to 30 mile wagon haul, the advancement of these sturdy settlers has been slow as compared to that noticed in other parts of the West".

Anticipating a delay of some years in harvesting timber in the upper Clackamas River basin, the company conducted an aggressive campaign to develop freight business along the line. As the 1904 *Street Railway Journal* article noted: "Portland burns wood almost exclusively for fuel, and uses from 200,000 to 300,000 cords annually". For the calendar year 1904, more than 100,000 cords were hauled by the Estacada line. A flatcar could carry 16 cords, and the freight rate for the full trip was 85 cents per cord. At the time, there were 37 sawmills along the railway or tributary to it. Farmers also benefited. They were able to raise potatoes and other valuable cash crops for shipment to market, instead of having to raise hay and grain for fattening hogs and cattle, and then face the drive "on the hoof" the long distance to Portland.

At the beginning, practically the only town on the Cazadero interurban line was Gresham, with a population of about 150. The railroad management anticipated the need for only one combination freight and passenger train each day. However, within a year, seven passenger trains were required every weekday, and a freight train every night. On Sundays, the passenger schedules increased from 50 to 100 percent during the fishing and picnicking season.

Three wood-burning steam locomotives were first operated on the railroad section from Boring to Estacada. In 1907, the line was electrified upon completion of the Faraday hydroelectric development, providing direct current for the trolley wires at the terminal at Cazadero and through a substation constructed at Eagle Creek. E. L. (Roy) Meyers, the first station agent at Estacada, was later a longtime lobbyist for Portland General Electric and its predecessor companies. Until 1967, he resided at Eagle Creek on the pioneer Philip Foster donation land claim.

In 1843, Philip Foster, in partnership with Francis W. Pettygrove, operated a store in Oregon City. Soon afterwards, Foster located a homestead at Eagle Creek. In June 1844, he moved into a newly built log house on those fertile farm lands. The following year, Samuel K. Barlow reached the Foster place in the course of his attempts to locate a trail to Oregon City for a pioneer covered wagon train.¹⁰

In 1846, Foster and Barlow formed a partnership to construct an 80-mile-long toll road from Maupin, south of Mt. Hood, to Foster's farm, where fresh fruit and vegetables could be obtained by the pioneer migrants. A toll gate was built near Zig Zag where, by action of the Provisional Legislature, a charge of \$5 per wagon and 10 cents for each loose animal was authorized for collection. The toll road was not a financial success, but it apparently operated until 1919, when it was deeded to the State of Oregon.

Prior to 1922, the Clackamas River basin east of Estacada was a 650-square-mile area of timbered wilderness, with no roads and few trails. Steep cliffs ran to the edge of the river at many places, forcing trails to climb up and down the side of the canyon and making a trip to the upper country an arduous task. There was only one homestead in the area. A U.S. Forest Service ranger station at Oak Grove, built about 1908, was for many years manned only in the summer fire season because of its isolated location. All supplies and equipment were transported into the area by pack train until 1923, when the Company — in preparation for the Oak Grove hydroelectric project construction — built a wagon road, immediately followed by a railroad into the area.

Faraday Development (Originally Cazadero, subsequently Station G, then Faraday.)

Construction work on the dam for this hydroelectric project was started in 1902 by the Oregon Water Power & Railway Company (O.W.P. & R. Co.), in accordance with plans for a five-unit plant prepared by the line's Chief Engineer, George I. Brown. On February 24, 1904, PGE contracted for the purchase of a portion of subsequent generation, but the O.W.P. & R. Co. was merged into the Portland Railway, Light & Power

Company (successor to the original PGE) on January 1, 1907, before the plant was completed. Before and after the merger, the same financial interests — Clark and Seligman* — controlled the two companies.

At the time of the consolidation, T. W. Sullivan, Hydraulic Engineer for PGE and P.R.L.&P., was placed in charge of the Faraday hydraulic installation. The mechanical and electrical installation was supervised by O. B. Coldwell, then Operating Engineer. The transmission line was built under the direction of H. S. Sladen, Transmission Engineer, general construction was supervised by Alf Drill, and R. R. Robley was in charge of electrical equipment installation.

The O.W.P.& R. Co., originally incorporated on December 7, 1901 as Oregon General Electric Company, represented the consolidation of four city and interurban electric railway properties owned and operated from May 1892 by eight corporations, individuals, and receivers.²

Initial operation of the Faraday plant was in February 1907. Three hydroturbine generating units totaling 7500-kW rated capacity were placed in service, together with a 400-kW rotary converter for 550-V direct-current railway supply. Generation was at 11,000 V, 33 cycle, with power stepped up to 33,000 V for transmission to Portland over two wood pole transmission lines. The 33-cycle frequency was selected because of its economic advantage in the conversion to direct current for electric street railway and interurban transportation, as well as to satisfy the requirements of the downtown area of Portland, where 120-240-V direct-current service was used by all stores and office buildings.

On Sunday morning June 21, 1908, all three generators were wrecked by the overspeed of one unit which caused it to fly apart and successively shatter governors on the other two generators. But for bent shafts and the loss of governor equipment, the water turbines were virtually uninjured. By July 10 that year, one of the generators had been replaced with a 60-cycle machine that the General Electric Company had had on hand for delivery to another company. It was the first 60-cycle generator on the P.R.L.&P. system. Two new replacement generators for the No. 1 and 2 water turbines were quickly supplied by Allis Chalmers Manufacturing Company. They were placed in service the following November.

A fourth generating unit of 3000-kW rating was added to the Faraday station in October 1909; a fifth unit rated at 3,750 kW began operation in August 1910. Generators for the No. 4 turbine unit consisted of three 1000-kW, 60-cycle, 2300-V frequency changer units salvaged from other locations on the system.

The Faraday development continued to operate virtually unchanged (except for substantial repairs and improvements to the right abutment and other portions of the timber crib dam) until August 1921, when the No. 1 generating unit was rewound for 60 cycles and the capacity increased by 500 kW. In August 1922, a similar improvement was made to the No. 2 generator, because of the prospect of reduced railway load and increases in the system's 60-cycle, alternating-current sales.

On June 15, 1953, disaster struck the Faraday powerhouse a second time. A surge of water pressure ruptured the cast iron turbine casing and draft tube elbow on the No. 3 generating unit. Within a few minutes, the powerhouse main floor was flooded to a depth of 6 feet. The chief operator, Harold Hoygaard, bravely stayed at the switchboard, managing to cut the plant free from the remainder of the PGE system and thus preventing more serious damage. Nevertheless, the No. 5 generator was burned out and the stator required a complete rewind.

Work on dry-out, repair and replacement of equipment was expedited, because an area power shortage was anticipated for the 1953-54 winter season. New welded steel turbine casings and draft tube elbows were ordered for all five turbines, and new cast steel runners were purchased for three. All governors were replaced with hydraulic controllers, in order to permit remote control by supervisory circuits. The total estimated cost of the

*E. W. Clark and Co., Philadelphia; and J. W. Seligman of New York.

repairs and improvements was \$689,000, of which \$162,000 was recovered from insurance. One unit was restored to service late in August 1953. Three more were available in September and October; and, the fifth unit became available before March 1954. Turbine reconstruction at the Pelton Water Wheel Company shop in San Francisco was scheduled for one unit at a time throughout 1954. None of the five units was available for maximum peaking service until February 1955.

A third complete outage of the Faraday plant occurred in January 1965 because of major flood damage. This event is covered in the Chapter on "Floods, Ice, and Windstorms".

On January 21, 1972, a major Clackamas River flood occurred. The peak flow of 64,200 cfs was reached near midnight, inundating the original Faraday powerhouse and the project office and shop facilities. Cost of cleanup and repairs totaled over \$100,000, including \$14,340 net cost for salable timber and flood trash removed from the North Fork reservoir, and new windings for the No. 3 generator. By May 1, four of the old generating units had been restored to service. No. 3 was repaired by May 31.

ATTACHMENT A-3

State of Oregon)
County of Multnomah) SS.

I, George I. Brown, being first duly sworn, depose and say that on the Second day of May 1903, I posted a copy of the annexed and following notice of appropriation of water at the point in the Clackamas River in Clackamas County, Oregon, described in the said notice, to-wit: About 600 feet south and 200 feet East of the center of Section 3, Township 4 South, Range 4 east, Willamette Meridian, Clackamas County, Oregon. That said notice was so posted by me on said day and at said place on a rock about 10 feet west of the west edge of the Clackamas river, and that the place where said notice is posted is a conspicuous place.

Geo. I. Brown

Subscribed and sworn to before me this Second day of May 1903.

James H. Davis.

Notary Public for Oregon.

NOTICE.

KNOW ALL MEN, That The Oregon Water Power and Railway Company, a corporation duly created, organized and existing under the general incorporation laws of the state of Oregon, having its principal office and place of business in the City of Portland, Multnomah County, Oregon, and having power in and by its articles of incorporation among other things to carry on and conduct the business of generating, making, transmitting, furnishing and selling electricity for the purpose of lighting and power and transmission of power and supplying the same to persons towns, cities and municipalities and utilizing the same for other purposes; to manufacture, sell and deal in any and all appliances used in or which may be required in connection with the utilization of electricity and other things, to purchase, acquire, possess, hold, lease, improve, maintain, build and operate locks, canals, dams, and basins; to purchase, acquire, own, hold operate and maintain riparian and water rights and privileges and water powers; to supply water to persons, corporations, towns and cities for domestic or public purposes and for use as power and for manufacturing purposes, and to acquire, construct, operate and maintain railroads propelled by steam, electricity or other power and other powers, and being the owner of land along and on both sides of the Clackamas river in Clackamas County Oregon, which it has acquired for the purpose of utilizing the waters of said Clackamas river for power, electrical power, manufacturing and other purposes permitted by the laws of Oregon and desiring and

intending to utilize and appropriate the waters of said Clackamas river for such purposes and condemning the waters thereof, and riparian rights and rights of way and sites for reservoirs and lands and having located a point of diversion of the water intended to be appropriated together with the line of its proposed ditch, canal and flume and site for reservoirs for storing water NOW DECLARES and by this instrument gives notice that the point of diversion of the waters of said Clackamas River is described as follows.--

About 600 feet South and 200 feet East of the center of Section 3. T. 4 S. R. 4. E. Wt. Mer. at which point of diversion this notice is posted in a conspicuous place to-wit: on a rock about 10 feet west of the West edge of the Clackamas River

That the name of the ditch, canal and flume to be constructed is the Oregon Water Power and Railway Company's ditch, canal and flume. That the owner thereof is the said The Oregon Water Power and Railway Company. That the headgate of said ditch, canal and flume is proposed to be constructed at the following point to-wit: About 600 feet South and 150 feet East of the center of Section 3, T. 4 S., R. 4 E. Wt. Mer. That the following is a general description of the course of said ditch, canal and flume, to-wit:

Commencing at the above described headgate; thence in a Northwesterly direction through the S. E. and N. E. $\frac{1}{4}$ of Section 3, T. 4 S., R. 4 E. Wt. Mer. and the S. E. and S. W. $\frac{1}{4}$, Section 34 to a point in the West $\frac{1}{2}$ of Section 33 about 500 feet West of the boundary between Sections 33 and 34 T. 3 S. R. 4 E. Wt. Mer.

All on the South and West bank of the Clackamas River in Clackamas County, Oregon. That the size and dimensions of said ditch, canal and flume in width and depth is as follows, to-wit:

Forty feet wide and twenty feet deep.

That the number of cubic inches of water (by miner's measurement under a six inch pressure) intended to be appropriated is as follows to-wit:

Ten Million (10,000,000) cubic inches per second.

That the number of reservoirs intended to be constructed and used is as follows to-wit: Two -- one in S. E. $\frac{1}{4}$ Section 34, T. 3 S., R. 4 E. and N. E. $\frac{1}{4}$, Section 3, T. 4 S., R. 4 E. and one in the S. E. $\frac{1}{4}$ Section 33 and the S. W. $\frac{1}{4}$ Section 34, T. 3 S. R. 4 E. Wt. Mer. Clackamas County Oregon.

IN WITNESS WHEREOF, The Oregon Water Power and Railway Company by resolution of its Board of Directors duly passed authorizing the same, has caused these presents to be executed by Geo. J. Brown, its Chief Engineer and Superintendent, and caused its corporate seal to be hereunto affixed this second day of May 1903.

Witnesses:)
 Wm. T. Muir)
 James N. Davis)
 State of Oregon)
 County of Clackamas)

The Oregon Water Power and Railway Company
 By Geo. I. Brown
 Chief Engineer and Superintendent

) SS.
)

BE IT REMEMBERED, that on this Second day of May 1903, before me, the undersigned, a Notary Public in and for the State of Oregon, personally came Geo I Brown Chief Engineer and Superintendent of the Oregon Water Power and Railway Company, whose name is subscribed to the within instrument as Chief Engineer and Superintendent of said company, personally known to me to be the individual named and described in/ and who executed the foregoing instrument, and acknowledged to me that he executed the within instrument as and for the act and deed of said corporation freely and voluntarily and for the uses and purposes therein mentioned. And he, the said Geo. I. Brown, being by me duly sworn, did depose and say that he is the Chief Engineer and Superintendent of said The Oregon Water Power and Railway Company and resides at Portland Multnomah County, State of Oregon; that he is acquainted with the corporate seal of said corporation; that the seal affixed to the foregoing instrument is such corporate seal and that the same was so affixed by him as such Chief Engineer and Superintendent on the Second day of May 1903, by order of the Board of Directors, of said Corporation and that he signed his name thereto by like order of the Board of Directors of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal the day and year in this certificate first written.

(Seal of Notary) : James N. Davis

Notary Public for Oregon.

Filed and Recorded, May 5th, 1903 at 8:45 A.M.

EXHIBIT A-3

Henry E. Stevens, County Recorder.

PAGE 3/4

NOTICE.

Notice is hereby given that the undersigned, a person duly qualified under the laws of the State of Oregon, proposes to construct a ditch and flume from a point on the right bank of the Molalla River, which point is marked by an Ash tree 20 IN. in diam., marked W. B. P. S., said point being 25.00 chains East and 5.90 chains South of of the corner of sections 4, 5, 6, and 9, T. 4. S R. 1.

STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, JOHN KAUFFMAN, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of BKI Pg 58

WDRF - 395
has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 20 day of December, 1980.

JOHN KAUFFMAN, Clerk

By: Melissa Taylor Deputy



EXHIBIT A-3
PAGE A/A

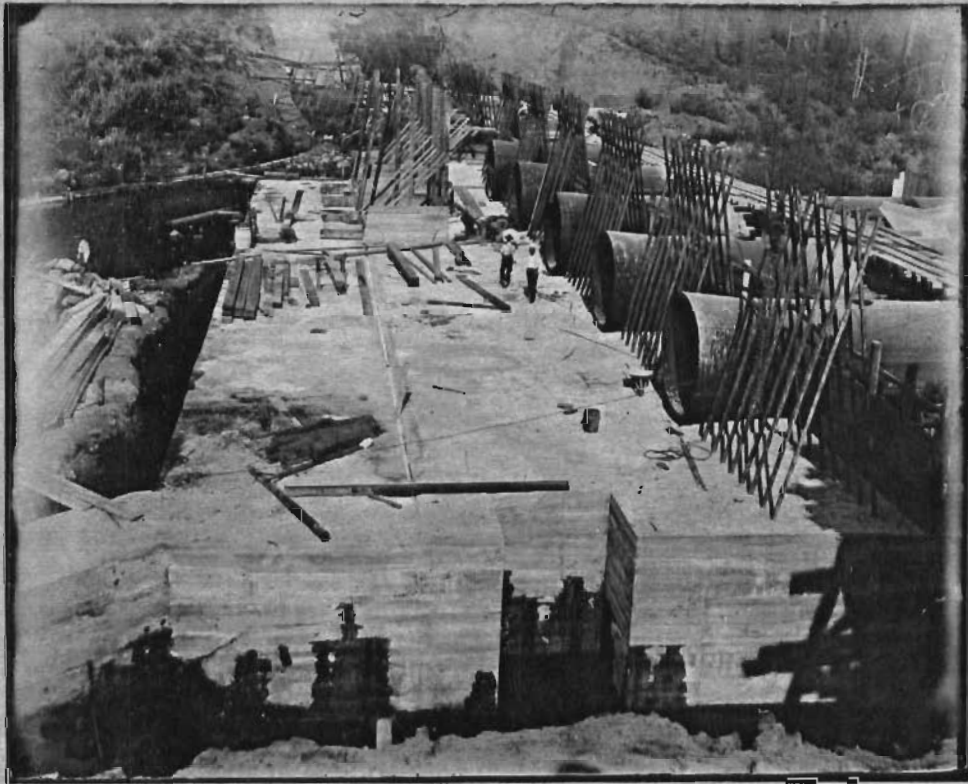
ATTACHMENT A-4

RECEIVED

DEC 30 1992

Cazadero - Penstock Intakes at Forebay.

WATER RESOURCES DEPT.
SALEM, OREGON



Jan 10/93

EXHIBIT R-4

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~~E 301-G 423~~

7-110

Cazadero - Penstock Intake at Forebay.



8/25/06

EXHIBIT A-4
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E-301-0 426

7-111

Cazadero - Penstock Intake at Forebay.



8/28/04

EXHIBIT A-4
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~~E 301-8 428~~

7-112

Cazadero - Dyke Construction.



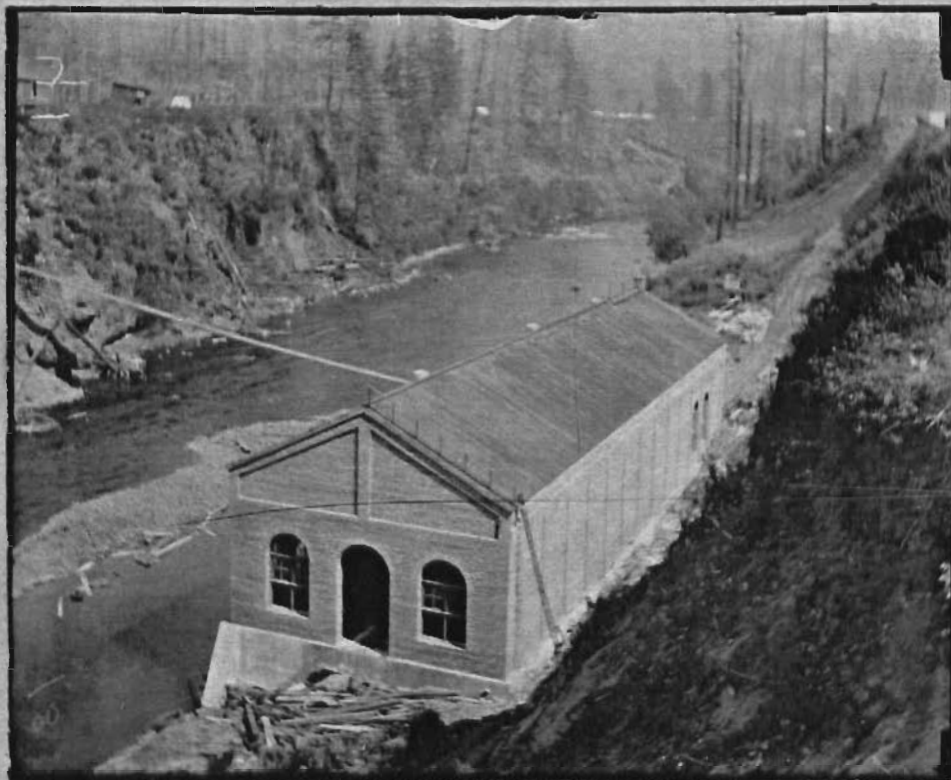
8/31/04

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PAGE 44

~~E-301-G 414~~

7-100

Cazadero - Power House Exterior.



8/28/06

EXHIBIT AA
PAGE 5/11

~~E-301-C 462~~

7-128

Cazadero - Penstock Intake Rack Construction.



EXHIBIT A-4
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~~B-301-G-1913~~

7-109

Cazadero - Exterior View Power House Day after Wreck.



EXHIBIT A-4
PAGE 7/11

~~B 301-C 1540~~

7-125

Cazadero - Power House (Construction)



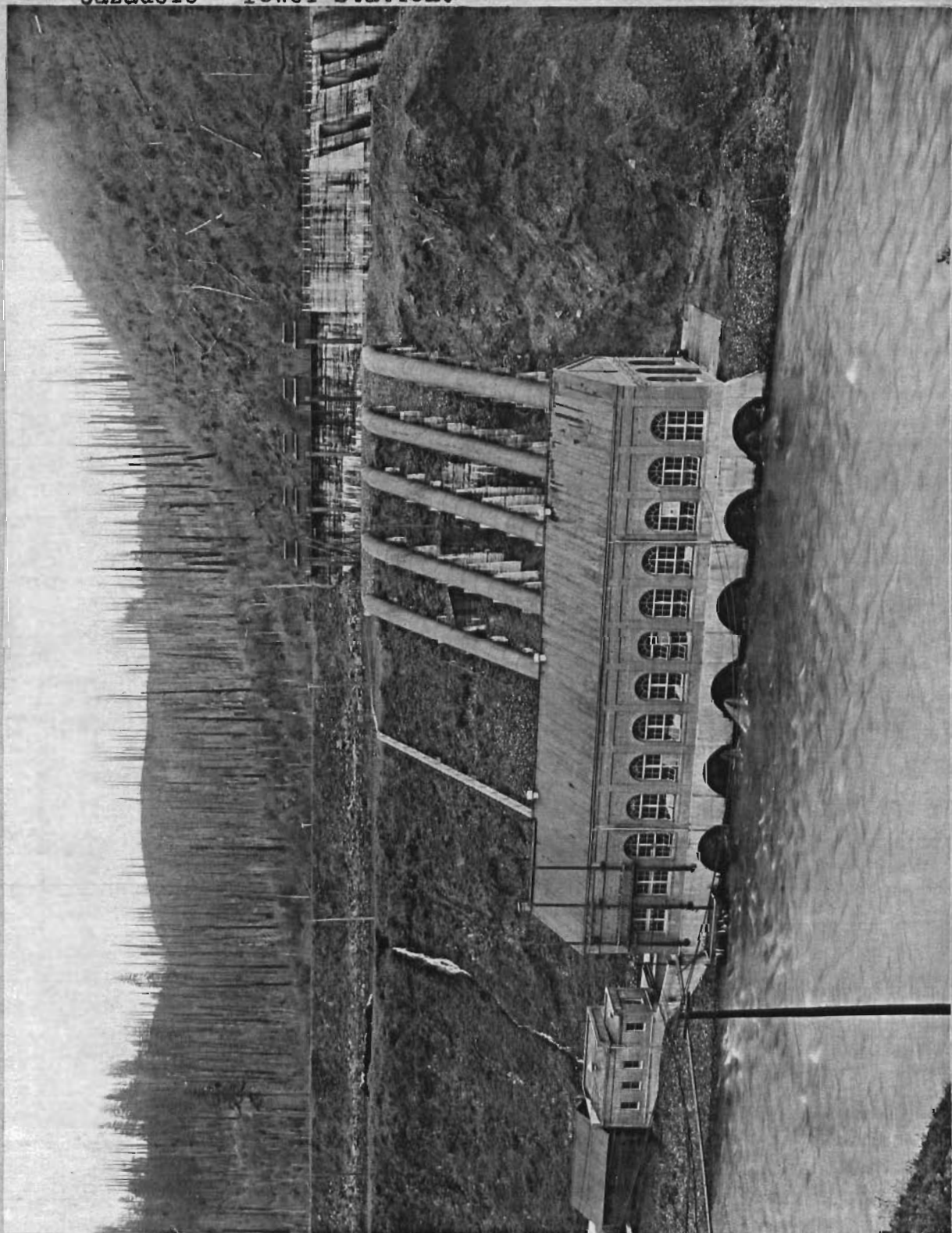
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EXHIBIT A-4
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~~301-G-376~~

7-127

Cazadero - Power Station.



E 301-G 785

4-17-1914

EXHIBIT A-4

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7-133

Cazadero - Power House Interior during Construction.



EXHIBIT A-4
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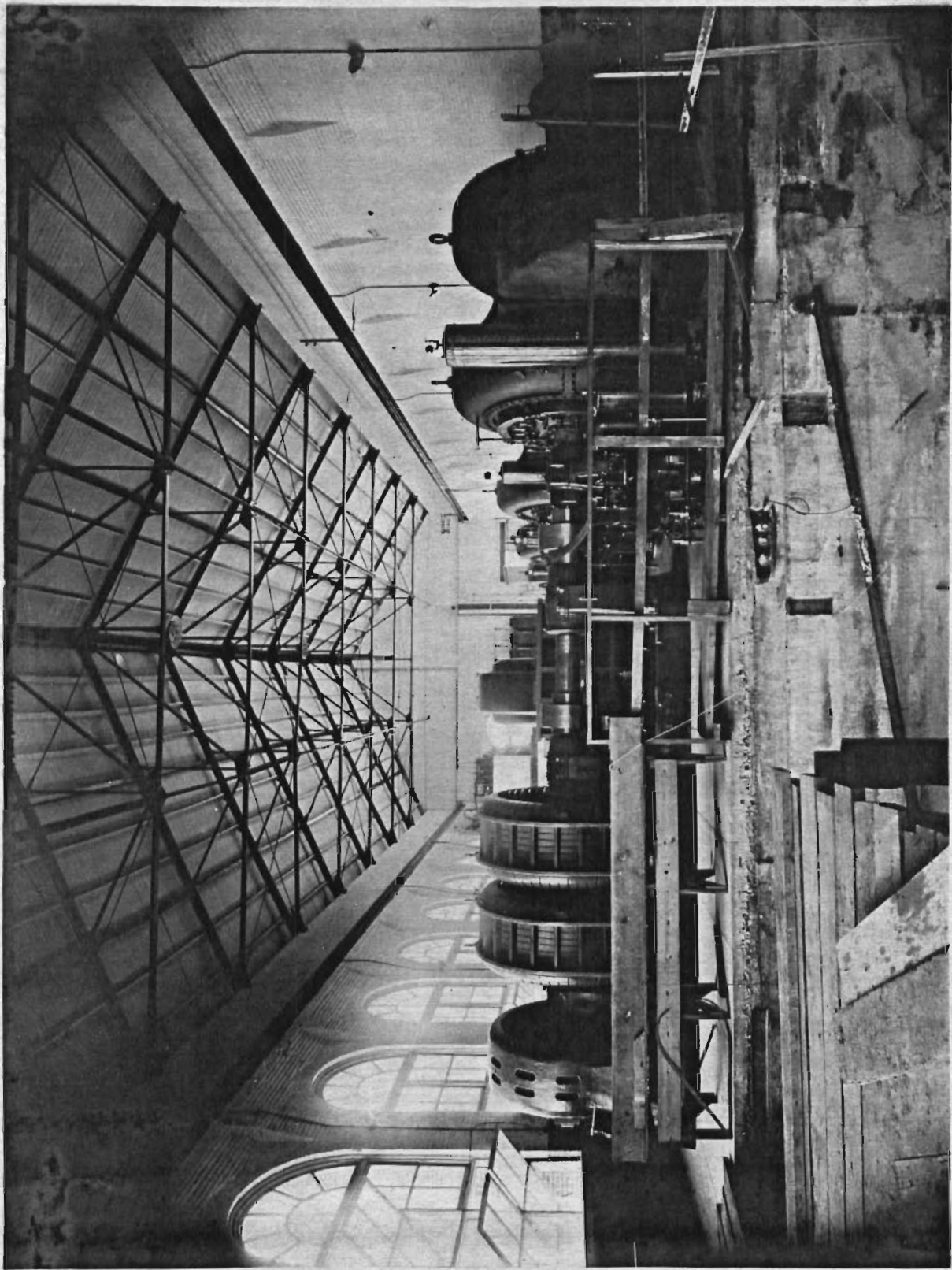
~~E 301-G 405~~

~~E 301-G 418~~

7-138

Cazadero - Interior.

1909



B-301-0-1193

EXHIBIT A-A
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7-153

ATTACHMENT A-5

PDX1-29784.1 18317 0002

Oregon, save and excepting from the said lot fifteen one half (15 1/2) feet off from the west end of said lot.

To have and to hold the said premises, with the appurtenances, unto the said grantees, her heirs and assigns forever; and we the said grantors do hereby covenant to and with the said grantees, her heirs and assigns, that we are the owner in fee simple of said premises; that they are free from all incumbrances, and that we will warrant and defend the same from all lawful claims whatsoever.

In Witness Whereof, we have set our hands and seals this 21st day of March, A. D. 1907.

Signed, sealed and delivered

in presence of:

- E. H. Cooper)
- C. Schusel)

DEC 28 1902

W. A. Long



Maggie Long



EXHIBIT A-5
PAGE 137

State of Oregon,)
County of Clatsop,) ss.

On this, the 21st day of March, A. D. 1907, personally came before me, a Notary Public, in and for said County, the within named W. A. Long and Maggie Long, his wife, to me personally known to be the identical persons described in and who executed the foregoing conveyance, and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein named.

Witness my hand and official seal, this, the day and year in this certificate above written.
(Seal of Notary)

C. E. Ransby,
Notary Public for Oregon.

Filed and Recorded March 21st, 1907 at 1:10 P. M.

C. E. Ransby, County Recorder

By: *C. E. Ransby*

THIS INSTRUMENT MADE AND EXECUTED this 31st day of December, A. D. One thousand nine hundred and six (1906), between The Oregon Water Power and Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon, and having its principal office at the City of Portland, in the County of Multnomah, State of Oregon, hereinafter called "said grantor corporation"), party of the first part, and Portland Railway, Light and Power Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon, and having its principal office at said City of Portland), party of the second part,

WITNESSETH:

That said grantor corporation for and in consideration of divers good and valuable things and considerations it hereunto moving and the further consideration of One Dollar (\$1.00) lawful money of the United States, to it in hand by said Portland Railway, Light and Power Company (the receipt whereof is hereby acknowledged), does hereby grant, bargain, sell and convey unto said Portland Railway, Light and Power Company, its successors and assigns, all

the property of said grantor corporation, real, personal and mixed, of every kind, name and nature, and wheresoever situated or in or to which it has any estate, right, title, interest, claim, or demand; as well in law as in equity, and all its business, franchises, and property as a whole;

and including all riparian rights, water rights, water powers, waters and rights to use water appurtenant or appertaining to any or all of said real property of said grantor corporation, and all docks, wharves, buildings, structures, stations, water plants, power plants, dams, culverts, breakwaters, cribs, cribwork, flumes, ditches, sluices, canals and reservoirs, including the dams, flumes, ditches, reservoirs, headworks, and power plants situated in Section thirty-three (33) in Township Three (3) South of Range Four (4) East of the Willamette Meridian, and in Section Three (3) in Township Four (4) South of Range Four (4) East of the Willamette Meridian, in the County of Clatsop, State of Oregon. All and singular the same being now owned by said grantor corporation.

And also including all the rights, privileges, easements, tenements, hereditaments, improvements and appurtenances belonging to or used by said grantor corporation or in anywise appertaining to said property, real, personal or mixed, and any thereof, and all its estates, rights, titles, interests, claims and demands (as well in law as in equity) therein or thereon and also the reversion and reversions and remainder and remainders and the rents, issues and profits thereof.

and also including all its electric light and power business, plants, stations, substations, appurtenances, poles, pole lines, wires and lines of wire, cables, conduits, subways, electric generators, motors, dynamos, electric machines, switchboards, equipments, meters, electric lamps (as well as incandescent) insulators, boilers, engines, pumps, water wheels, and their appliances, canals, flumes, pipes, mains, service pipes, and all other machinery, apparatus, appliances and appurtenances belonging or appertaining to its said electric light and power business, plants, stations and sub-stations, and all its other machinery, apparatus, appliances, and appurtenances used or to be used in generating, distributing, collecting, furnishing and applying electricity or electric current to cities, towns, villages, and their inhabitants, and to other corporations, persons, and individuals for light, heat, power and other purposes; and all its other electric apparatus, materials, supplies, stores, goods, wares and merchandise.

And also including all its railroad, railway, and street railway business, and all its lines of railroad, railway, street railway, and plants whether constructed, in process of construction, or both, and including also all pole lines, lines of wire, electrical equipment, rolling stock and cars, and their appliances and apparatus, car barns, power houses, buildings, structures, bridges, boilers, engines, machinery, and all other apparatus, appliances and appurtenances (including electric plants, stations, sub-stations, generators, apparatus and appliances) belonging or appertaining to its said railroad, railway, and street railway business, lines and plants, and all its other machinery, apparatus, appliances and appurtenances used, or to be used, in connection with or in operating its said lines of railroad, railway, street railway and cars, and carrying and transporting passengers and freight thereon

EXHIBIT

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and in operating its said plants, and all its other railroad, railway, and street railway apparatus, materials, supplies, stores, goods, wares and merchandise.

And also including all easements, ways, rights of way, consents, rights, privileges, licenses, immunities, franchises, ordinances, and orders or decrees of Court now owned by said grantor corporation, or in or to which it has right, title, interest, claim or demand, or used in connection with or for conducting or operating its said businesses, plants, works, stations, sub-stations, lines of railroad, railways, street railway, or any thereof, and also for supplying electricity, electric current, gas, and water to cities, towns, counties and their inhabitants, and to other corporations, persons and individuals and also for carrying and transporting passengers and freight or either passengers or freight on or over its said lines of railroad, railway, or street railway.

And also including all leases and leasehold interests in property and all agreements, contracts and contract rights of every name, kind and nature, and all securities and stocks in, and bonds of other corporations, and all moneys, and all choses in action, judgments and rights and all bills receivable, accounts receivable, book accounts, debts, dues, claims, and demands of said grantor corporation now due, owing, or coming to said grantor corporation as well as those hereafter to become due, owing, or coming to it.

The real property now owned by said Grantor Corporation and hereby conveyed, consists of certain tracts or parcels of real property, lying and being situated in the Counties of Multnomah and Clackamas, State of Oregon and includes the following described real properties situated in said County of Multnomah, to-wit:

1. All of that certain tract or parcel of real property now within the present corporate limits of the City of Portland, and described as follows, to-wit:

Commencing at a point in the west line of the right-of-way of the Oregon and California Railroad Company, thirty (30) feet south of the north line of Y Street, in Stephens Addition to East Portland (now named East Market Street), thence southerly along the west line of said right-of-way to a point two hundred and ninety (290) feet south of the north line of said East Market Street; thence west on a line parallel with north line of said East Market Street to the Willamette River; thence northerly along the meanders of said River to a point thirty (30) feet south of the north line of said East Market Street; thence east on a line parallel with north line of said East Market Street to the place of beginning, being the same premises described in and conveyed by deed recorded in Book One hundred and eighteen (118), page Thirty-three (33) of record of deeds of said Multnomah County. Including the easements or right of way conveyed to said Grantor Corporation, by deed of date July first, 1903.

2. Also all of lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8) and nine (9) in block two (2) in Villa Heights, now within the present corporate limits of said City of Portland; also a parcel of land in said Villa Heights, bounded on the east by Edgewater street, on the north by a continuation of the north line of lot one (1) in said Block two (2), on the west by low water mark in the Willamette River, and on the south by a continuation of the north line of lot ten (10) in said Block two (2); the property being intended to include all riparian rights and all the land between the same

which bounds said lots one (1) to nine (9) on the east, and the wharf line of the Willamette River, and between the north line of said lot one (1) and a westerly extension of said line and the north line of said lot ten (10) and a westerly extension thereof. Including an easement or right of way through lots one (1) to nine (9) inclusive in block two (2) in said Villa Heights, and through parcel of land directly west thereof, which right of way was conveyed to said Grantor Corporation by deed of date July first, 1903.

3. Also all of lot ten (10) in Block two (2) in said Villa Heights, also a parcel of land bounded on the north by the north line of said lot ten (10) if extended west to the wharf line of the Willamette River, on the east by the east line of said lot ten (10) and the continuation of said line to the north line of the tract of land formerly owned of record by W. K. Smith; on the south by the north line of the said land of W. K. Smith extended to the wharf line of the Willamette River, and on the west by the wharf line of the Willamette River; together with all riparian rights incident to said land. Including the easements or rights of way conveyed to said Grantor Corporation by deed of date July first, 1903.

4. Also all the following bounded and described real property, to-wit: The north half (N $\frac{1}{2}$) of that certain tract of land situated in said City of Portland, to-wit:

Commencing at a stone thirty-two and sixty-eight hundredths (32.68) chains south and twenty-nine and thirty-three hundredths (29.33) chains west of the quarter (2) section corner between sections two (2) and eleven (11), township one (1) south of range one (1) east of the Willamette Meridian; thence north eleven (11) degrees east five and eighty-five hundredths (5.85) chains to a post; thence west nine and eighteen hundredths (9.18) chains to a post on the east bank of the Willamette River; thence south one (1) chain; thence south six (6) degrees east four and seventy-seven hundredths (4.77) chains to a post; thence south seventeen (17) degrees forty-five (45) minutes east three and twenty-nine hundredths (3.29) chains to a post; thence leaving river bank east six and fifty-six hundredths (6.56) chains to a post; thence north three and twelve hundredths (3.12) chains to the place of beginning, containing seven and six hundredths (7.06) acres, situate in section eleven (11) Township one (1) south of range one (1) east of the Willamette Meridian, Multnomah County, Oregon. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

5. Also all the following bounded and described real property, to-wit: The south half (S $\frac{1}{2}$) of that certain tract of land situated in said City of Portland, to-wit:

Commencing at a stone thirty-two and sixty-eight hundredths (32.68) chains south and twenty-nine and thirty-three hundredths (29.33) chains west of the quarter (4) section corner between sections two (2) and eleven (11) of Township one (1) south of Range One (1) east of the Willamette Meridian; thence north eleven (11) degrees east five and eighty-five hundredths (5.85) chains to a post; thence west nine and eighteen hundredths (9.18) chains to a post on the east bank of the Willamette River; thence south one (1) chain; thence south six (6) degrees east four and seventy-seven hundredths (4.77) chains to a post; thence south seventeen (17) degrees and forty-five (45) minutes east three and twenty-nine hundredths

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(3.29) chains to a post; thence leaving river bank the east six and fifty-six hundredths (6.56) chains to a post; thence north three and twelve hundredths (3.12) chains to the place of beginning, containing seven and six hundredths (7.06) acres, situated in section eleven (11) Township one (1) south of range one (1) east of the Willamette Meridian, the same being a part of the Eideon Tibbets Donation Land Claim. Also a right of way in and over that certain tract of land, being the north half (N $\frac{1}{2}$) of seven and six hundredths (7.06) acres of land hereinabove described, said right of way being sixty (60) feet in width and being what would be an extension of East Seventh Street in said City of Portland if said street were extended, and said right of way to be used as a right of way and for ingress and egress to and from the lands hereinabove described and conveyed. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

5. Also all the following bounded and described real property, to-wit: being a part of the Edward Long donation land claim in section fourteen (14) township one (1) south of range one (1) east of the Willamette Meridian and bounded as follows, to-wit: Beginning at the southwest corner of said claim; thence east, tracing the south line of said claim, thirteen (13) chains twenty-five (25) links to a stake at the southwest corner of a five (5) acre tract sold to Isaac Dillon; thence north twenty-four (24) degrees east one (1) chain, north twenty-one (21) degrees east one (1) chain eighty (80) links, north twenty-eight (28) degrees east eighty (80) links, north thirty-one (31) degrees east one (1) chain forty six (46) links, north twenty-seven and three-fourths (27 $\frac{3}{4}$) degrees east two (2) chains fourteen (14) links, north eighteen and three-fourths (18 $\frac{3}{4}$) degrees east two (2) chains, sixty-eight (68) links, north twenty-seven (27) degrees east one (1) chain, forty-four (44) links, east two (2) chains sixty-four (64) links to a point in the center of the East Portland and Milwaukie road, being the northeast corner of said Dillon tract; thence north along the center line of the said road six (6) chains thirty-five (35) links; thence west fourteen (14) chains fifty-one (51) links to a stake on the east bank of the Willamette River; thence along the meanders of said river as follows: south nine (9) degrees west three (3) chains sixty-one (61) links; south seventeen (17) degrees west five (5) chains fifty (50) links; south twenty-six (26) degrees forty-five (45) minutes west eight (8) chains sixty (60) links to the place of beginning, containing twenty-two and ninety-three hundredths (22.93) acres more or less. Including a right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

7. Also all of those certain blocks numbered respectively two (2) and nineteen (19) in Stephens Addition to East Portland (now within the present corporate limits of said City of Portland).

8. Also all of the following bounded and described real property now within the present corporate limits of said City of Portland, to-wit:
Commencing at low water mark on the Willamette River west of the southwest corner of block nineteen (19) in what was formerly the town of Brockland (sometimes known as Brooklyn); thence east to a stake thirty (30) feet east of block eighteen (18); thence south to the south line of a certain tract of land sold by Eideon Tibbets to Lewis Howe, as described

deed recorded on page five hundred and one (501) in book A records of deeds of Multnomah County; thence west along said line to the Willamette River; thence northerly along the meanderings of said river to the place of beginning.

9. Also all of the following tract of land in section eleven (11), township one (1) south of range one (1), east of the Willamette Meridian, being part of the donation land claim of Gideon Tibbets and Mary Tibbets, his wife, bounded and described as follows:

Beginning at the northeast corner of a tract of land which Levi Anderson purchased of A. B. Roberts and wife, by deed of date June fiftenth, 1859, and recorded on page seven hundred and twenty-five (725) of Book B of records of deeds of Multnomah County; running thence south twenty-one (21) degrees east eighty-eight and four tenths (88.4) feet to a point in a due east and west line, which is ten and five tenths (10.5) feet south of an iron twelve (12) inches long and one (1) inch in diameter driven into the west side of a fir forty-eight (48) inches in diameter, the iron being driven into the tree about one (1) foot above the surface of the ground, said iron is twelve hundred and ninety-four and one-third (1294 1/3) feet south and four hundred and seventy-two and five tenths (472.5) feet east of the northwest corner of said section eleven (11); thence running west five hundred and fifty-six and five tenths (556.5) feet to the low water line in the Willamette River; thence north twelve (12) degrees west, tracing low water mark or line in said River, eighty-four and three tenths (84.3) feet to the southwest corner of the first hereinabove described tract of land in this paragraph; thence east tracing the south line of the first hereinabove described tract, five hundred and forty-four and five tenths (544.5) feet to the place of beginning.

10. Also all of the tract of land in East Portland (now within the present corporate limits of said City of Portland), described and bounded as follows, to-wit:

Commencing at the northeast corner of a tract of land conveyed by Gideon Tibbets and wife to Alvin B. Roberts, as described in deed dated May fifth, 1859, and recorded in Book B of deeds at page three hundred and twenty-eight (328) record of deeds of said Multnomah County; running thence on the west line of said tract ten (10) rods to a point; thence west to low water line in the Willamette River; thence northerly following the meanderings of said River, to a point due west from the northwest corner of said tract; thence east to the place of beginning. Including in the three last above described tracts a right of way conveyed to said Grantor Corporation by deed of date July first, 1903. All of the last three above described tracts and parcels of land are portions of the donation land claim of Gideon Tibbets and wife, and lying together in one body.

11. Also all of the east half (E $\frac{1}{2}$) of lots five (5) and six (6) in Block G in Kern's Addition to the City of East Portland, now within the present corporate limits of said City of Portland.

12. Also all of lots seven (7) and eight (8) in block G in said Kern's Addition to the City of East Portland, now within the present corporate limits of said City of Portland.

13. Also all of lots two (2), three (3) and four (4) of block F in said Kern's Addition to the City of East Portland, now within the present corporate limits of said City of Portland.

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14. Also all of block one (1) of the subdivision of lot two (2) of Riverside Homestead (now within the present corporate limits of said City of Portland), according to the recorded plat of said Riverside Homestead and of subdivision of lot two (2) thereof; together with all riparian rights incident thereto. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

15. Also all of block six (6) of the subdivision of lot two (2) of said Riverside Homestead according to the recorded plats of said Riverside Homestead according to the recorded plats of said Riverside Homestead and of subdivision of lot two (2) thereof. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

16. Also all the following bounded and described real property, to-wit: Beginning at an iron pipe on the north line of lot four (4) in said Riverside Homestead, one hundred and fifty (150) feet west of the west line of East Eighth Street; thence south eleven (11) degrees thirty-four (34) minutes east, parallel with the west line of said East Eighth Street, three hundred and sixty-one and four hundredths (361.04) feet to an iron pipe on the center line of Center Street; thence north eighty-nine (89) degrees fifty-five (55) minutes west, tracing the center line of said Center Street, four hundred and forty-nine and thirty-seven hundredths (449.37) feet to harbor line as established by United States Engineers; thence north fourteen (14) degrees thirteen (13) minutes west, tracing said harbor line three hundred and sixty-five and fifty-six hundredths (365.56) feet to a point in the north line of said lot four (4) produced west; thence south eighty-nine (89) degrees fifty-four (54) minutes east, tracing the north line of said lot four (4), four hundred and sixty-seven and sixty-nine hundredths (467.69) feet to the place of beginning, containing one hundred and sixty-two thousand two hundred and nineteen (162,219) square feet, or three and seven hundred and twenty four thousandths (3.724) acres, and including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

17. Also all that portion of lot numbered seven (7) in said Riverside Homestead situated and lying between the west side line of East Eighth Street in said City of Portland and the Willamette River. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

18. Also all the following bounded and described real property, to-wit: Commencing at the northeast corner of the property conveyed by P. J. Martin and wife to the City View Park Association, described in book fifty-seven (57) page two hundred and thirty-four (234) record of deeds of said county of Multnomah; running thence north four (4) degrees east two hundred and thirty-one (231) feet; thence north thirty-three (33) degrees west eight hundred and ninety-one (891) feet; thence north twenty-five (25) degrees thirty (30) minutes east to the south boundary of the P. J. Martin tract as shown on the recorded plat thereof; thence west to the Willamette River; thence along said river up stream, to a point which is south eighty-seven (87) degrees thirty (30) minutes west a distance of two thousand seven hundred and sixty-nine and thirty-six hundredths (2769.36) feet from the beginning point; thence north eighty-seven (87) degrees thirty (30) minutes east two thousand seven hundred and

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sixty-nine and thirty-six hundredths (2769.36) feet, to the place of beginning and being ^{lying} and being ⁱⁿ sections fourteen (14) and twenty-three (23) township one (1) south range one (1) east of Willamette Meridian, excepting from the above description a tract of land conveyed by P. J. Martin and Margaret A. Martin to the Portland Cremation Association ^{ion} by deed recorded March thirty-first, 1902, in Book two hundred and ninety (290) of deeds, page eighty-three (83) record of deeds of said Multnomah County and including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

19. Also all of the following described lots in the P. J. Martin tract: All of lots one (1), two (2), three (3) and four (4) in block ten (10); Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8) in block thirteen (13); lots one (1), two (2), three (3), four (4), five (5), seven (7) and eight (8) in block fourteen (14); lots three (3), five (5), six (6), seven (7) and eight (8) in block fifteen (15); lots one (1), two (2), three (3), four (4), five (5) and six (6) in block sixteen (16); an undivided one-half (1/2) of lots seven (7) and eight (8) in block sixteen (16); lots one (1), two (2), three (3), and four (4), six (6), seven (7), and eight (8); in block nineteen (19); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty (20); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty-one (21); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty-two (22); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in block twenty-nine (29); lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7) and eight (8), in block thirty (30); lots one (1), two (2), four (4), five (5), six (6) and seven (7), in block thirty-one (31); lots one (1), two (2), three (3) and four (4), in block thirty-two (32); lots one (1), two (2), three (3) and four (4), in block thirty-four (34); lots one (1), two (2), three (3) and four (4), in block thirty-four (34); lots one (1), two (2), three (3) and four (4), in block thirty-five (35); lots one (1), two (2), three (3) and four (4), in block thirty-six (36); all of the above lots and blocks mentioned in this paragraph Nineteen (19), lying and being situated in P. J. Martin tract being a subdivision of section fourteen (14) hereinabove mentioned and now within the present corporate limits of said City of Portland and shown on the duly recorded plats and maps of said P. J. Martin tract. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903.

20. Also all that portion of blocks A and E in the Town of Bellwood (now within the present corporate limits of said City of Portland), which lies east of a line drawn three hundred and sixty (360) feet west of and parallel with the east line of said blocks. Including an easement or right of way conveyed to said Grantor Corporation by deed of date July first, 1903. Excepting from last above description a tract of land beginning at a point on the south boundary of block B, three hundred and sixty (360) feet west of the southeast corner thereof, thence north four hundred (400) feet, more or less, to a point on the north boundary of block A, three hundred and sixty (360) feet west of the northeast corner thereof; thence east along the north boundary of said block A, a distance of eighteen (18) feet, to a

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points ten (10) feet west of the center line of a spur of The Oregon Water Power and Railway Company's railway as now located and constructed; thence south parallel with said railway spur, and ten (10) feet west of the center line thereof to a point on the south boundary of said block B, ninety (90) feet east of the point of beginning; thence west to the point of beginning; containing fifty-one hundredths (.51) of an acre, more or less.

21. Also all the following described parcel of real property, to-wit: Beginning at a point twenty-six and two hundredths (26.02) chains north and nine and thirty-four hundredths (9.34) chains west of the quarter (¼) section post between sections twenty-three (23) and twenty-six (26) township one (1) south range one (1) east of the Willamette Meridian, and running thence north thirty and seventy-six hundredths (30.76) chains; thence north twenty-one (21) degrees east twelve and thirteen hundredths (12.13) chains; thence north four (4) degrees east two (2) chains; thence south eighty-seven (87) degrees and thirty (30) minutes west forty-one and ninety-six hundredths (41.96) chains, thence with the meanderings of the Willamette River south thirty (30) degrees and thirty (30) minutes west five (5) chains; thence south six (6) degrees west fourteen and nine hundredths (14.09) chains; thence south one (1) degree east thirteen and seventy-five hundredths (13.75) chains; thence south five (5) degrees east ten and eighteen hundredths (10.18) chains; thence east forty and forty-one hundredths (40.41) chains to the place of beginning, containing one hundred and seventy-seven and sixty-five hundredths (177.65) acres, more or less. Including a right of way conveyed to said Grantor Corporation by deed of date July first, 1903. Excepting from the last above description thirty and forty-six hundredths (30.46) acres, more or less, platted and dedicated as City View Park, as shown upon the plat thereof duly filed in the office of the County Clerk of said Multnomah County, by Fred B. Morris, on March thirty-first, 1903; and also excepting from last above description twenty-three and eight tenths (23.8) acres, more or less, platted and dedicated as blocks five (5), six (6), seven (7), eight (8), ten (10), eleven (11), twelve (12), twenty-one (21) and twenty-two (22), City View Park, as shown upon the plat thereof duly filed in the office of the County Clerk of said Multnomah County, Oregon, by said Grantor Corporation, on March seventh, 1905. Also excepting from last above description, a tract of land beginning on the North boundary of block A in said Town of Bellwood, three hundred and eighty-two (382) feet west of the northeast corner thereof, said point being fifty (50) feet west of the center line of the spur of The Oregon Water Power and Railway Company's railway as now located and constructed; thence west along said north boundary of said block A, and a continuation thereof a distance of five hundred and fifty (550) feet to the Harbor line as surveyed and located by the United States Engineers; thence northerly along said harbor line a distance of five hundred and twenty (520) feet to a point; thence east a distance of six hundred and eighty (680) feet to a point fifty (50) feet west of the center line of said railway spur; thence southerly parallel with said railway spur and fifty (50) feet west of the center line thereof to the point of beginning, containing six and seventy-eight hundredths (6.78) acres; the same being in section twenty-two (22), township one (1) south of range one (1) east of the Willamette Meridian and within the corporate limits of said City of Portland.

22. Also lot numbered five (5) in block numbered one (1) in said City of Portland; being the same premises described in and conveyed by deed recorded in book three hundred and twenty-nine (329) on page three hundred and eighty-three (383) record of deeds of said Multnomah County.

23. Also all of the following described parcel of real property, to-wit: Beginning at a point which is thirty-five and eighty hundredths (35.80) chains south and twenty-nine and thirty-three hundredths (29.33) chains west of the quarter (¼) section post between sections two (2) and eleven (11) of township one (1) south, range one (1) east of the Willamette Meridian, and running thence south two and fifty-two hundredths (2.52) chains; thence north eighty-nine (89) degrees fifty (50) minutes west five and sixty-five hundredths (5.65) chains to the east bank of the Willamette River; thence north seventeen (17) degrees forty-five (45) minutes west along the meander line of said river, two and fifty-two hundredths (2.52) chains; thence east six and fifty-six hundredths (6.56) chains to the place of beginning, containing one and fifty-six hundredths (1.56) acres, more or less, together with all riparian rights incident thereto. Being the same premises described in deed recorded in book two hundred and ninety-three (293) page two hundred and nine (209), record of deeds of said Multnomah County.

24. Also all those portions of lots three (3), five (5), six (6) and eight (8) in said Riverside Block, now a portion of said City of Portland, as lie westerly of the west line of East Eighth (8th) street in said City; also a portion of the Edward and Martha B. Long donation land claim, located in section fourteen (14) township one (1) south, range one (1) east of the Willamette Meridian, and being a part of the lands conveyed by Edward Long and Nancy L. Long, his wife, to the Oregon Railway and Navigation Company under deed dated the twenty-fifth day of May, 1880, and recorded on the twenty-sixth day of May, 1880, at page one hundred and four (104) of book forty-one (41) record of deeds of said Multnomah County, and more particularly bounded and described as follows, to-wit: All that tract of land lying westerly of a line drawn parallel to and fifty (50) feet easterly from and measured at right angles to the center line of The Oregon Water Power and Railway Company's railroad, as the same is staked out and located over and across the premises of the Oregon Railroad and Navigation Company, and lying between said fifty (50) foot parallel line and the Willamette River; said center line intersects the northerly boundary line of the premises of the Oregon Railroad and Navigation Company at a point which is definitely located by measuring from the quarter corner between sections eleven (11) and fourteen (14) of aforesaid township and range, along the center of what is known as the Milwaukie road, on a course bearing south nine (9) degrees fifty-two (52) minutes east a distance of seven hundred and eighty-eight and five hundredths (788.05) feet to a point in the center of said Milwaukie road; thence along the northerly boundary line of the premises of the Oregon Railroad and Navigation Company on a course bearing south seventy-eight (78) degrees thirty-three (33) minutes west a distance of four hundred and one (401) feet to said point of intersection of said center line, which center line at said point of intersection is located on a four (4) degree curve, the tangent to which at said point of intersection with the northerly boundary

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line of the premises herein conveyed, bears south twenty-six (26) degrees forty-two (42) minutes east; thence on a four (4) degree curve to the right a distance of one thousand two hundred and forty-two and three tenths (1242.3) feet to a point in the southerly boundary line of the tract hereby conveyed, which point is six hundred and twenty-five and fourteen hundredths (625.14) feet west from the center of said Milwaukie road. Being the same premises described in deed recorded in book three hundred and two (302) on page one hundred and sixty-two (162) record of deeds of said Multnomah County, Oregon.

25. And also the following described lots and blocks in the C. J. Reed Tract: Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9) and ten (10), in block two (2).

All of block three (3), being eighteen (18) lots.

All of fractional block four (4), being lots one (1) and two (2) of said C. J. Reed tract, being subdivision of section fourteen (14), township one (1) south, range one (1) east, Willamette Meridian, as shown upon the duly recorded map and plat of said C. J. Reed tract, recorded on page one (1) of book fifty-seven (57) of said records of deeds of said county of Multnomah. Being the same real property described in deed recorded in book three hundred and one (301), page twelve (12) record of deeds of said Multnomah County.

26. Also all of lots six (6) and seven (7) in Block thirteen (13) of McKinley Park, as designated upon the duly recorded plat thereof. Being the same premises described in deed recorded in book two hundred and ninety-eight (298), page eighteen (18), record of deeds of said Multnomah County.

27. Also the following described real property, to-wit: Beginning at a stake which is fifty and thirty-two hundredths (50.32) chains north of the southwest corner of the Ezra Johnson donation land claim, township one (1) south, range two (2) east of the Willamette Meridian, the same being the true southwest corner of tract owned by W. L. Pike, Jr. and Estella Pike, his wife; thence running south on west line of Ezra Johnson donation land claim one hundred and fifty-eight and forty-eight hundredths (158.48) feet to the northwest corner of the seventeen and a half (17½) acre tract heretofore sold by Alonza Gates and Ellen Gates, his wife, to one A. H. Sheffield; thence east to the east line of said donation land claim; thence north on the east line of said donation land claim one hundred and fifty-eight and forty-eight hundredths (158.48) feet to a point which is the true southeast corner of tract owned by W. L. Pike, Jr. and Estella Pike, his wife; thence west one thousand six hundred and thirty-six and four tenths (1636.4) feet to the point of beginning, containing six (6) acres, more or less. Being the same premises described in deed recorded in Book two hundred and ninety-three (293) page one hundred and sixty-five (165) record of deeds of said Multnomah County.

28. Also the following described real property, to-wit: Beginning at a point forty-seven and ninety-two hundredths (47.92) chains north of the southwest corner of said Ezra Johnson donation land claim, which point is the northwest corner of land of Anna B. Drucks and husband; thence east along the north boundary of land of Anna B. Drucks and husband to

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the northeast corner thereof, a distance of sixteen hundred and sixty-six and five tenths (1666.5) feet; thence south along the east boundary of said Drucks land, a distance of one hundred and twenty-five hundredths (125.2) feet to a point; thence west on a line parallel with said north boundary a distance of sixteen hundred and sixty-six and five tenths (1666.5) feet to a point; thence north along the west boundary of said Drucks land a distance of one hundred and twenty-five and two tenths (125.2) feet to point of beginning, containing four and seven-nine hundredths (4.79) acres, situate in section fourteen (14) Township one (1) south of range two (2) east, Willamette Meridian, in said county of Multnomah. The land last above described includes the two tracts aggregating one and sixty-three hundredths (1.63) acres conveyed by deed of date October twenty-eighth, 1902, and recorded on page 131 of book two hundred and ninety-five (295) records of deeds of Multnomah County, Oregon, being the same premises described in deed recorded in book three hundred and eighteen (318) page two hundred and forty-five (245) record of deeds of said Multnomah County, and also the easement or right of way described in said last mentioned deed.

29. Also all the following bounded and described real property, to-wit: Commencing at the northwest corner of the west half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section seventeen (17) township one (1) south of range two (2) east of the Willamette Meridian; thence south eight (8) chains and seventy (70) links to south boundary of the Foster road; true point of beginning; thence south eleven (11) chains thirty (30) links; thence east ten (10) chains; thence north four (4) chains and eighty (80) links to the south boundary of the Foster road; thence north fifty-six (56) degrees fifty-eight (58) minutes west along (11) chains and ninety (90) links to true point of beginning, containing eight and five hundredths (8.05) acres, be the same more or less. This description is intended to cover all that portion of the west half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section seventeen (17) Township one (1) south, range two (2) east of the Willamette Meridian, south of Foster County road. Being the same premises described in deed recorded in volume two hundred and eighty (280) page seventy-eight (78) record of deeds of said Multnomah County.

30. Also a portion of the following described land, to-wit: Beginning at the quarter ($\frac{1}{4}$) post on the west side of section ten (10) township one (1) south, range three (3) east of the Willamette Meridian; thence south one hundred and sixty (160) rods; thence east eighty (80) rods; thence north eighty (80) rods; thence east twelve (12) rods more or less, to Johnson Creek; thence along said creek to half mile line running east and west through section ten (10) aforesaid; thence west to beginning, except cemetery and church property. The portion of said land herein conveyed being described as follows, to-wit:

Commencing at a point where the north boundary line of the right of way of The Oregon Water Power and Railway Company intersects the east boundary line of the above described property of Henry Metzger and wife, said point being in Johnson Creek and thirty (30) feet northerly from (measured at right angles) to the center line of the railroad of said The Oregon Water Power and Railway Company; thence northeasterly along the east boundary line of land of Henry Metzger and wife, following the center of Johnson Creek a distance of one

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hundred and fifty (150) feet more or less, to a point which is one hundred and forty (140) feet northerly from (measured at right angles) to said center line of the railroad; thence northwesterly on a three (3) degree curve to the left, one hundred and forty (140) feet from and parallel with said center line of the railroad, a distance of six hundred and forty (640) feet more or less; thence southerly at right angles to said center line of the railroad one hundred and ten (110) feet more or less, to a point in the north boundary line of said right of way, which is five hundred (500) feet westerly along said north line of the right of way from the place of beginning; thence southeasterly on a three (3) degree curve to the right, following the north boundary line of said right of way a distance of five hundred (500) feet to the place of beginning, containing one and four tenths (1.4) acres more or less. Being the same premises described in deed recorded in book three hundred and five (305) page three hundred and thirty (330) records of deeds of said Multnomah County.

31. Also all of the following described lots in said town of Sellwood: All of lots one (1), two (2), three (3), four (4), seven (7) and eight (8) in block twenty-one (21); lots three (3), four (4), seven (7) and eight (8) in block twenty-three (23); lots one (1), two (2), fourteen (14), fifteen (15) and sixteen (16) in block M; lots two (2), three (3), four (4), five (5), twelve (12), thirteen (13), and fourteen (14) in block N; lots four (4), five (5), six (6), eight (8), nine (9), ten (10), eleven (11), and twelve (12) in block O; lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), twelve (12), thirteen (13) and fourteen (14); in block P; lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), in block Q; lots five (5), six (6) and seven (7), in block R; lots three (3), four (4), and five (5), in block V; lots four (4), five (5), six (6), seven (7) and eight (8), eleven (11), twelve (12), thirteen (13) and fourteen (14) in block W; lots two (2), three (3), four (4), five (5), six (6), seven (7), nine (9), ten (10), fifteen (15) and sixteen (16), in block X; lots three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10) and eleven (11) in block one hundred and three (103); all of the above lots are shown being in town of Sellwood, now within the present corporate limits of said City of Portland. Including an easement or right of way conveyed to Grantor Corporation by deeds of dates July first and September twenty-third, 1903.

32. Also all of block twenty (20) in Stephen's Addition to East Portland, according to the duly recorded plat thereof in the office of the County Clerk of said Multnomah County, the same being now within the corporate limits of the City of Portland; except a strip five (5) feet wide off the north side of lots one (1) and eight (8), included within the lateral extension or widening of Hawthorne Avenue.

33. Also all the following bounded and described real property lying and being situate within the present corporate limits of said City of Portland, to-wit:

Commencing at a point thirty (30) feet west of the southwest corner of block forty-six (46) of Stephens Addition to East Portland, Oregon, which point is in the north line of East Lincoln Street (formerly Washington Street) in said Stephens Addition to East Portland

running thence west on line parallel with the south line of said East Lincoln Street to the Willamette River; thence northerly along the meanders of said river to a point five hundred and eighty (580) feet south of the north line of East Market Street (formerly V Street) in said Stephens Addition to East Portland; thence east on a line parallel with the north line of said East Market Street to its intersection with the Oregon and California Railroad Company's (or the Southern Pacific Company's) right of way on which is located its present railroad; thence southerly along the west line of said right of way to its intersection with East Third Street (formerly Third Street), which intersection is thirty (30) feet west of the west line of said East Third Street; thence south on a line parallel with the east line of said East Third Street, to the place of beginning, together with all the riparian rights belonging to the above described property. Said property being in the donation land claim of James B. Stephens, and being part of the same land conveyed by said Stephens to D. H. Rafferty and Dav. Rafferty by deed dated March sixteenth, 1889, recorded in book one hundred and seventeen (117) at page two hundred and two (202) of the record of deeds of said Multnomah County (therein named as "C.H. Rafferty" and "Dav. Rafferty").

This conveyance also includes the right of way heretofore reserved over said railroad at or near the northeast corner of said Block forty-six (46).

Together with all and singular the improvements, tenements, hereditaments and appurtenances situated on, belonging or appertaining to any or all of said real property, situated in said county of Multnomah hereinbefore described and hereby conveyed; and also all wharf rights, water rights and riparian rights in anywise belonging or appertaining to any or all said real property in said county of Multnomah.

And also included all the following described real properties situated in the County of Multnomah, State of Oregon:

34. Commencing at the northeast corner of the donation land claim of Hector and Olive Campbell, located in section twenty-nine (29) township one (1), south of range two (2) East of the Willamette Meridian, running southerly on the claim line seven hundred and eighty (780) feet to an iron pipe; thence westerly and parallel with the north line of said donation land claim eleven hundred and seven and fifteens hundredths (1107.15) feet to an iron pipe; thence northerly and parallel with the east line of said claim seven hundred and eighty (780) feet to an iron pipe on the north line of the said claim; thence easterly eleven hundred and seven and fifteens hundredths (1107.15) feet to place of beginning, excepting and reserving therefrom thirty (30) feet off the west side of the above described tract to be used for and as a roadway, including a right of way conveyed to said Granton Corporation by deed of date July first, 1903.

35. Also all of the southeast quarter ($\frac{1}{4}$) of northeast quarter ($\frac{1}{4}$) and east half ($\frac{1}{2}$) of southeast quarter ($\frac{1}{4}$) of Section thirty-three (33), containing one hundred and twenty (120) acres; all lots two (2) and three (3) of Section thirty-three (33); all in Township three (3) south of range four (4) east of the Willamette Meridian.

36. Also all of Block numbered three (3) of the Town of Estacada, as designated upon the original plat of said town of Estacada, filed for record in the office of the Recorder

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of Conveyances of said Clackamas County, Oregon, January ninth, 1904.

37. Also all of the following described real property, to-wit: Beginning at a point where the south boundary of the Franklin Pearce donation land claim number thirty-eight (38) in Township three (3) south, range four (4) east, Willamette Meridian, crosses the center line of The Oregon Water Power and Railway Company's track, as the same is now located and constructed; thence west six hundred and ninety and fifty hundredths (690.50) feet along said south boundary to the angular corner of said donation land claim; thence north two hundred and eighty-one and five hundredths (281.05) feet along the west boundary to re-entrant corner of said donation land claim; thence west five hundred and ninety-one and ninety hundredths (591.90) feet along the south boundary to angular corner; thence north two hundred and sixty-three and ninety hundredths (263.90) feet along the west boundary to re-entrant corner of said donation land claim; thence west seven hundred and twenty four and ninety hundredths (724.90) feet along the south boundary to the southwest corner of said donation land claim; thence north nine hundred and twenty-one and twenty-six hundredths (921.25) feet along the west boundary to a point where said west boundary crosses the center line of The Oregon Water Power and Railway Company's track, as the same is now located and constructed; thence south fifty-nine (59) degrees three (3) minutes east two thousand and sixty-five and seventy-four hundredths (2065.74) feet along said center line to station (1811 x 92), as designated upon the plat of the located line of said railway, said station being the beginning point of a ten (10) degree curve to the right; thence southeasterly along the center line of said ten (10) degree curve to station (1815 x 29.7) being end of said curve; thence tangent to said curve along said center line of railway ninety-two and five tenths (92.5) feet to the beginning point of a sixteen (16) degree curve to the left, said beginning point being station (1815 x 22.2); thence along the center line of said sixteen (16) degree curve to the place of beginning, containing twenty-three (23) acres, more or less. Including a right of way conveyed to said Grantor Corporation by G. W. Morrow and A. Z. Campbell, by deed of date December seventeenth, 1903.

38. Also all of the east half ($\frac{1}{2}$) of southwest quarter ($\frac{1}{4}$) of section three (3), north half ($\frac{1}{2}$) of northeast quarter ($\frac{1}{4}$) and northwest quarter ($\frac{1}{4}$) of northwest quarter ($\frac{1}{4}$) of section eleven (11); east half ($\frac{1}{2}$) of northwest quarter ($\frac{1}{4}$) of section eleven (11), containing eighty (80) acres; southeast quarter ($\frac{1}{4}$) of section twelve (12); all in township four (4) south of range four (4) east of the Willamette Meridian.

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39. Also all of the southeast quarter ($\frac{1}{4}$) of southwest quarter ($\frac{1}{4}$) of section twenty (20); southwest quarter ($\frac{1}{4}$) of northwest quarter ($\frac{1}{4}$) and west half ($\frac{1}{2}$) of southwest quarter ($\frac{1}{4}$); and southeast quarter ($\frac{1}{4}$) of southwest quarter ($\frac{1}{4}$) of section twenty-six (26); northeast quarter ($\frac{1}{4}$) of northwest quarter ($\frac{1}{4}$) and north half ($\frac{1}{2}$) of northeast quarter ($\frac{1}{4}$) of section twenty-nine (29); northeast quarter ($\frac{1}{4}$) and west half ($\frac{1}{2}$) of northwest quarter ($\frac{1}{4}$) and northwest quarter ($\frac{1}{4}$) of southwest quarter ($\frac{1}{4}$) and lot one (1) of section thirty-six (36); all in township four (4) south of range five (5) east of the Willamette Meridian.

40. Also all of the east half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) and lots three (3) and four (4) of Section twenty (20); southeast quarter ($\frac{1}{4}$) and northeast quarter ($\frac{1}{4}$) of section

twenty (20); all in township four (4) south of range six (6) east of the Willamette Meridian.

41. Also all of block fourteen (14) in the town of Milwaukie, as shown and designated on the duly recorded plat thereof, filed in the office of the Recorder of Conveyances, of said County of Clackamas. Being the same premises described in deeds recorded in Book forty-eight (48) on page two hundred and twenty (220), and in book seventy-two (72) on page one hundred and fifty-one (151) record of deeds of said Clackamas County.

42. Also lots numbered four (4) and five (5) of block twenty-eight (28) of Oregon City, as shown and designated on the maps and plats of said Oregon City, now on file and recorded in the office of the recorder of conveyances in and for said county of Clackamas, said lots being more particularly described in the United States Patents to the Trustees of the Methodist Episcopal Church, as follows, to-wit: Lot four (4), being sixty-eight (68) feet three (3) inches front on the public promenade and one hundred and five (105) feet deep along Third Street; lot five (5), being sixty-eight (68) feet three (3) inches front on Main street and one hundred and five (105) feet along Third Street. Being the same premises described in deed recorded in book eighty-two (82) on page one hundred and fifty-four (154) record of deeds of said Clackamas County.

43. Also all that part of the Archibald McKinley donation land claim which lies north of the township line dividing townships two (2) and three (3) on the south, and the Powell property on the north, and between the Willamette River on the west and line of the center of the "Dawson Hill" county road on the east. If the Powell property does not run the full length of the said north line between the Willamette River and the said County road, the said north line is to be an extension of the south line of said Powell property between the said river and the said county road. All being in township two (2) south of range two (2) East of the Willamette Meridian. Being the same premises described in deed recorded in book eighty-six (86) page two hundred and ninety-three (293), record of deeds of said Clackamas County.

44. Also lots three (3), four (4), five (5) and six (6) in Block A in the Town of Danvers, according to the duly recorded plat thereof. Being the same real property described in deed recorded in book seventy-eight (78) on page fifty-four (54) record of deeds of said Clackamas County.

45. Also tract marked "O. W. P. & Ry. Co.", as shown by map of Borling Junction, now on file in the office of the recorder of conveyances of said Clackamas County. Also right to lay underground a four (4) inch water pipe from the above described tract of land up the south side of the north Fork of Deep Creek to Mill Dam, as shown by a plat now on file in Oregon City, for the purpose of obtaining enough water sufficient to successfully operate power plant of The Oregon Water Power and Railway Company. Being the same premises described in deed recorded in book eighty-six (86) on page seventy-nine (79) record of deeds of said Clackamas County.

46. Also the following described real property, to-wit: Commencing at a point three hundred (300) feet west of the quarter (x) corner between sections twenty-five (25) and twenty-six (26) in township one (1) south, range three (3) east of the Willamette Meridian,

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which point is fifty (50) feet easterly from (measured at right angles to) the center line of the railroad of The Oregon Water Power and Railway Company, as the same is located and established; thence southeasterly on a three (3) degree curve to the left, parallel with and fifty (50) feet from said center line of the railroad, fourteen hundred and seventy (1470) feet; thence south twenty-three (23) degrees east twelve hundred and seventy-five (1275) feet to the center line running east and west of said section thirty-six (36); thence west on said center line of section thirty-six (36), one hundred and eleven and two tenths (111.2) feet to a point fifty (50) feet westerly from (measured at right angles to) said center line of the railroad; thence north twenty-three (23) degrees west, parallel with and fifty (50) feet from said center line of the railroad ten hundred and thirty (1030) feet; thence westerly at right angles to said center line of the railroad fifty (50) feet to a point one hundred (100) feet from (measured at right angles to) said center line of railroad; thence north twenty-three (23) degrees west one hundred (100) feet from and parallel with said center line of railroad two hundred (200) feet; thence northwesterly on a three (3) degree curve to the right nine hundred and seventy (970) feet; thence easterly to a point fifty (50) feet westerly from said center line of the railroad; thence northwesterly on a three (3) degree curve to the right five hundred and fifty (550) feet, to line between said sections twenty-five (25) and thirty-six (36), one hundred and twelve (112) feet west of the place of beginning; thence east to place of beginning, and containing seven and sixty-five hundredths (7.65) Acres. Being the same premises described in deed recorded in book eighty-seven (87) on page one hundred and sixty (160) record of deeds of said Clackamas County.

47. Also a portion of the northeast quarter (1/4) of the northwest quarter (1/4) of Section twenty-five (25) Township one (1) south range three (3) east of the Willamette Meridian, described as follows, to-wit:

Commencing at a point where the south line of the right of way of The Oregon Water Power and Railway Company intersects the west line of said tract; thence southeasterly along said south line of said right of way eleven hundred (1100) feet, more or less, to south boundary of above described tract; thence west on said south boundary thirty-five (35) feet, more or less, to a point which is seventy-five (75) feet southerly from (measured at right angles to) the center line of the railway of said The Oregon Water Power and Railway Company; thence northwesterly, parallel with and seventy-five (75) feet from said center line and twenty-five (25) feet southerly from and parallel with the right of way line of said railway ten hundred and fifty (1050) feet, more or less, to the west boundary of said land; thence north on said west boundary thirty-five (35) feet, more or less, to place of beginning. Being the same premises described in deed recorded in book eighty-seven (87) on page three hundred and eight (308) records of deeds of said Clackamas County.

48. Also the following described real property, to-wit:

Beginning at the point where the westerly boundary line of the right of way of The Oregon Water Power and Railway Company intersects the northerly line of the county road near the south boundary line of section fourteen (14), township two (2) south of range three

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(3) east, Willamette Meridian; thence northwesterly following the said northerly line of county road, one hundred and fifty-three (153) feet; thence northerly on a line parallel with the center line of the Barton warehouse spur and six (6) feet distant westerly from same, two hundred and eighteen (218) feet to the westerly boundary line of the above mentioned right of way; thence southeasterly following said westerly boundary line of said right of way three hundred and twenty six (326) feet to place of beginning, containing twenty-nine hundredths (.29) of an acre more or less. Being the same real property described in deed recorded in book eighty-seven (87) on page three hundred and eighty-seven (387) record of deeds of said Clackamas County.

49. Also all of the following described and bounded real property situated in the Philly Foster donation land claim, being a portion of the northeast quarter ($\frac{1}{4}$) of section thirty-one (31) township two (2) south of range four (4) east of the Willamette Meridian, to-wit:

Commencing at a point six hundred and ten (610) feet south thirty-four (34) degrees east from the northwest corner of the said quarter section, which point is fifty-one and one tenth (51.1) feet westerly from the point where the center line of the railroad of The Oregon Water Power and Railway Company crosses the north line of said donation land claim; thence southerly on a thirty (30) minute curve to the right fifty (50) feet from and parallel with said center line, a distance of seven hundred and twenty-one (721) feet to the center of the county road between the lands of the estate of C. Jacques, deceased, and E. N. Foster, which point is four hundred and fifty-eight (458) feet more or less, easterly from the northwest corner of E. N. Foster's land; thence east one hundred and fifty-one and five tenths (151.5) feet to a point one hundred (100) feet easterly from (measured at right angles to) the center line of the railroad as located and staked out; thence northerly on a thirty (30) minute curve to the left one hundred (100) feet from and parallel with the center line of the said railroad, a distance of seven hundred and twenty one (721) feet, to a point on the north line of said donation land claim, which point is one hundred and fifty-two and three tenths (152.3) feet easterly from the place of beginning; thence westerly to the place of beginning. Said strip of land being a strip of land one hundred and fifty (150) feet in width, fifty (50) feet in width on the west side of, and one hundred (100) feet in width on the east side of and parallel with the center line of the railroad of The Oregon Water Power and Railway Company, as the same is staked out, located and established over and across the lands of Eliza Wilbarn and husband, Benjamin T. Jacques, Myrtle M. Jacques, Lillian M. Fleming and husband, containing two and forty-eight hundredths (2.48) acres of land, be the same more or less.

50. Also all of the following described and bounded real property, to-wit: Commencing at a point where the east line of the right of way of The Oregon Water Power and Railway Company intersects the north boundary line of land of James H. Kitching and wife; thence easterly fifty (50) feet along said North boundary line; thence southerly a distance of eight hundred and seventy-one (871) feet; thence westerly a distance of fifty (50) feet to the east boundary line of said right of way; thence northerly along said east boundary line of

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said right of way a distance of eight hundred and seventy-one (871) feet to point of beginning. The same being a strip of land fifty (50) feet in width (measured at right angles) to the center line of the railway of said The Oregon Water Power and Railway Company and parallel therewith and immediately adjacent on the east, to the right of way through said property conveyed to the Grantor Corporation by deed of even date herewith, all in Clackamas County, Oregon, and being a portion of the donation land claim of George Currin, claim number forty-one (41) notification seventy-five hundred and ten (7510), and in sections seven (7), eight (8), seventeen (17) and eighteen (18) township three (3) south of range four (4) east of the Willamette Meridian. Being the same real property described in deed recorded in book eighty-seven (87) on page four hundred and twelve (412) record of deeds of said Clackamas County.

51. Also all the following bounded and described real property, to-wit: Commencing at a point where the south line of the Franklin Pierce donation land claim intersects the line between sections twenty-eight (28) and twenty-nine (29) township three (3) south, range four (4) east of the Willamette Meridian; thence east three hundred and fifty (350) feet to a point which is fifty (50) feet northerly from (measured at right angles to) the center line of the railroad of the grantor, as the same is located and established; thence south-westerly on a sixteen (16) degree curve to the left, parallel with and fifty (50) feet from said center line of railroad thirty (30) feet; thence south fifty-nine (59) degrees east fifty (50) feet from said parallel with said center line fifteen hundred and five and six tenths (1505.6) feet; thence south fifty-nine (59) degrees east six hundred and twenty and eight tenths (620.8) feet, more or less, to the east and west center line of said section twenty-eight (28); thence west on said center line ten hundred and twenty (1020) feet, more or less to a point ten (10) feet westerly from the top of the first bank of the Clackamas river on southwest side of said river, said point being eleven hundred and fifty-five (1155) feet, more or less, east of the quarter (1/4) corner between said sections twenty-eight (28) and twenty-nine (29); thence down the left bank of said river, parallel with and at a distance of ten (10) feet westerly from the top of said bank, tracing the meanders of said river to intersection with west line of said section twenty-eight (28) at a point four hundred and eighty (480) feet, more or less, south of the place of beginning; thence north to place of beginning and containing twenty-three and six tenths (23.6) acres more or less. Being the same premises described in deed recorded in book eighty-seven (87) on page one hundred and eighty-two (182) and also in book eighty-eight (88) on page one hundred and ten (110) of the record of deeds of said Clackamas County.

52. Also all of lots one (1), two (2) and three (3) in section twenty-nine (29) township three (3) south, range four (4) east of the Willamette Meridian. Being the same real property described in deed recorded in book eighty-eight (88) on page one hundred and two (102) record of deeds of said Clackamas County.

53. Also all the following described real property, to-wit: The southwest quarter (1/4) of section thirty-four (34) township three (3) south, range four (4) east, Willamette Meridian together with all riparian rights and incidents attached, appurtenant and incident to the same

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also the west half ($\frac{1}{2}$) of the east half ($\frac{1}{2}$) of section thirty-three (33) township three (3) south, range four (4) east and east half ($\frac{1}{2}$) of section three (3) township four (4) south, range four (4) east of the Willamette Meridian, in said Clackamas County, State of Oregon, containing, according to the United States Survey, four hundred and eighty-four and sixty-six hundredths (484.66) acres, more or less. Being the same real property described in deed recorded in book seventy-eight (78) page four hundred and twenty-three (423) record of deeds of said Clackamas County.

54. Also all of the following described and bounded real property, to-wit: All of the southeast quarter ($\frac{1}{4}$) of section thirty-four (34) which lies north of the Clackamas River, township three (3) south of range four (4) east of the Willamette Meridian, containing one hundred and forty-five (145) acres, more or less. Also that part of section thirty-four (34) township three (3) south of range four (4) east of the Willamette Meridian, described as follows:

Beginning at a stake which is fifteen and eighty hundredths (15.80) chains north and thirteen and three hundredths (13.03) chains west of quarter ($\frac{1}{4}$) section corner on the south boundary of section thirty-four (34) township three (3) south of range four (4) east of the Willamette Meridian, and running thence north sixty-eight (68) degrees thirty (30) minutes east five and forty-eight hundredths (5.48) chains; thence north twenty-one (21) degrees and thirty (30) minutes east five and forty-eight hundredths (5.48) chains to low water mark of Clackamas river; thence up stream south, sixty-eight (68) degrees thirty (30) minutes east five and forty-eight hundredths (5.48) chains; thence south twenty-one (21) degrees, thirty (30) minutes west five and forty-eight hundredths (5.48) chains to the place of beginning, containing three (3) acres more or less. Also the south half ($\frac{1}{2}$) of southeast quarter ($\frac{1}{4}$) and northwest quarter ($\frac{1}{4}$) of southeast quarter ($\frac{1}{4}$) and southwest quarter ($\frac{1}{4}$) of northeast quarter ($\frac{1}{4}$) of section eighteen (18) township four (4) south of range five (5) east of the Willamette Meridian, containing one hundred and sixty (160) acres. Being the same real property described in deed recorded in book eighty-eight (88) page four hundred and forty-two (442) record of deeds of said Clackamas County.

55. Also all the following described and bounded real property, to-wit: All that portion of the southeast quarter ($\frac{1}{4}$) of section thirty-four (34) township three (3) south, range four (4) east of the Willamette Meridian, lying, being and situate south and west of the north bank of the Clackamas river and including said Clackamas river and the island in said Clackamas river in said portion of said southeast quarter ($\frac{1}{4}$) of said section thirty-four (34) herein described, containing fifteen (15) acres more or less; together with all riparian rights and incidents attached, appurtenant and incident to the same. Being the same real property described in deed recorded in book seventy-eight (78) page four hundred and twenty-five (425) record of deeds of said Clackamas County.

56. Also all the following described real property, to-wit: The northwest quarter ($\frac{1}{4}$) of section thirty-four (34), township three (3) south of range four (4) east, Willamette Meridian, containing one hundred and sixty (160) acres. Being the same real property described in deed recorded in book eighty-three (83) page ninety (90) records of deeds of

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said Clackamas County.

57. Also all the following described real property, to-wit: The south half ($\frac{1}{2}$) of the south half ($\frac{1}{2}$) of the south east quarter ($\frac{1}{4}$) of section two (2) township four (4) south of range four (4) east, Willamette Meridian. Being the same real property described in deed recorded in book seventy-nine (79) page one hundred and thirty (130) record of deeds of said Clackamas County.

58. Also the following described real property, to-wit: The south half ($\frac{1}{2}$) of the south half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of section two (2) township four (4) south of range four (4) east of the Willamette Meridian. Being the same real property described in deed recorded in book seventy-nine (79) on page one hundred and forty-two (142) record of deeds of said Clackamas County.

59. Also all the following described real property, to-wit: The west half ($\frac{1}{2}$) of the southwest quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of section twelve (12) in township four (4) south of range four (4) east of the Willamette Meridian, containing twenty (20) acres more or less. Being the same real property described in deed recorded in book eighty-one (81) on page one hundred and ninety-four (194) record of deeds of said Clackamas County.

60. Also all the following described real property, to-wit: The southeast quarter ($\frac{1}{4}$) of the northwest quarter ($\frac{1}{4}$) of section twelve (12) township four (4) south of range four (4) east, Willamette Meridian, containing forty (40) acres, more or less. Being the same real property described in deed recorded in book eighty-one (81) on page three hundred and eighty-seven (387) record of deeds of said Clackamas County.

61. Also all the following described real property, to-wit: The north half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) and the northwest quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of section twelve (12) in township four (4) south of range four (4) east of Willamette Meridian, containing one hundred and twenty (120) acres. Being the same real property described in deed recorded in volume eighty-eight (88) page four hundred and forty-six (446) record of deeds of said Clackamas County.

62. Also all the following described real property, to-wit: The southwest quarter ($\frac{1}{4}$) of section eighteen (18) township four (4) south of range five (5) east of the Willamette Meridian, containing one hundred and fifty-eight and ninety-two hundredths (158.92) acres, more or less. Being the same real property described in deed recorded in book eighty-two (82) page one hundred and ninety-two (192) record of deeds of said Clackamas County.

63. Also all the following described real property, to-wit: The south half ($\frac{1}{2}$) of the north half ($\frac{1}{2}$) of section twenty-two (22) township four (4) south of range five (5) east of the Willamette Meridian, containing one hundred and sixty (160) acres more or less. Being the same real property described in deed recorded in book eighty-eight (88) page four hundred and forty-one (441) record of deeds of said Clackamas County.

64. And also all the rights, liberties, privileges, easements and estates granted and conveyed to said Grantor Corporation in and to the north half ($\frac{1}{2}$) of the northeast quarter ($\frac{1}{4}$) of section ten (10) in township four (4) south of range four (4) east of Willamette

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Veridian, by deed of conveyance executed by W. A. Cunningham and Ida M. Cunningham, his wife, to said Grantor Corporation, its successors and assigns, and which said deed is dated the twenty-ninth day of September, 1902, and is recorded on page one hundred and forty-two (142) in book eighty-six (86) record of deeds of said Clackamas County.

Together with all and singular the dams, flumes, ditches, canals, reservoirs, improvements, tenements, hereditaments and appurtenances situated on, belonging or appertaining to any or all of said real property situated in said County of Clackamas hereinbefore described and hereby conveyed; and also all wharf rights, water rights, riparian rights, and water powers in anywise belonging or appertaining to any or all of said real property in said County of Clackamas.

65. And also including those certain lines of railroad, railway and street railway now constructed or being constructed, situated in the City of Portland in the County of Multnomah in the State of Oregon and in the suburbs of said City and the surrounding country in said county of Multnomah, and in the City of Oregon City and in the towns of Milwaukie and Canemah in the county of Clackamas and in the suburbs of said city and towns and the surrounding country in said county of Clackamas and between said Cities of Portland and Oregon City, part thereof being double track lines of railroad, railway and street railway and part thereof single track lines of railroad, railway and street railway, laid down and situated upon the following streets in said Cities of Portland and Oregon City and in said towns of Milwaukie and Canemah, and upon county roads, highways, routes, easements and rights of way in said counties of Multnomah and Clackamas as follows, to-wit:

Upon East Water Street from East Oak street to East Market Street; thence in a southeasterly direction to Union Avenue; thence upon Union Avenue westerly to Clinton Street; thence in a general southerly and southeasterly direction to Willamette Avenue; thence southeasterly upon Willamette Avenue to Clackamas Avenue, and thence in a southeasterly direction to Gohoso Avenue; thence easterly upon Gohoso Avenue to East Nineteenth (19) street, all in said City of Portland; thence in an easterly, southeasterly and southerly direction in said counties to the dam across the Clackamas River at or near Canadero in section three (3) township four (4) south range four (4) east of Willamette Meridian, in said county of Clackamas, and also upon Madison Street from second street to the west bank of the Willamette River; and upon the Madison Street Bridge from the west bank of the Willamette River to the east bank of the Willamette River, and upon Hawthorne Avenue from the east bank of the Willamette River to Euclid Avenue, and upon Euclid Avenue from Hawthorne Avenue southerly; thence easterly to West Avenue; thence southerly upon West Avenue to the Section Line Road, one (1) mile south of the Base Line; all in said City of Portland. And also upon East Eleventh (11) street from Hawthorne Avenue to Division street; thence upon Milwaukie Avenue southerly to Holgate street, thence on the county road southerly to Locust Street; thence on Locust Street westerly to First Avenue; thence southerly to Park Avenue; thence upon East Thirtieth street from Park Avenue to the City limits of said City of Portland; all in said City of Portland; thence in a general southerly direction to Front street in said town of Milwaukie; thence upon said Front street in said town of Milwaukie to Washington street in the

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town of Milwaukie; thence in a general southerly direction to Main street in said City of Oregon City; and upon said Main street southerly to Second street in said Oregon City; thence upon the county road to center of block twenty-one (21) in said town of Canemah; thence to Main street in said town of Canemah, and upon said last mentioned Main Street southerly to First street, in said town of Canemah, and on said First street westerly to the east bank of the Willamette River, in said town of Canemah; and also upon East Eighth (8) street in said City of Portland from Hawthorne Avenue to East Yamhill street; thence upon East Yamhill street from East Eighth (8) street to East Ninth (9) street; all in said City of Portland. And also upon Berkley Avenue from Hawthorne Avenue to said Section Line Road, all in said City of Portland; thence in a general southeasterly direction to and through the town of Lents to Lents Junction, in said Multnomah County, on said railroad to Cazadero in said Clatskanie County; and also from a point on the line of railway last above mentioned near the town of Cedarville in section seventeen (17) township one (1) south of range three (3) east of the Willamette Meridian in said Multnomah county, in a general northerly and northeasterly direction to the village of Troutdale in said Multnomah county (said last mentioned railway is now being constructed); also all sidetracks, spurs, switches, and turnouts situated upon or used in connection with the above mentioned lines of railroad, railway and street railway.

And also all those railway tracks, frogs, switches and appurtenances located in the railway freight yard and dock in said City of Portland and situated between Hawthorne Avenue on the north and East Lincoln street on the south and the Willamette River on the west and East First street and the Southern Pacific Company's right of way on the east.

Also all tracks and turnouts leading into the car barns in said freight yard; and also into and in connection with the car barns and shops located in said town of Milwaukie.

All of said railroads, railways, street railways and lines of railroad, railway and street railways being now operated by either electric power or steam and having in connection therewith poles set along the sides thereof and overhead wires supported by such poles for the purpose of conveying electric energy to and operating cars upon said lines of railroad, railway and street railway.

And also including all the following mentioned and described ordinances, orders of courts, rights, privileges, immunities, licenses, franchises and easements, to-wit:

66. Ordinance No. 591 of the City of East Portland, Multnomah County, Oregon, passed by the Common Council of the City of East Portland, November 10, 1893, and approved by the Mayor of said City November 22, 1893, entitled "An Ordinance authorizing George W. Brown, his successors or assigns, to construct, maintain and operate street railways in the City of East Portland, Multnomah County, State of Oregon", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said George W. Brown, his successors and assigns, by said Ordinance No. 591.

67. Also Ordinance No. 288 of the City of East Portland, Multnomah County, Oregon, passed by the Common Council of the City of East Portland, October 20, 1890, and approved by the Mayor of said City October 22, 1890, entitled "An Ordinance authorizing George W. Brown, his successors and assigns, to construct and maintain and operate a street railway on

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streets in the City of East Portland", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said George W. Brown, his successors and assigns, by said Ordinance No. 888.

68. Also Ordinance No. 957 of the City of East Portland, Multnomah County, Oregon, passed by the Common Council of the City of East Portland May 21, 1891, and approved by the Mayor of said City May 22, 1891, entitled "An Ordinance confirming to the East Side Railway Company all the rights, privileges and franchises granted by Ordinance No. 888, entitled "An Ordinance authorizing George W. Brown, his successors or assigns, to construct, maintain, and operate a street railway on certain streets in the City of East Portland, Oregon", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 967.

69. Also Ordinance No. 7134, of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland, November 11, 1891, and approved by the Mayor of said City November 11, 1891, entitled "An Ordinance to authorize and empower the committee on "Free Bridges" to enter into a contract with the Columbia Street Bridge Company to purchase the bridge commonly known as "The Madison Street Bridge", and to grant to the Mount Tabor Street Railroad Company, and its assigns, the right of way across the same", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said Mount Tabor Street Railroad Company, and its successors and assigns, by said Ordinance No. 7134.

70. Also Ordinance No. 8275 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland, May 3, 1893, and approved by the Mayor of said City May 4, 1893, entitled "An Ordinance authorizing the East Side Railway Company, its successors or assigns, to construct, maintain and operate a street railway on East Eleventh Street in the City of Portland, Oregon", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 8275.

71. Also Ordinance No. 8445 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland, August 2, 1893, and approved by the Mayor of said City August 4, 1893, entitled "An Ordinance authorizing the East Side Railway Company, its successors or assigns, to construct, maintain, and operate a street railway on Madison Street, in the City of Portland, County of Multnomah, State of Oregon", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 8445.

72. Also Ordinance No. 9100 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland March 20, 1895, and approved March 22, 1895, entitled "An Ordinance granting the East Side Railway Company, its successors and assigns, certain rights on East Water Street, etc.", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 9100.

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73. Also Ordinance No. 13053 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland November 5, 1902, and approved by the Mayor of said City November 10, 1902, entitled "An Ordinance granting to The Oregon Water Power and Railway Company, and its successors and assigns, the right and privilege to construct and to maintain and operate railways in the City of Portland", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said The Oregon Water Power and Railway Company, its successors and assigns, by said Ordinance No. 13053.

74. Also Ordinance No. 13113 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland December 17, 1902, and approved by the Mayor of said City December 18, 1902, entitled "An Ordinance granting to the Oregon Water Power and Railway Company, and its successors and assigns, the right and privilege to construct and to maintain and operate railways in the City of Portland", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said Oregon Water Power and Railway Company, its successors and assigns, by said Ordinance No. 13113.

75. Also Ordinance No. 13791 of the City of Portland, Multnomah County, Oregon, passed by the Council of the City of Portland, February 3, 1904, and approved by the Mayor of said City February 6, 1904, entitled "An Ordinance granting unto The Oregon Water Power and Railway Company, a corporation, its successors and assigns, the right to substitute for the street car fenders described in the act of the Legislative Assembly of the State of Oregon, entitled "An act to require all individuals, firms, associations, companies and corporations owning, managing, or operating any street railway, to provide suitable aprons, fenders, or guards on street cars, and providing a penalty for violation thereof", approved February 17, 1903, the street car fender hereinafter referred to, and granting said corporation the right to use said substituted street car fender on all cars operated by it in the City of Portland", and all of the rights and privileges granted to or conferred upon said The Oregon Water Power and Railway Company, its successors and assigns, by said Ordinance No. 13791.

76. Also Ordinance No. 14083 of the City of Portland, Multnomah County, Oregon, passed by the Council of the City of Portland, Multnomah County, Oregon, July 6, 1904, and approved by the Mayor of said City July 8, 1904, entitled "An Ordinance authorizing the Oregon Water Power and Railway Company, a corporation, to construct and maintain a sentry box at the intersection of Hawthorne Avenue and East First Street, City of Portland, Multnomah County, Oregon, and to authorize and require the removal of the sentry box from the place where the same is now located at the intersection of Hawthorne Avenue and East First street", and all of the rights and privileges granted to or conferred upon The Oregon Water Power and Railway Company, its successors and assigns, by said Ordinance No. 14083.

77. Also Ordinance No. 9365 of the City of Portland, Multnomah County, Oregon, passed by the Common Council of the City of Portland July 17, 1893, and approved July 18, 1893, entitled "An Ordinance authorizing Charles E. Smith, G. Glass and Adolph A. Dekum, or assigns, to construct, maintain and operate a system of street railways in the City of Portland, Oregon", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said Charles E. Smith, G. Glass and Adolph A. Dekum, or their assigns, by

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said Ordinance No. 9363.

78. Also Ordinance No. 139 of the City of Oregon City, Clackamas County, Oregon, passed July 6, 1892, and approved July 11, 1892, entitled "An Ordinance authorizing the East Side Railway Company, its successors and assigns, to construct, maintain and operate a street railway on Main Street, in the City of Oregon City", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 139.

79. Also Ordinance No. 201 of the City of Oregon City, Clackamas County, Oregon, passed June 24, 1897, and approved June 24, 1897, entitled "An Ordinance providing for the payment of lien against the East Side Railway Company on account of Main Street improvement, and granting said company the right to run an express car on Main street in said City", and all of the rights and privileges granted to or conferred upon said East Side Railway Company, its successors and assigns, by said Ordinance No. 201.

80. Also Ordinance No. 234 of the City of Oregon City, Clackamas County, Oregon, passed and approved April 5, 1899, entitled "An Ordinance authorizing the Mayor and Recorder to execute a deed to a portion of lot 6 of block 22 of Oregon City", and all of the right, title and interest granted by said Ordinance No. 234.

81. Also Ordinance No. 274 of the City of Oregon City, Clackamas County, Oregon, passed November 5, 1902, and approved November 10, 1902, entitled "An Ordinance authorizing The Oregon Water Power and Railway Company, its successors and assigns, to construct, maintain and operate a railway on Third street in Oregon City, and to erect the necessary poles and string the necessary wires for the operation thereof, and to carry freight and express matter on and over said railway on said Third street and on and over said company's railway on Main street in said Oregon City, and to collect charges and tolls for the carrying of freight and express matter", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said The Oregon Water Power and Railway Company, its successors and assigns, by said Ordinance No. 274.

82. Also Ordinance No. 275 of the City of Oregon City, Clackamas County, Oregon, passed December 3, 1902, and approved December 5, 1902, entitled "An Ordinance authorizing the Oregon City and Suburban Railway Company, its successors and assigns, to construct, maintain and operate a railway, telephone and telegraph line on Washington, Fourteenth, Center, Twelfth and Water Streets of Oregon City", and all of the rights, privileges, franchises, licenses and easements granted to or conferred upon said Oregon City and Suburban Railway Company, its successors and assigns, by said Ordinance No. 275.

83. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon the Mount Tabor Street Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at said City of Portland), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the fifth day of January, 1899, "In the matter of the application of the Mount Tabor Street Railway Company for a franchise for Street Railroad line upon the County Road known as

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Hawthorne Avenue".

84. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon the East Side Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon, and having its principal office at the City of Portland, Oregon), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the First day of July, 1891, "In the Matter of the application of the East Side Railway Company for a right of way on a County Road known and designated as the Milwaukie Road".

85. Also all the rights, privileges, licenses, franchises and immunities, granted to or conferred upon the Portland, Chicago & Mt. Scott Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at the City of Portland, Oregon), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the Twenty-first day of November, 1891, "In the Matter of the Application of the Portland, Chicago & Mt. Scott Railway Company for right of way".

86. Also all the rights, privileges, licenses, franchises and immunities, granted to or conferred upon the Portland City and Oregon Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at the City of Portland, Oregon), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the Fifth day of July, 1902, "In the matter of the application of the Portland City and Oregon Railway Company for franchise for right of way upon certain portions of Euclid Avenue and West Avenue to the point of connection with the Section Line Road".

87. Also all the rights, privileges, licenses, franchises and immunities, granted to or conferred upon said Grantor Corporation, its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the Twenty-ninth day of May, 1902, "In the matter of the application of The Oregon Water Power and Railway Company for franchise and right of way over Euclid Avenue".

88. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon said Grantor Corporation, its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Multnomah, made and entered the Seventh day of April, 1905, "In the matter of the Application of The Oregon Water Power and Railway Company for franchise on Milwaukie Avenue between Holgate and Locust Streets".

89. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon G. C. Fields, his heirs or assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Seventh day of July, 1899, "In the Matter of the Application of G. C. Fields for a Railway franchise".

90. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon said East Side Railway Company, its successors and assigns, by that certain

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order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Eighth day of March, 1893, "In the Matter of the application of the East Side Railway Company for Right of way over Portland Avenue in Gladstone and Electric Avenue in Shaw's Addition, Oregon City".

91. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon said East Side Railway Company, its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Sixth day of April, 1893, "In the matter granting right of way over Railway Avenue, Oak Grove and Railway Avenue, Milwaukie Heights to East Side Railway Co."

92. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon the Oregon City and Southern Railway Company (a corporation ^{duly} incorporated, organized and existing under the laws of the State of Oregon, and having its principal office at the City of Oregon City, Oregon), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Tenth day of January, 1901, "In the matter of the application of the Oregon City and Southern Railway Company, a corporation of the State of Oregon, for a franchise for a railway line upon the County Road on or near the East Bank of the Willamette River between Main street in Oregon City and the townsite of Canemah, Clackamas County, Oregon, also along and upon Main and First Streets in the townsite of Canemah, Clackamas County, Oregon".

93. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon said Portland City and Oregon Railway Company, its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Fourth day of September, 1901, "In the matter of the application of the Portland City and Oregon Railway Company for a right of way through Milwaukie".

94. Also all the rights, privileges, licenses, franchises, and immunities granted to or conferred upon the Oregon City and Suburban Railway Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at the City of Oregon City, Oregon), its successors and assigns, by that certain order and decree of the County Court of the State of Oregon for the County of Clackamas, made and entered the Fourteenth day of May, 1902, "In the matter of the application of the Oregon City and Suburban Railway Company for a franchise upon the Abernathy and Oregon City and Clatsop County Roads to build Railways".

95. Also the exclusive right to lay and maintain tracks for railways or street-car lines over and through any or all the streets and alleys of Estacada, situate in Section twenty (20), twenty-one (21), twenty-eight (28) and twenty-nine (29) in Township three (3), south, range four (4) east of the Willamette Meridian in said Clackamas County, and the sole right to lay, maintain and operate gas and water mains, telephons, telegraph and electric wires in and through all of said streets and Alleys of said Estacada and being the

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rights reserved by the Oregon Water Power Townsite Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at the City of Portland, Oregon), for itself, its successors and assigns, in a certain instrument establishing the plat of said Estacada and dedication of streets and alleys in said Estacada, said instrument and dedication being dated the Fourth day of January, 1904 and is recorded at page seven (7) of book six (5) record of Town Plats of said County of Clackamas.

And also including all the following leases and contracts and all the estates, rights, titles, interests, claims and demands of said Grantor Corporation, thereto, therein and thereunder.

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96. That certain lease, dated September Eighteenth, 1901, executed between James H. Paine and Portland City and Oregon Railway Company (an Oregon Corporation having its principal office at said City of Portland) of the following described real property situated within the present corporate limits of said City of Portland, to-wit:

Commencing at a point sixty (60) feet south of the southeast corner of block eleven (11) in the City of East Portland, thence south along the west line of Water Street in the City of East Portland to U street (now East Clay street); thence west down said U street (now East Clay street) to the Willamette River, thence north down said Willamette River to within sixty (60) feet of the south boundary line of said block eleven (11); thence east parallel with and sixty (60) feet distant from said south boundary line of block eleven (11) to the place of beginning, containing one-half (1/2) acre more or less; including all riparian rights in the river in front of said land, being the block of land in the City of Portland, Oregon, bounded on the north by Hawthorne Avenue, on the east by what was Water street of the City of East Portland; on the south by what was U street in said City of East Portland; and on the west by the Willamette River, and the riparian rights incident thereto.

97. That certain lease, dated the Twentieth day of March, 1902, executed between The Stephens Land Company and Fred B. Morris, of the following described real property situated within the present corporate limits of said City of Portland, to-wit:

Beginning at a point where the center line of East Mill street in said City of Portland intersects with the westerly line of the right of way of the Oregon & California Railroad Company; thence westerly along the center line of said East Mill street, if extended, to the Willamette River; thence southerly along the meanders of said river to a point in the center line of Stephens street, if extended westerly; thence easterly along the said center line of Stephens street, if extended as aforesaid to the westerly boundary line of said right of way; thence northerly on a curve with the said right of way and along the westerly side line of said right of way to the place of beginning, being the land conveyed by James B. Stephens to Rosetta Jones, now Rosetta Wallace, by deed dated March 16, 1899, recorded on page 204 of book 117 of the records of deeds for said Multnomah County; also the right of way belonging to the party of the first part, across the land now owned by Hollis Alger, the said land lying to the north of the above described tract, and being the right of way conveyed by Mary A. Bain to Rosetta Jones, now Rosetta Wallace, by deed recorded at page 14 of book of deeds No. 120 of the records of Multnomah County, Oregon, together with all of the riparian rights

and wharfing privileges incident to said land.

Being the same real property described in lease recorded in book 289 on page 90, records of deeds of said Multnomah County, said lease having been assigned by said Fred S. Morris to said Grantor Corporation, said assignment being recorded in book 328 on page 443 record of deeds of said Multnomah County.

ON A certain indenture or agreement dated the Twenty-fourth day of February, 1904, executed between said Grantor Corporation and Portland General Electric Company (a corporation duly incorporated, organized and existing under the laws of the State of Oregon and having its principal office at said City of Portland).

Said Portland Railway, Light and Power Company for itself, its successors and assigns, hereby covenanting and agreeing to do, keep and perform each and all of the covenants and agreements of the respective lessors in said respective leases; and also each and all of the covenants and agreements of said Grantor Corporation in said indenture and agreement dated said Twenty-fourth day of February, 1904, as well as of any and all other leases, agreements and contracts conveyed or assigned by this indenture or intended to be conveyed or assigned by this indenture to said Portland Railway, Light and Power Company; and also to observe, do, keep and perform each and all of the covenants, agreements, conditions and stipulations which are provided, stipulated or agreed shall be observed, done, kept, or performed by the respective grantees, their successors and assigns, in each or all of the respective ordinances, orders of Court, franchises, licenses, grants, rights, privileges, rights of way, and easements conveyed or assigned by this indenture or intended to be conveyed or assigned by this indenture.

It is the intention of this indenture to describe herein and to convey to said Portland Railway, Light and Power Company, its successors and assigns, all property, real, personal and mixed, including all franchises, licenses, rights and privileges of every kind, nature and wheresoever situated, owned, held or possessed by said Grantor Corporation or in or to which it has any estate, right, title, interest, claim or demand, or to which it is or may or might be entitled, and including all equitable rights as well as legal rights, and all and singular the same are and shall be by this indenture conveyed to, held, owned, possessed and enjoyed by said Portland Railway, Light and Power Company, its successors and assigns, as fully and completely, in all respects and to all intents and purposes as though the same and each and every part, portion, parcel and item thereof were in this indenture and in the particular description or descriptions of the property or properties contained in this indenture, specifically and particularly enumerated and described; and no words of particular description of property contained in this indenture shall in anywise limit, curtail, or detract from or be deemed, held or construed to limit, curtail or detract from the effect of the words of general description of property contained in this indenture.

TO HAVE AND TO HOLD all and singular the foregoing mentioned and described property and all property conveyed and intended to be conveyed by this indenture, together with all and singular the tenements, hereditaments, appurtenances, rights, privileges, licenses, franchises, and immunities connected therewith or appertaining or belonging thereto, and the rents, issues

and profits thereof, and all estates, rights, titles, interests, claims and demands of said Grantor Corporation therein and thereto; as well in law as in equity, unto said Portland Railway, Light and Power Company, its successors and assigns forever.

And said Grantor Corporation for itself and its successors does hereby covenant to and with said Portland Railway, Light and Power Company, its successors and assigns, that upon reasonable request the said Grantor Corporation and its successors shall execute and deliver to said Portland Railway, Light and Power Company, its successors and assigns, all and any such other deeds of conveyances, instruments and assurances and do such other acts as may be necessary or proper to vest in said Portland Railway, Light and Power Company, its successors and assigns, all estates and titles of said Grantor Corporation, of, in or to, any and all of the property of said Grantor Corporation now owned by it and intended to be conveyed by this indenture or in or to which it has any estate, right, title, interest, claim or demand, and that said Grantor Corporation will, and its successors shall, warrant and forever defend all property herein conveyed or intended so to be, against the lawful claims of all persons whomsoever, excepting only under existing bonded indebtedness of said Grantor Corporation, the payment whereof is secured by trust deeds or mortgages duly executed by said Grantor Corporation and duly recorded as provided by law.

In Witness Whereof said Grantor Corporation has caused this indenture to be executed for and on its behalf and as its act and deed in its corporate name by H. W. Goode, its President and its corporate seal to be hereunto affixed and attested by C. W. Huggins, its Secretary, this the day and year first in this indenture written.

Presented in presence of
us as witnesses thereto:
Frederick V. Holman
O. Elbertson

The Oregon Water Power and Railway Company,
By, H. W. Goode, President,
Attest: C. W. Huggins, Secretary,
(Seal of O. W. P. & Ry. Co.)

State of Oregon,
County of Multnomah,

On this Thirty-first day of December, 1906, before me, a Notary Public in and for the State of Oregon, appeared H. W. Goode and C. W. Huggins, to me personally known who being duly sworn do say: That he, the said H. W. Goode, is the President, and he, the said C. W. Huggins, is the Secretary of The Oregon Water Power and Railway Company, the corporation which executed the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said corporation; and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said H. W. Goode and said C. W. Huggins each acknowledged said instrument to be the true act and deed of said corporation.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal this the day and year first in this my certificate written.

(Seal of Notary)

EXHIBIT
PAGE
I. J. KING,
Notary Public in and for Oregon.

Filed and Recorded March 21st, 1907 at 4:20 P. M.

C. E. Ramsby, County Recorder.

By *C. Buchegger* Deputy.


This Indenture Witnesseth, That I, G. N. S. Holsten, a widower, of Clackamas County, State of Oregon, for the consideration of the sum of One thousand four hundred sixty-six & 00/100 Dollars, to me paid, have bargained and sold, and by these presents do bargain, sell and convey unto Grace M. Van Dolah and James P. Van Dolah, the following described premises, to-wit:

Beginning at the north west corner of the south west quarter of section numbered 17, in Township 4 south of range 2 East of the Willamette Meridian; thence east 80 rods; thence south 70 rods; thence west 80 rods; thence north to the place of beginning, containing thirty-five acres, more or less, all in Clackamas County, State of Oregon.

To have and to hold the said premises, with their appurtenances, unto the said Grace M. Van Dolah and James P. Van Dolah, their heirs and assigns forever. And the said G. N. S. Holsten, does hereby covenant to and with the said Grace M. Van Dolah and James P. Van Dolah their heirs and assigns, that he is the owner in fee simple of said premises; that they are free from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

In Witness Whereof, I have hereunto set my hand and seal this 21st day of March, A. D. 1907 Executed and delivered in the presence of:

E. P. Morcom

G. N. S. Holsten ^{his} X _{MARK} 

J. O. Price

State of Oregon,)
County of Mason,) SS.

On this, the 21st day of March, A. D. 1907, personally came before me, a Notary Public in and for the said County and State, the within named named G. N. S. Holsten, a widower, to me personally known to be the identical person described in and who executed the within instrument, and who each personally acknowledged that he executed the same freely and voluntarily for the uses and purposes therein named and without fear or compulsion from anyone.

Witness my hand and seal this 21st day of March, A. D. 1907.

(Seal of Notary)

E. P. Morcom,
Notary Public for Oregon.

EXHIBIT A-5
PAGE 32433

Filed and Recorded March 22nd, 1907 at 8:03 A. M.

C. E. Ramsby, County Recorder.

By *C. Buchegger* Deputy.

This Indenture Witnesseth, That D. H. Looney and A. V. Looney, his wife, for and in consideration of twenty four hundred Dollars, to us paid, have bargained and sold, and by these presents do bargain, sell and convey unto H. W. Kayler, the following described real

STATE OF OREGON }
COUNTY OF CLACKAMAS } ss.

I, JOHN KAUFFMAN, County Clerk of the State of Oregon for the County of Clackamas, do hereby certify that the foregoing copy of BK 98 PG 505

31 PG 5
has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original, as the name appears on file and of record in my office and in my care and custody.

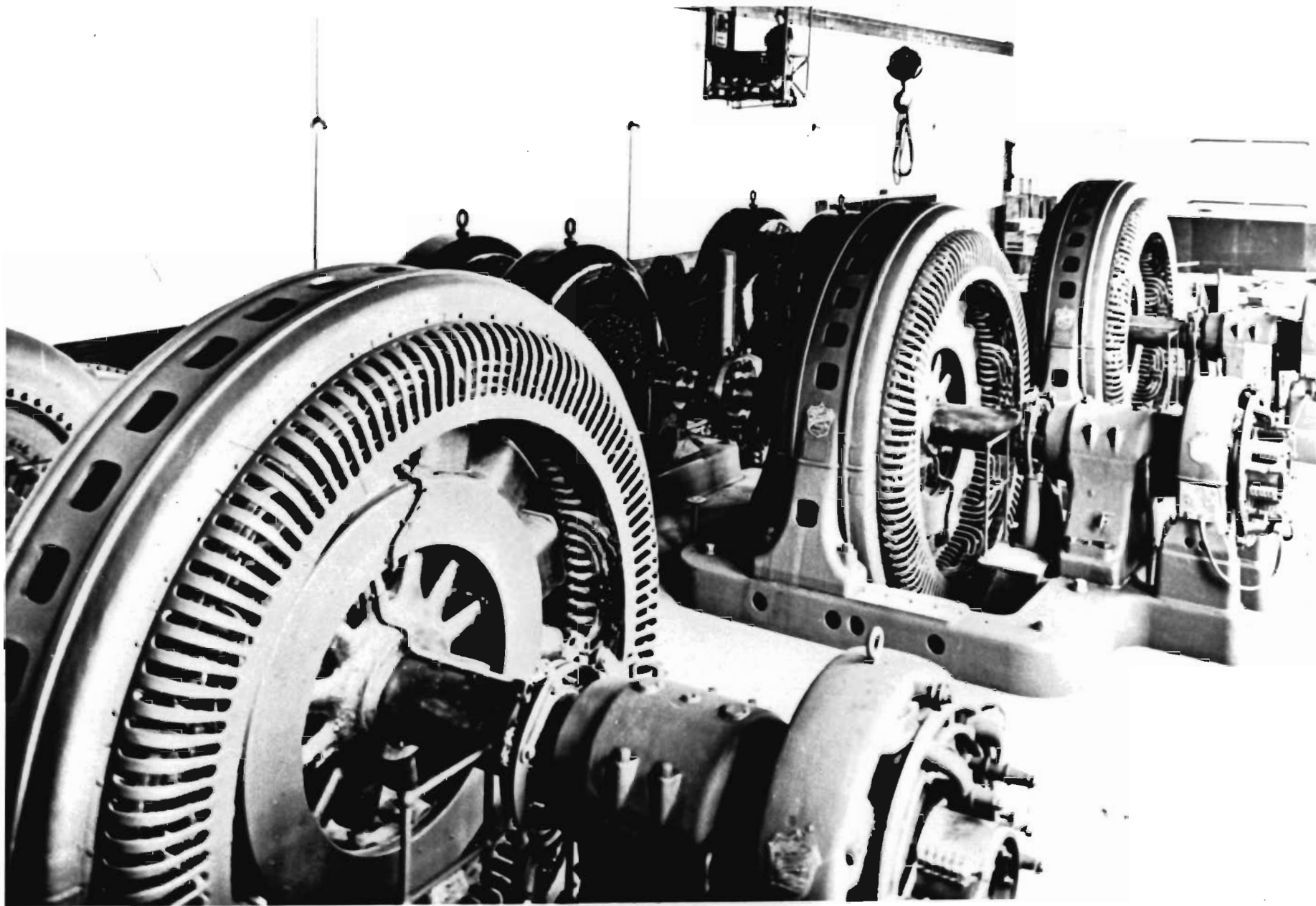
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 22 day of December, 1992.

JOHN KAUFFMAN, Clerk
By: Melissa Taylor Deputy



EXHIBIT A-5
PAGE 33/33

ATTACHMENT A-6

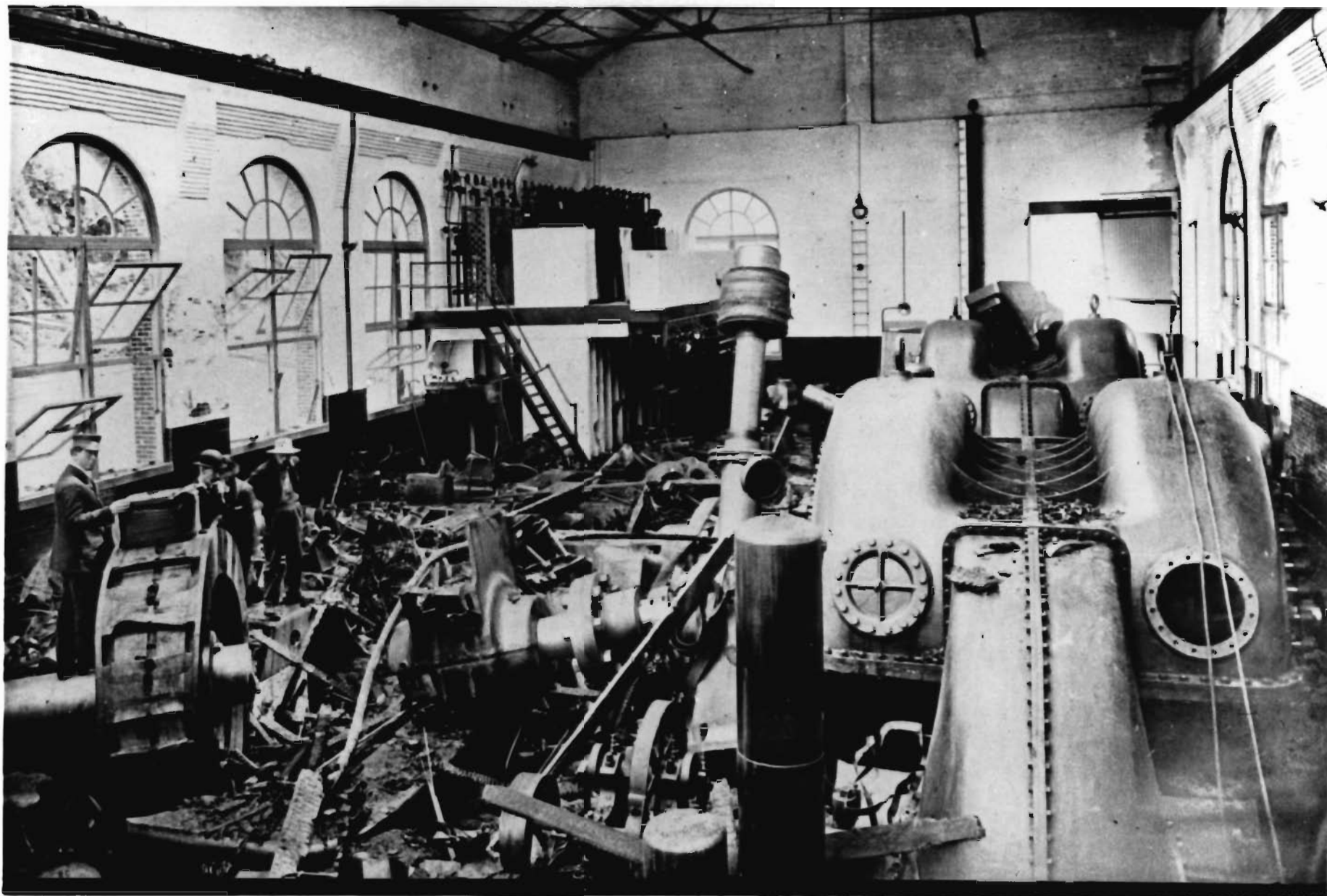


STATION "G" ORIGINAL GENERATORS - 1907.

EXHIBIT A-6

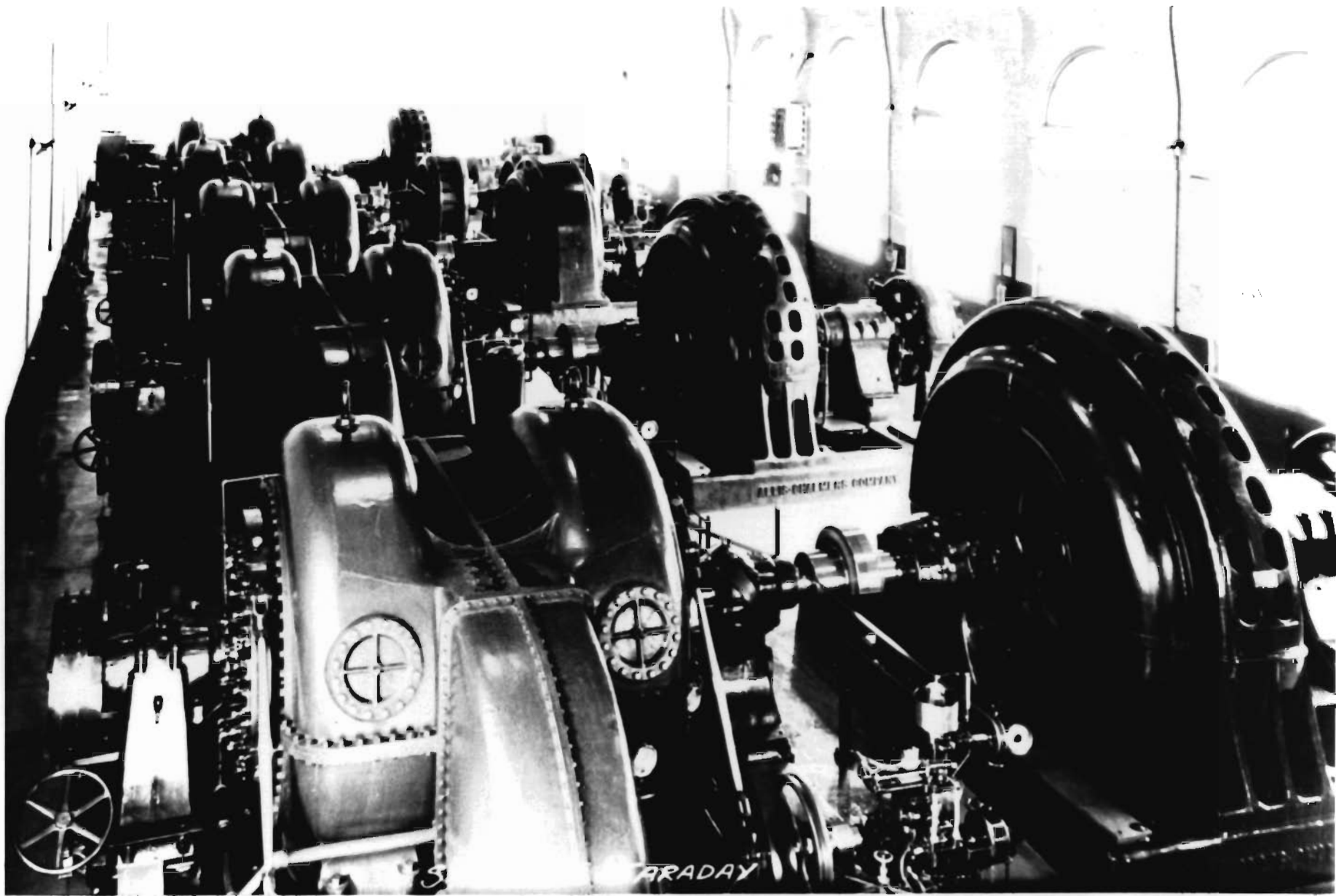
PAGE 1/1

ATTACHMENT A-7

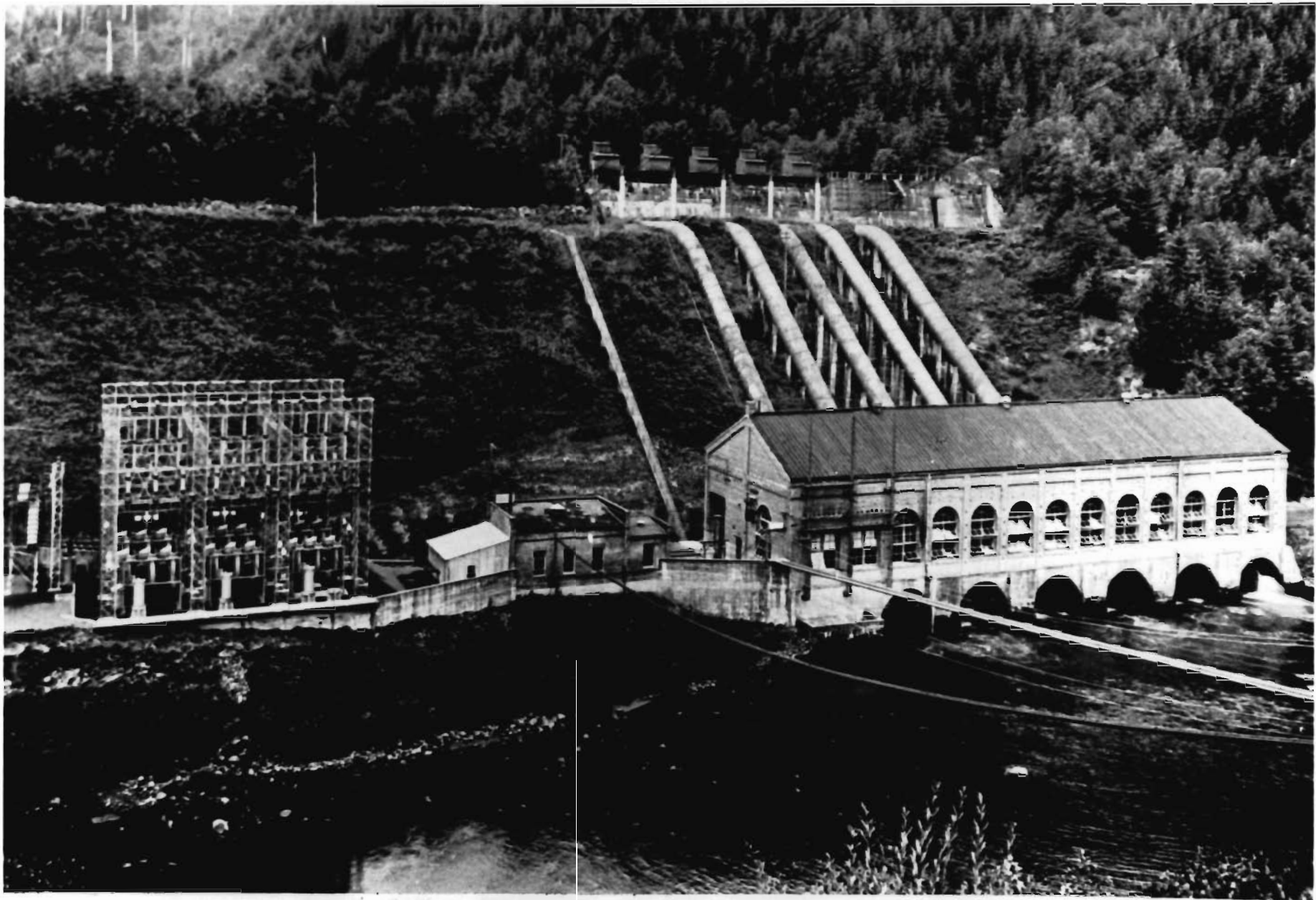


STATION "G" WRECK - JUNE 21, 1908.

EXHIBIT A-7
PAGE 1/3



STATION "G" WITH 5 UNITS INSTALLED - 1910 .



STATION "G" WITH BUS STRUCTURE - 1923.

ATTACHMENT B

[Map Prepared by Certified Water Rights Examiner]

Faraday

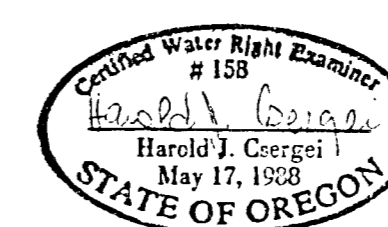
WR Map C-20441

Exhibit	L	Sht 16
Exhibit	L	Sht 17
Exhibit	L	Sht 27
Exhibit	L	Sht 28

FARADAY POWERHOUSE
 3- 5000 HP UNITS
 1- 5500 HP UNIT
 1- 6300 HP UNIT
 4- 8 FOOT DIAMETER PENSTOCKS
 1- 9 FOOT DIAMETER PENSTOCK

FARADAY PROJECT
 1" = 400'

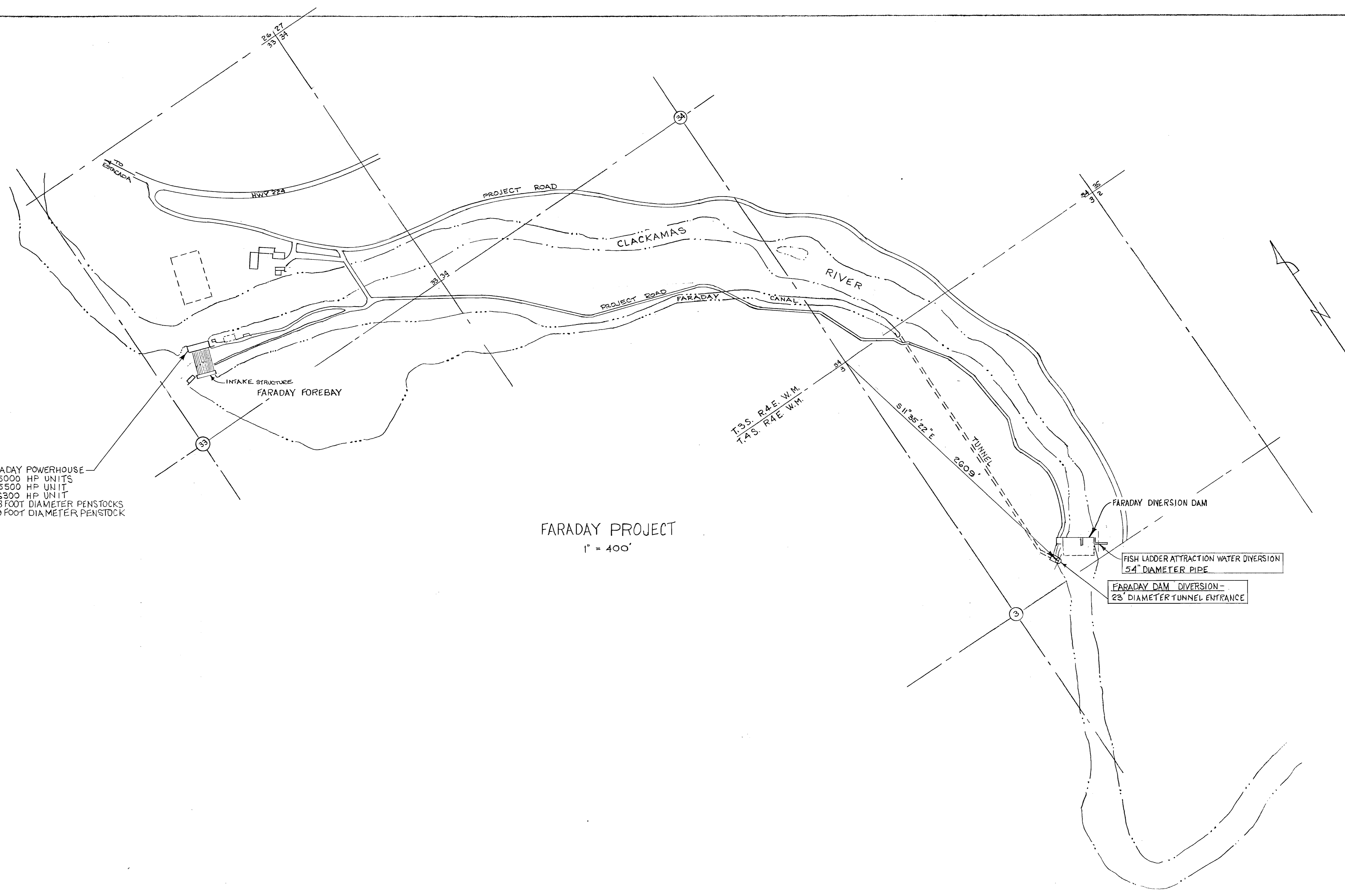
REFERENCE DRAWINGS
 FERC FARADAY PROJECT LICENSE DRAWINGS
 EXHIBIT L, SHT 16
 EXHIBIT L, SHT 17
 EXHIBIT L, SHT 27
 EXHIBIT L SHT 28

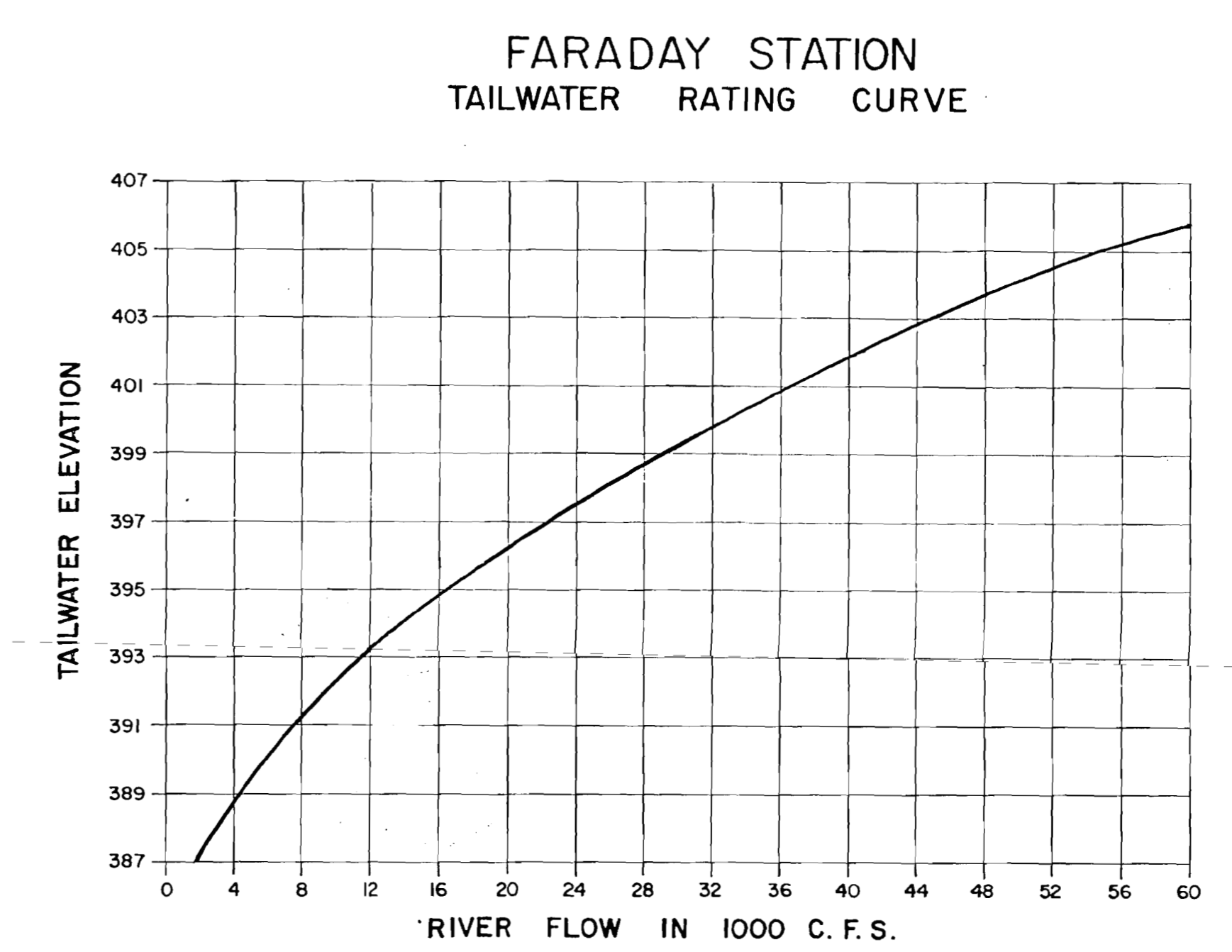
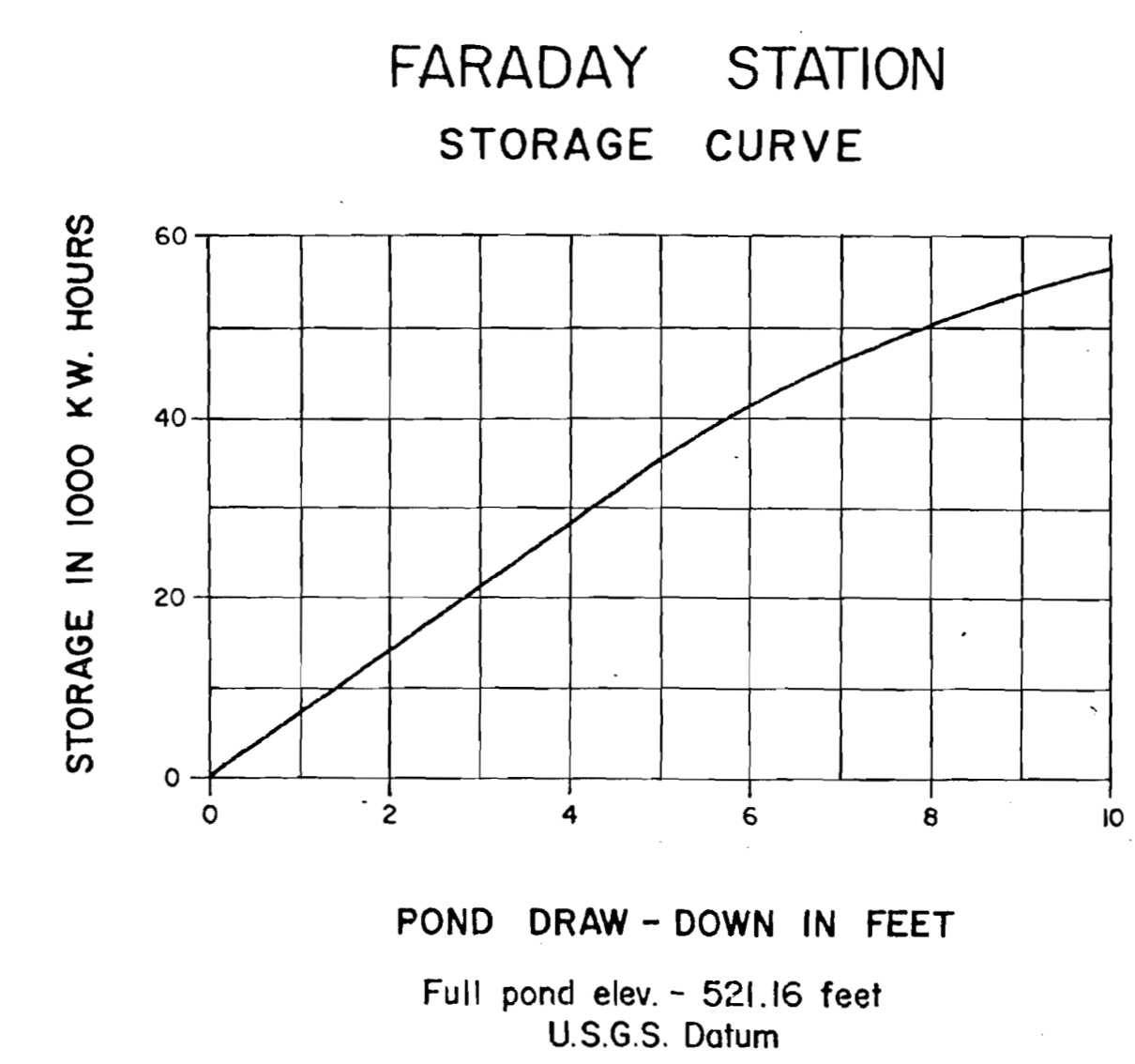
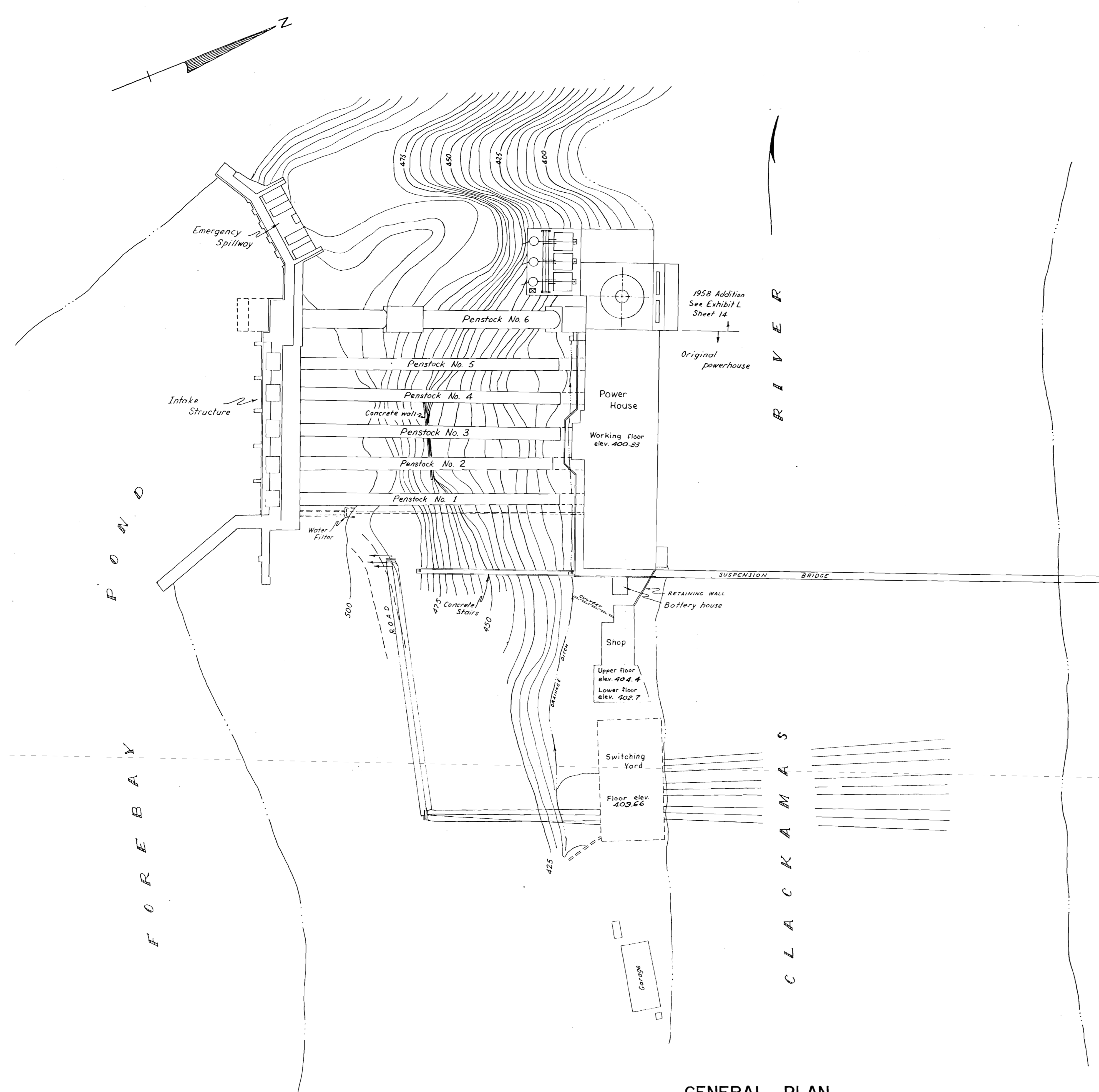


THIS FINAL PROOF SURVEY WAS PERFORMED
 DURING THE PERIOD OCTOBER-DECEMBER, 1992.

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF
 WATER RIGHTS. IT IS NOT INTENDED TO PROVIDE INFORMATION
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY
 LINES.

REV	DATE	DESCRIPTION	BY	CHK	ENGR	SUPV	MGR
REVISIONS							
PORTLAND GENERAL ELECTRIC CO. PORTLAND, OREGON							
FARADAY PROJECT PRE 1909 VESTED WATER RIGHTS FINAL PROOF SURVEY							
APPROVALS			SCALE 1" = 400'				
DESIGNER			DRAWN BY HJC				
DESIGN ENGR			CHECKED BY				
ENGR SUPV			DATE 12/28/92				
ENGR MANAGER			C-20441				





GENERAL PLAN
SCALE: 1" = 40'



I CERTIFY THAT I SUPERVISED THE PREPARATION OF THE EXHIBIT DRAWINGS, AND THAT THEY ACCURATELY SHOW THE PRINCIPAL STRUCTURES AND APPURTENANT WORKS AS OBTAINED FROM THE RECORDS OF DESIGN AND CONSTRUCTION DRAWINGS IN THE PORTLAND GENERAL ELECTRIC COMPANY FILES.

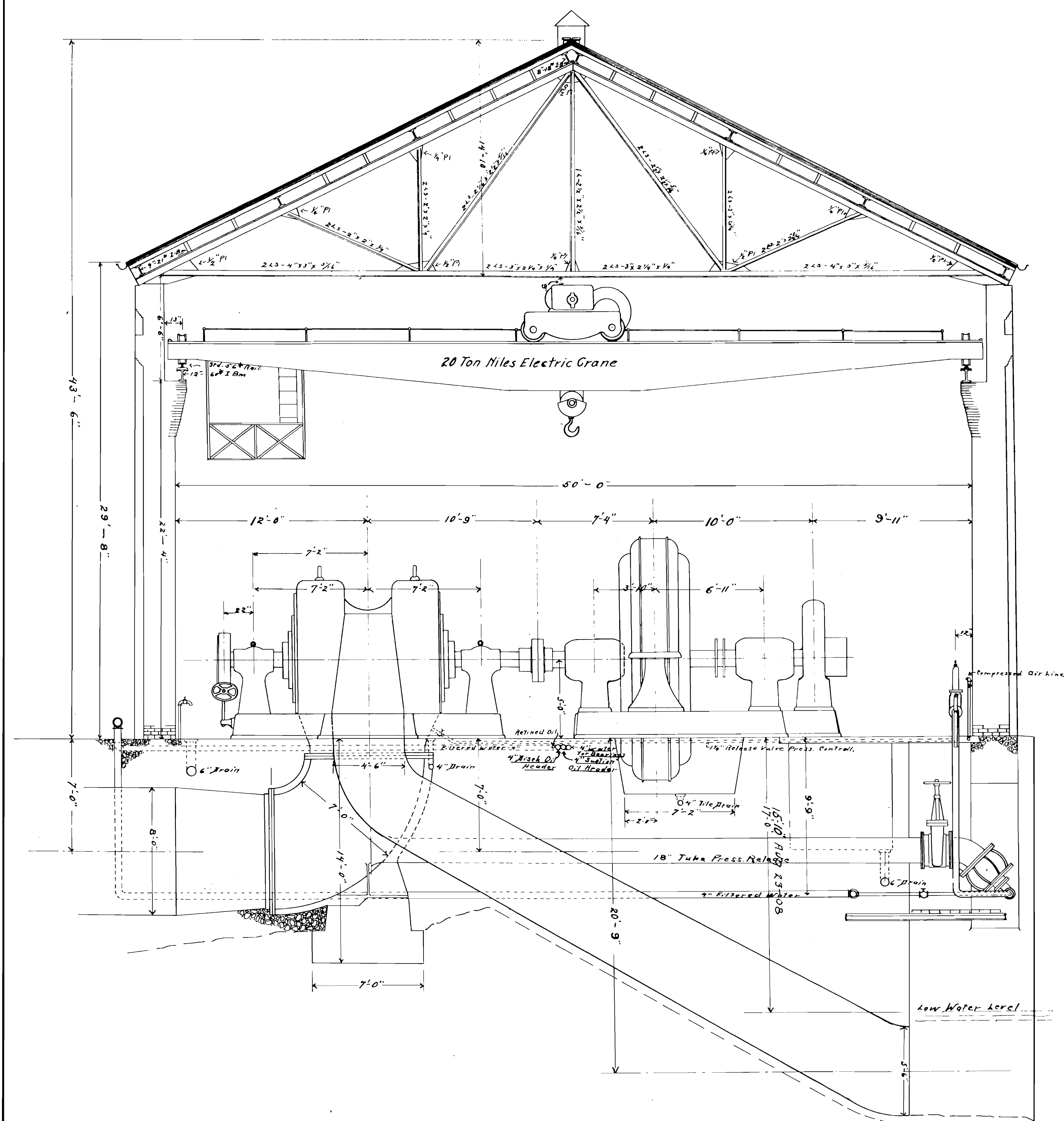
W. E. Enns
W. E. ENNS

VERTICAL CONTROL ON U.S.G.S. DATUM

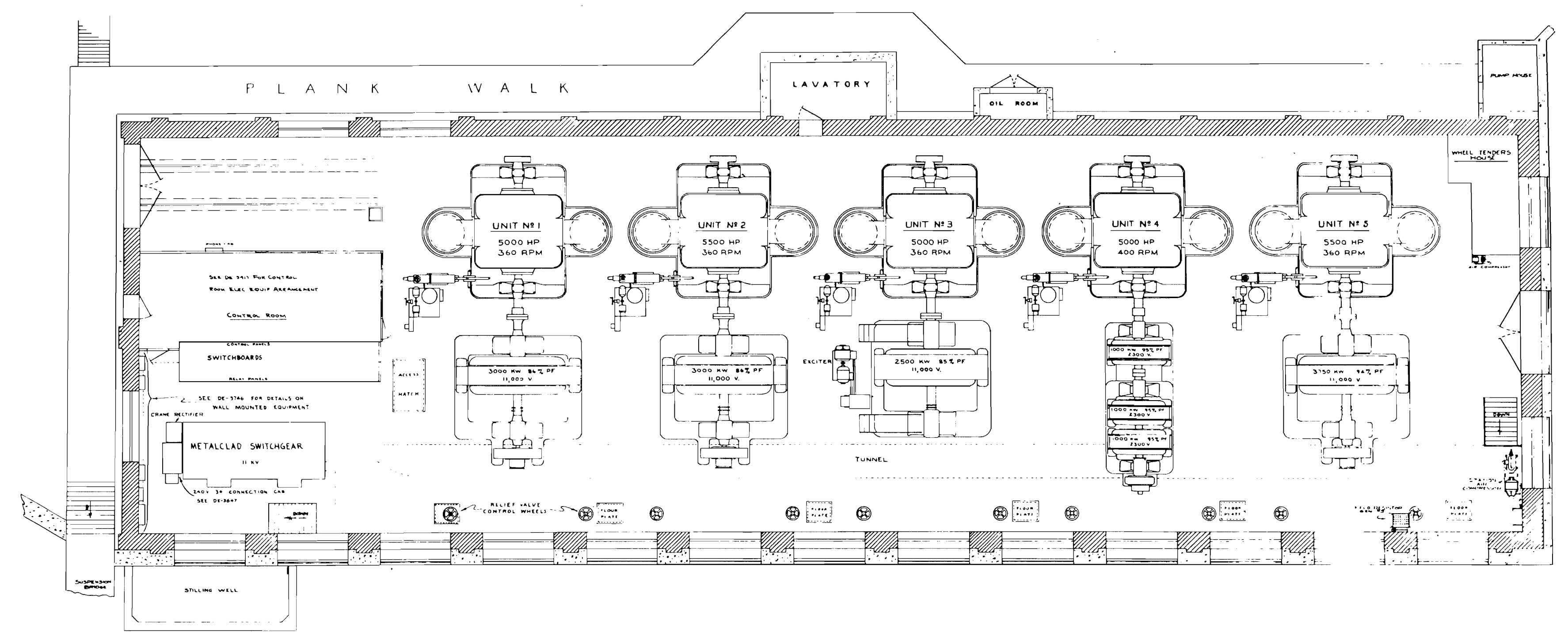
THIS DRAWING AS REVISED NOVEMBER 24, 1964 IS A PART OF THE APPLICATION FOR AMENDMENT OF LICENSE DATED JULY 31, 1963 PORTLAND GENERAL ELECTRIC COMPANY
BY *William A. Oster*
VICE PRESIDENT

EXHIBIT L SHEET 16 (REVISED SHEET 12)

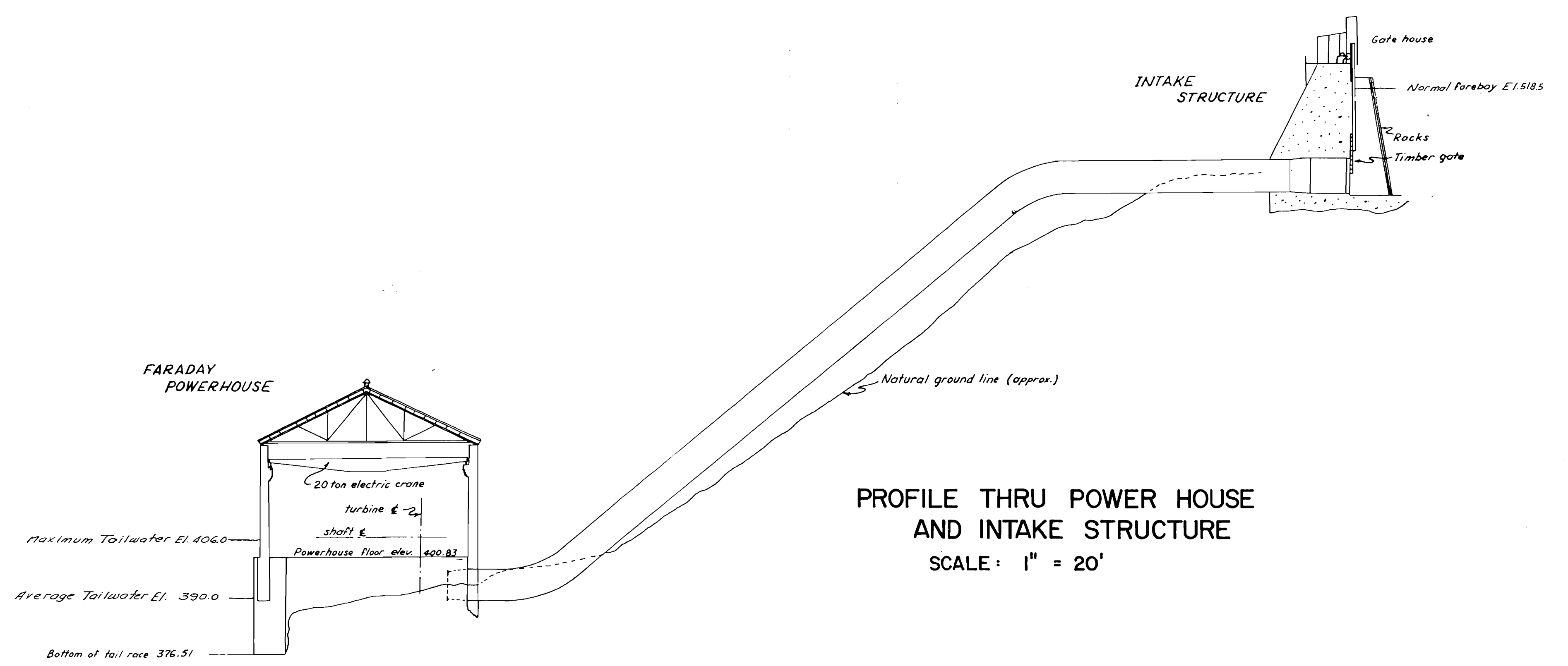
PROJECT NO. 2195 OREGON
PORTLAND GENERAL ELECTRIC COMPANY
NORTH FORK HYDRO-ELECTRIC PROJECT
GENERAL PLAN
FARADAY DEVELOPMENT



SECTION THRU POWER HOUSE
SCALE: 1/4" = 1'



POWER HOUSE PLAN
SCALE: 3/32" = 1'



PROFILE THRU POWER HOUSE
AND INTAKE STRUCTURE
SCALE: 1" = 20'

VERTICAL CONTROL ON U.S.G.S. DATUM



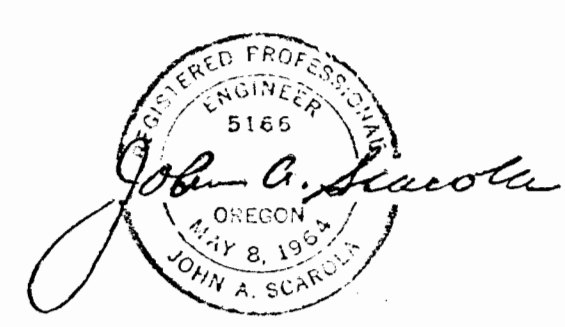
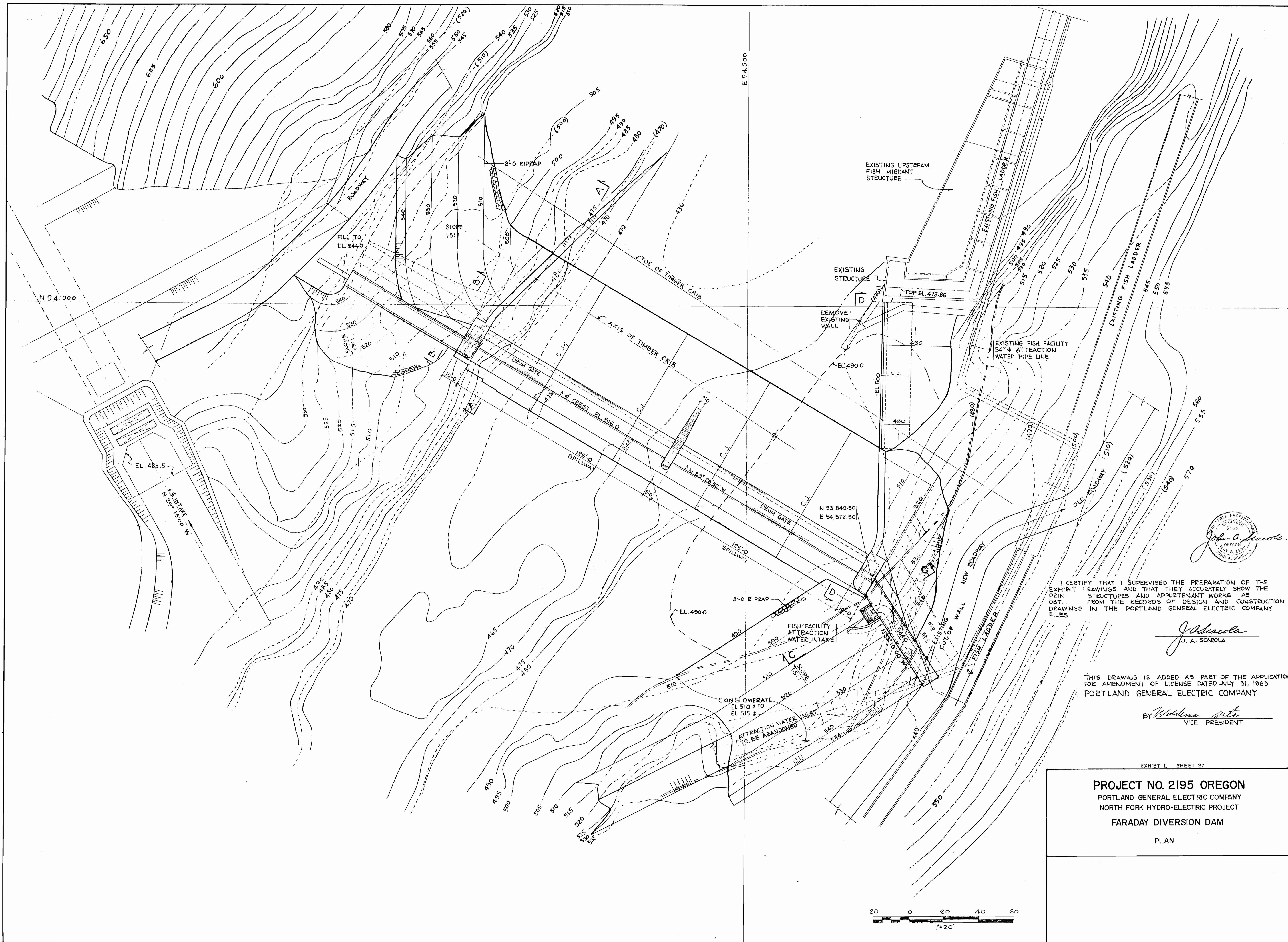
I CERTIFY THAT I SUPERVISED THE PREPARATION OF THE EXHIBIT DRAWINGS, AND THAT THEY ACCURATELY SHOW THE PRINCIPAL STRUCTURES AND APPURTENANT WORKS AS OBTAINED FROM THE RECORDS OF DESIGN AND CONSTRUCTION DRAWINGS IN THE PORTLAND GENERAL ELECTRIC COMPANY FILES.

W. E. Enns
W. E. ENNS

THIS DRAWING AS REVISED NOVEMBER 24, 1964 IS A PART OF THE APPLICATION FOR AMENDMENT OF LICENSE DATED JULY 11, 1963 PORTLAND GENERAL ELECTRIC COMPANY BY *Waldemar A. Peterson* VICE PRESIDENT

EXHIBIT L SHEET 17 (REVISED SHEET 13)

PROJECT NO. 2195 OREGON
PORTLAND GENERAL ELECTRIC COMPANY
NORTH FORK HYDRO-ELECTRIC PROJECT
GENERAL PLAN SECTIONS
FARADAY DEVELOPMENT



I CERTIFY THAT I SUPERVISED THE PREPARATION OF THE EXHIBIT DRAWINGS AND THAT THEY ACCURATELY SHOW THE STRUCTURES AND APPURTENANT WORKS AS OBTAINED FROM THE RECORDS OF DESIGN AND CONSTRUCTION DRAWINGS IN THE PORTLAND GENERAL ELECTRIC COMPANY FILES

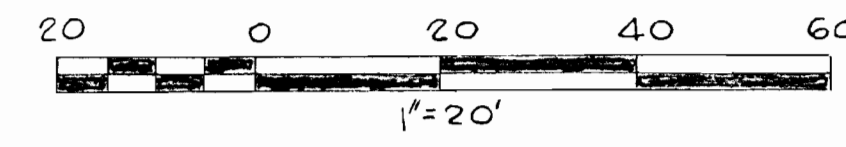
J. A. Scarola
 J. A. SCAROLA

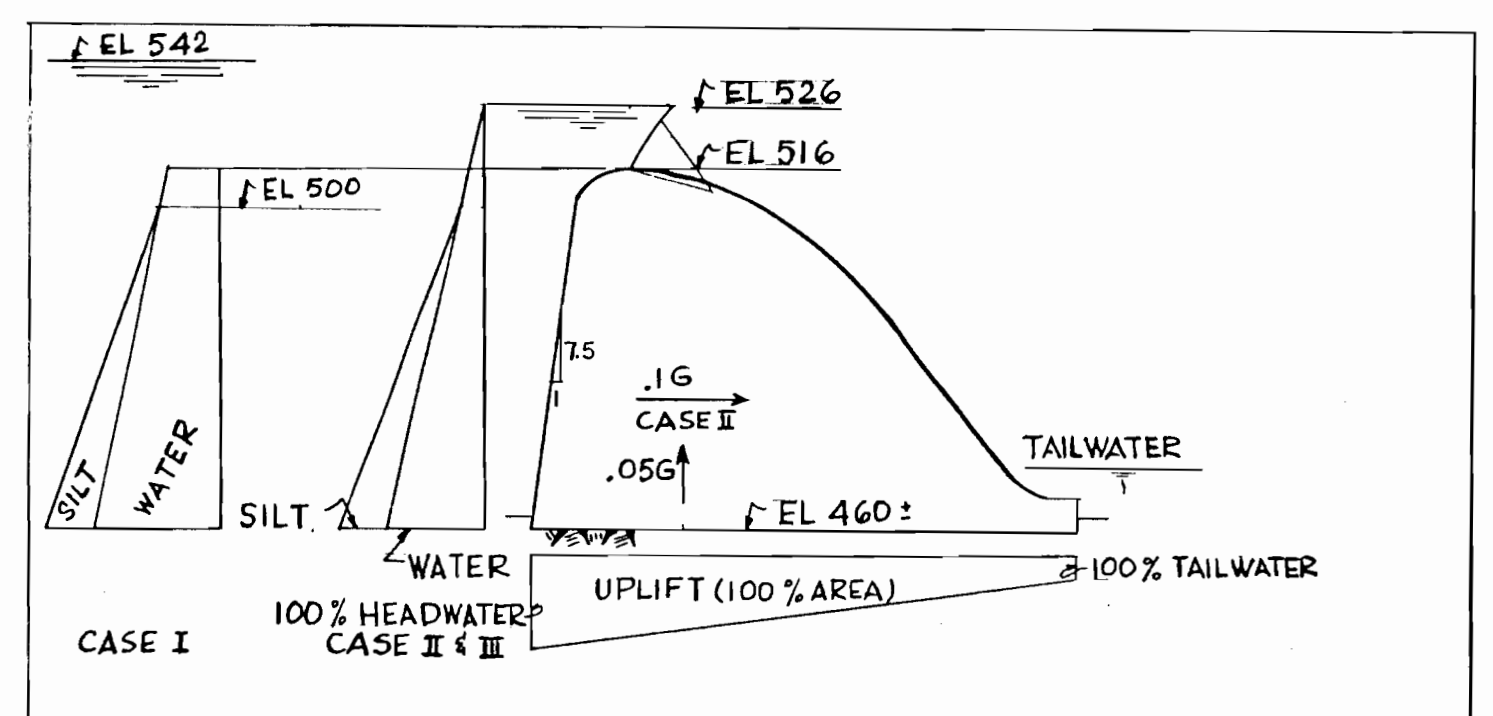
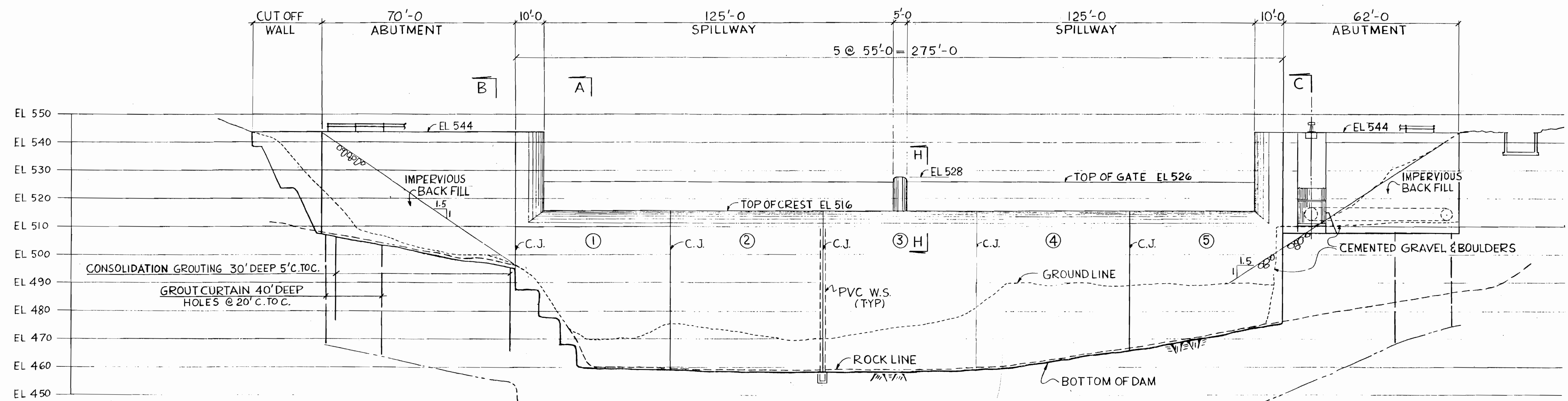
THIS DRAWING IS ADDED AS PART OF THE APPLICATION FOR AMENDMENT OF LICENSE DATED JULY 31, 1963
 PORTLAND GENERAL ELECTRIC COMPANY

BY *William A. Patton*
 VICE PRESIDENT

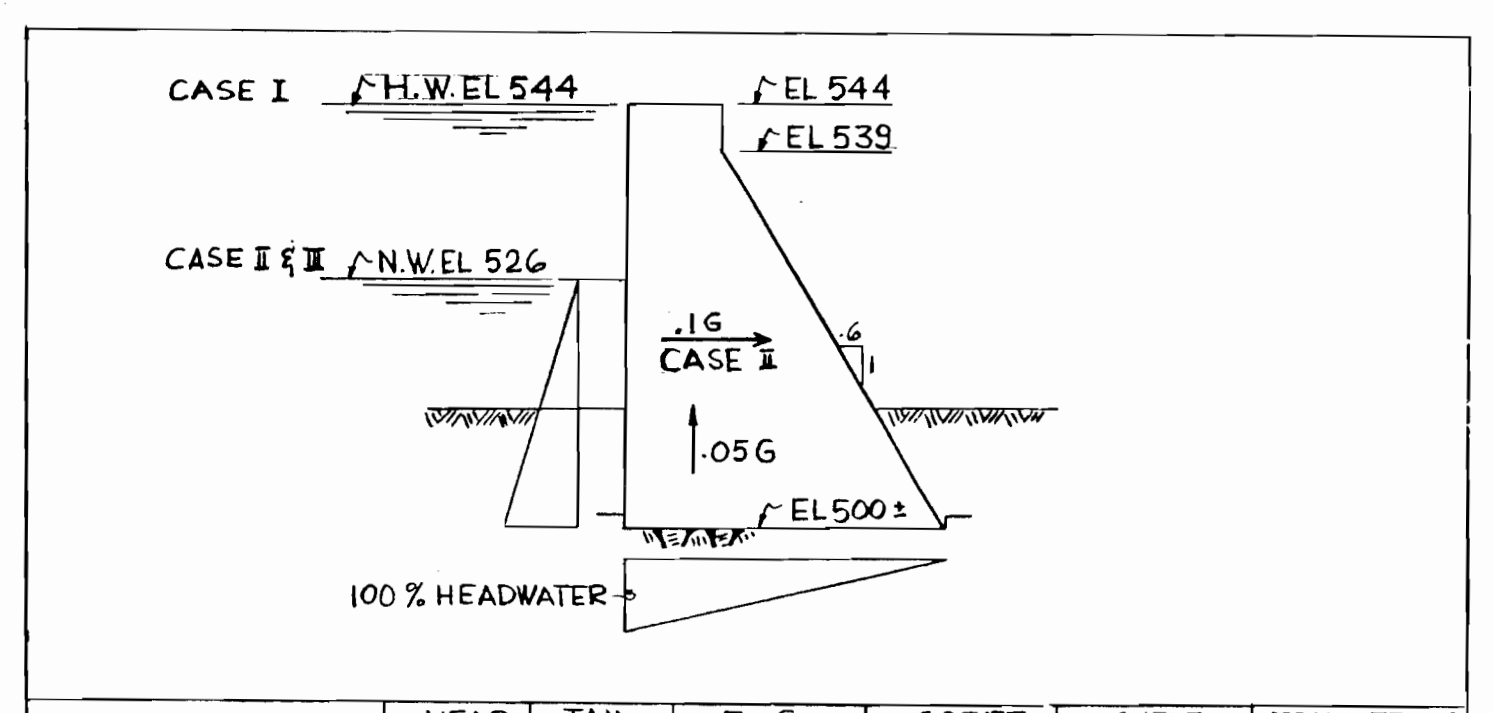
EXHIBIT L SHEET 27

PROJECT NO. 2195 OREGON
 PORTLAND GENERAL ELECTRIC COMPANY
 NORTH FORK HYDRO-ELECTRIC PROJECT
FARADAY DIVERSION DAM
 PLAN



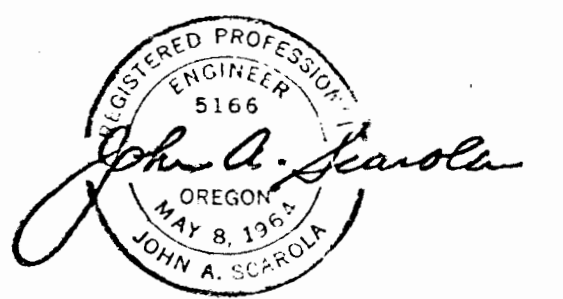
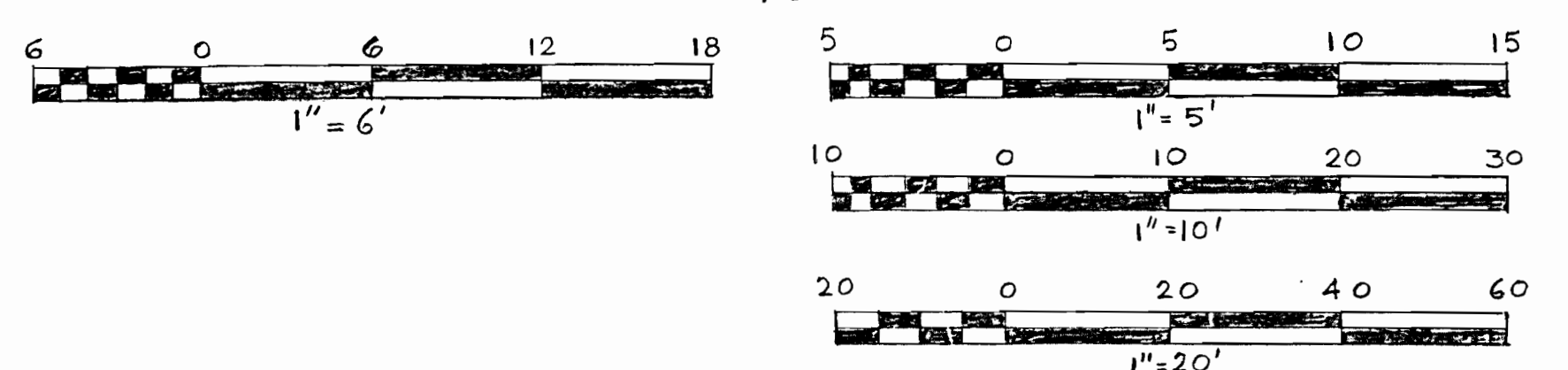
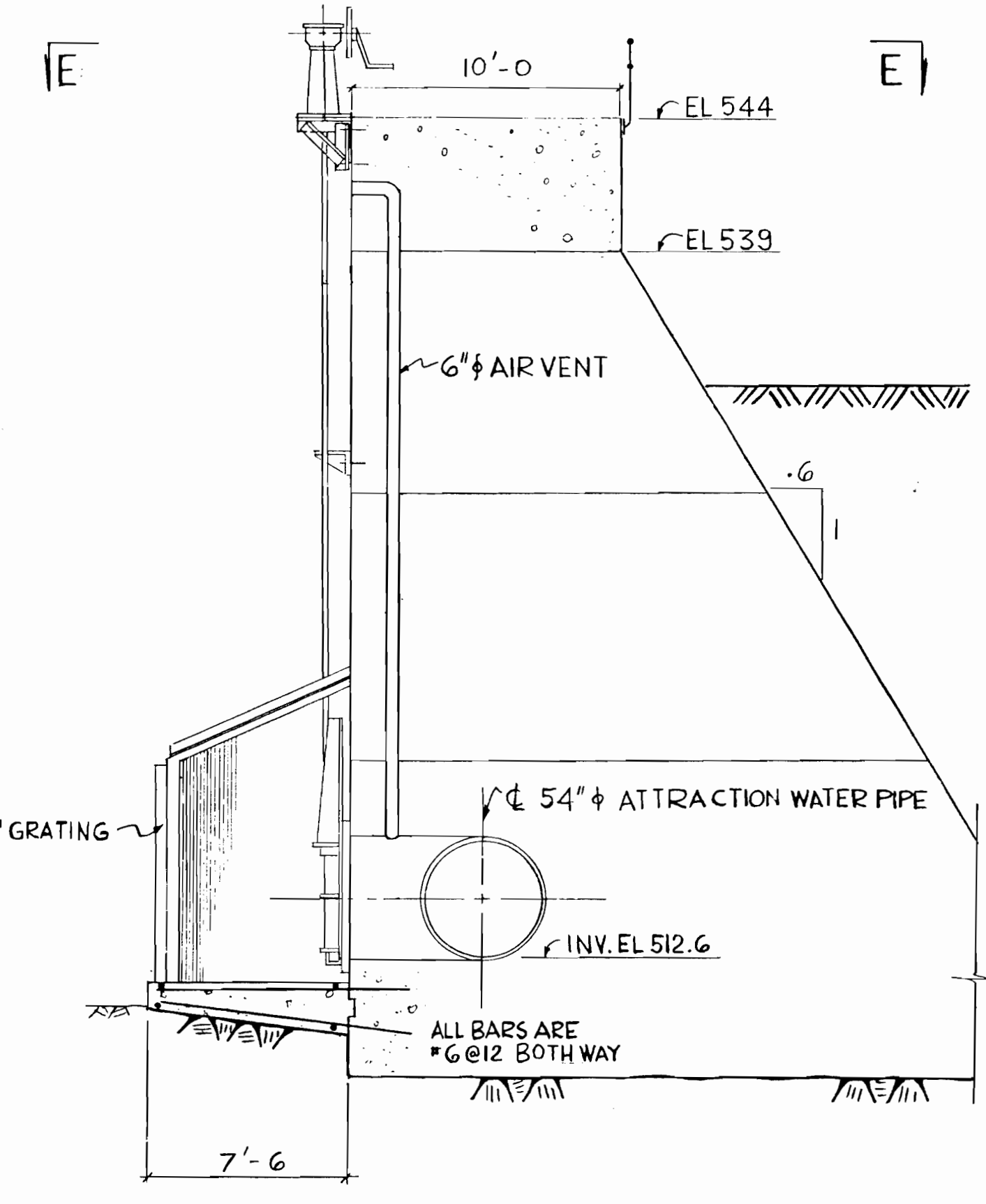
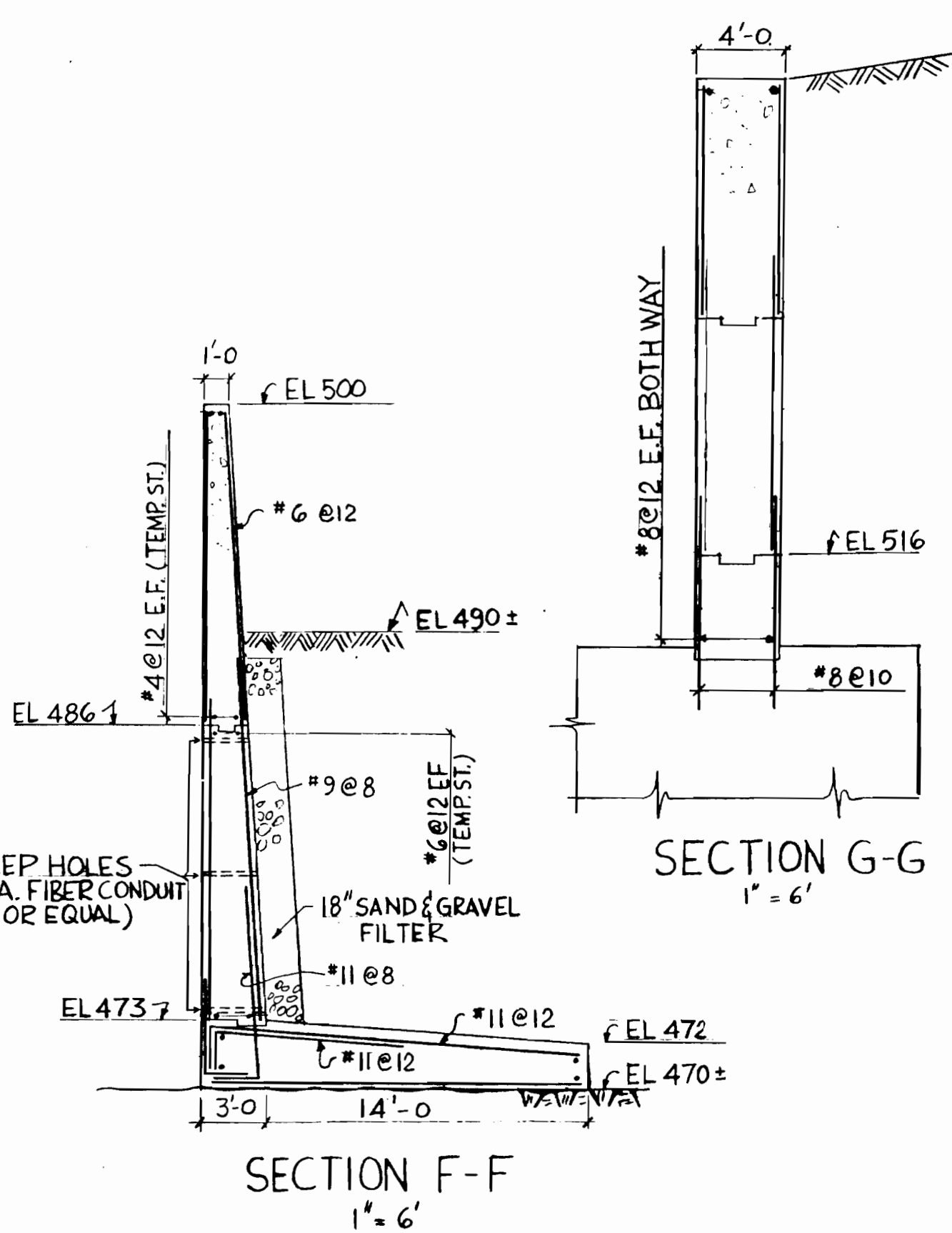
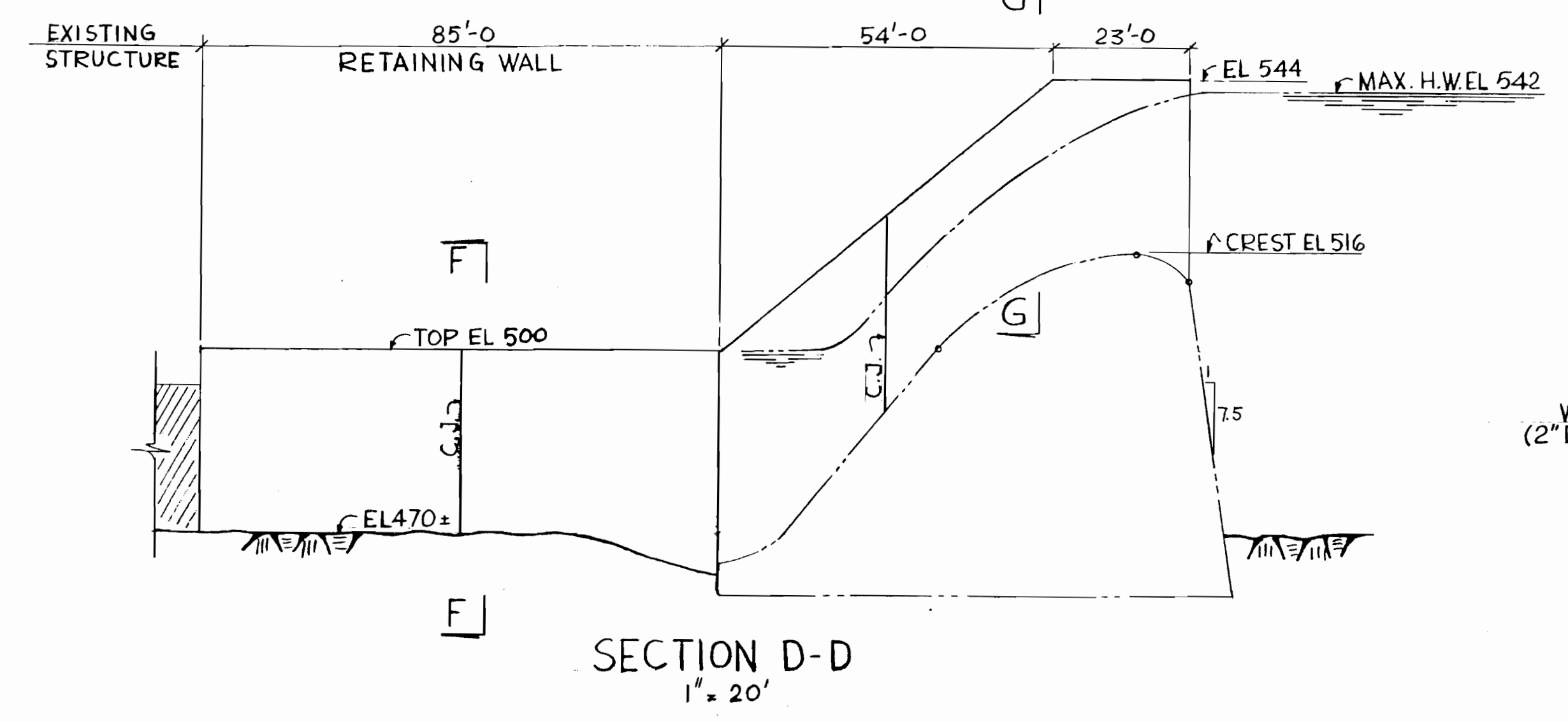
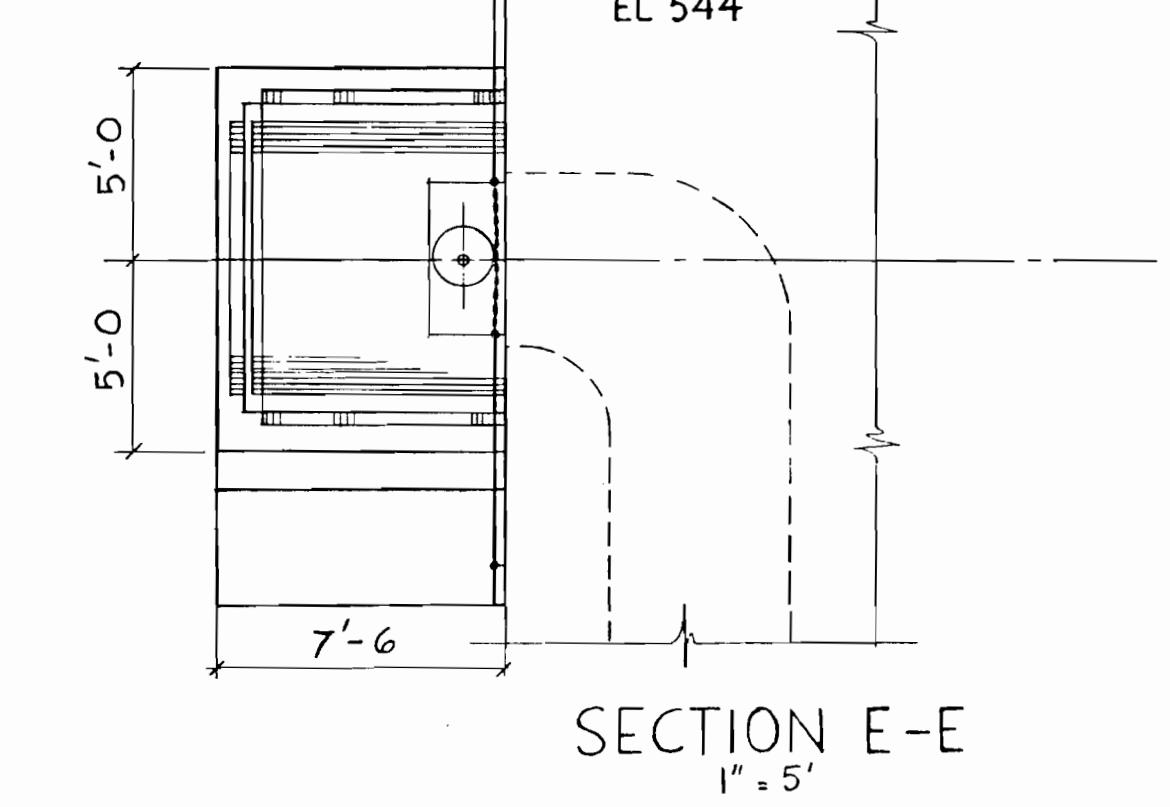
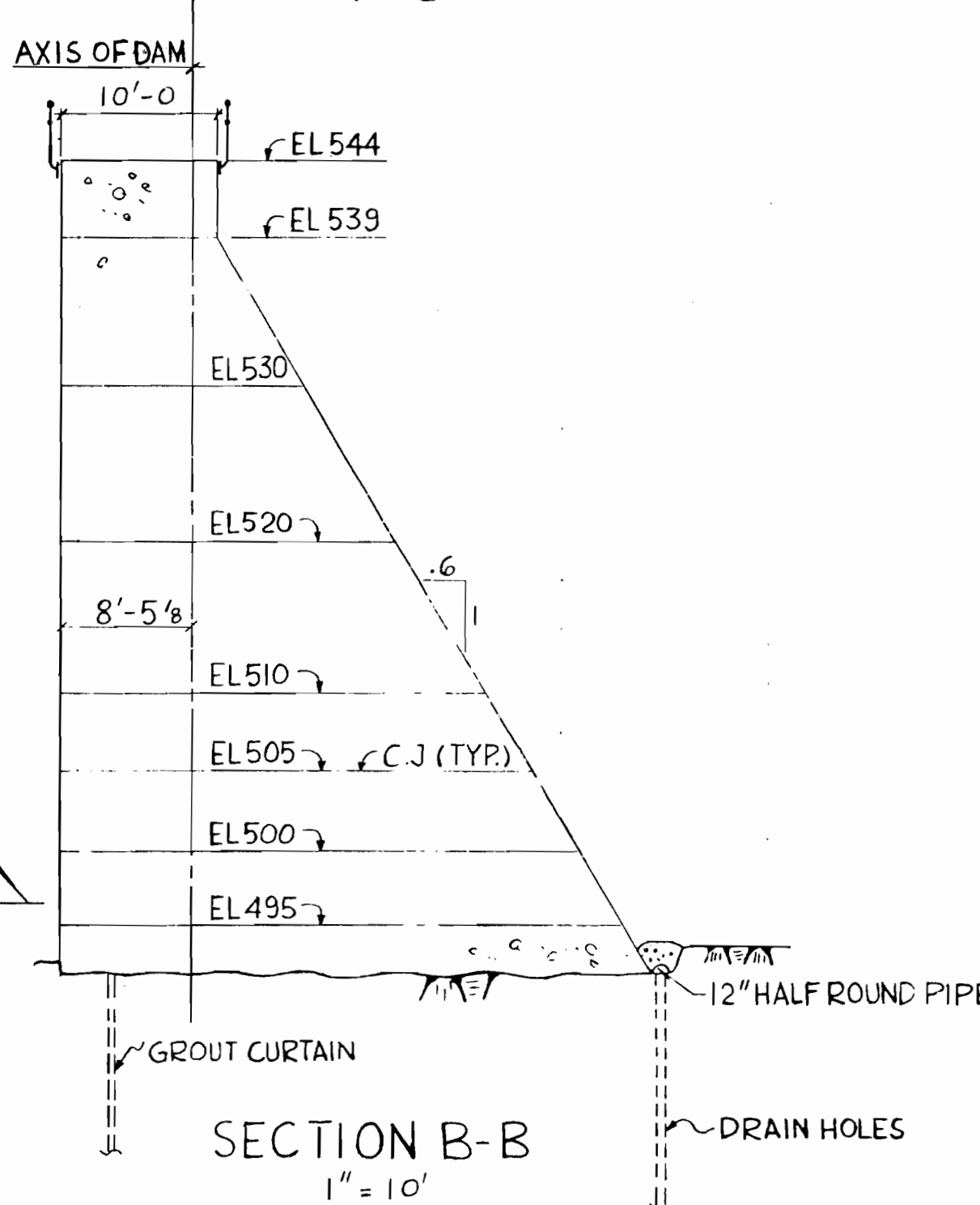
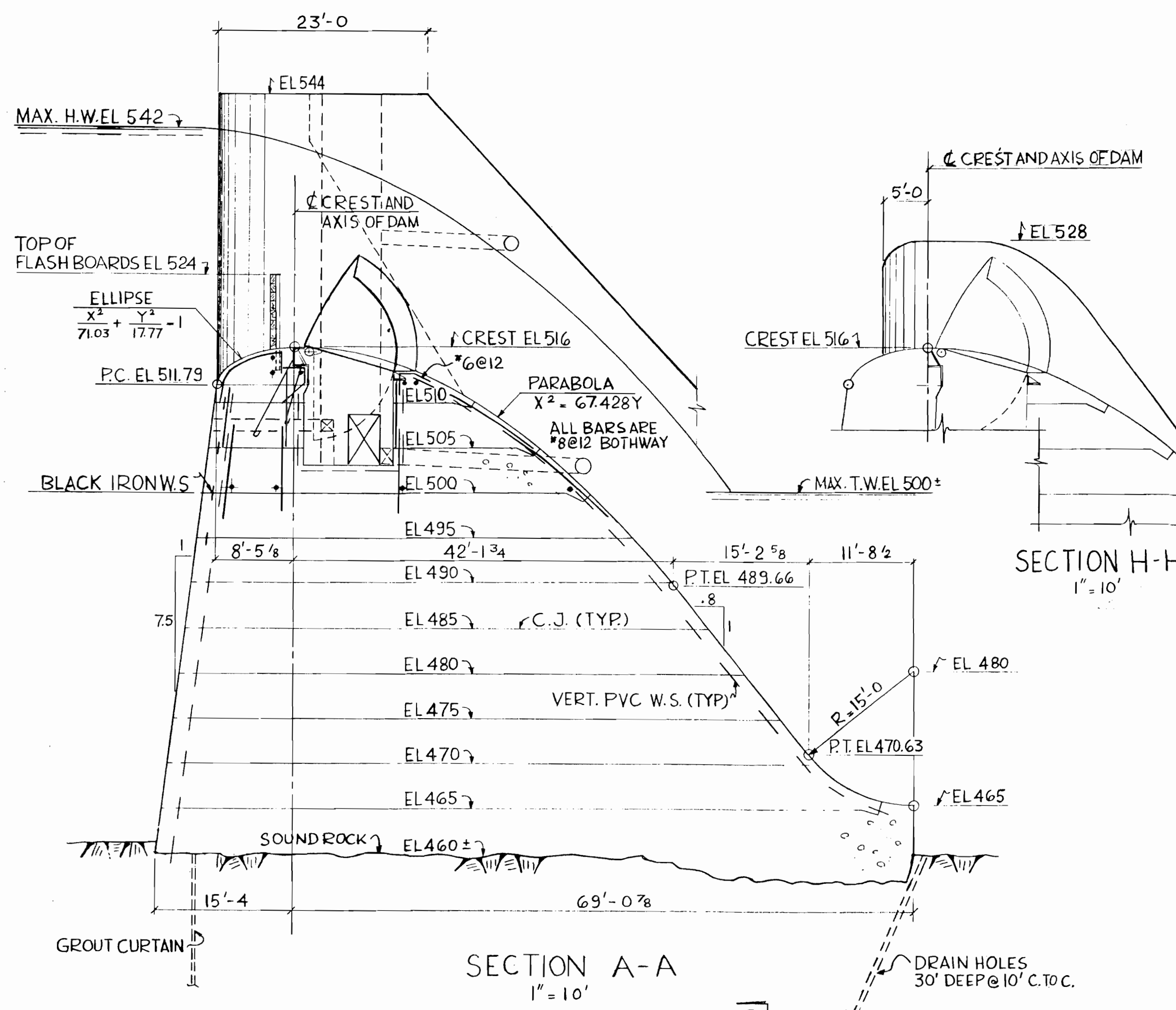


CONDITION	HEAD WATER ELEV.	TAIL-WATER ELEV.	F. S. AGAINST OVERTURN	COEFF. OF FRICTION	SHEAR FRICTION FACTOR	FDN. STRESS (PSI)
150,000 CFS DESIGN FLOOD, GATE DOWN	544	500	1.54	0.69	17.0	2.0 35.0
NORMAL PLUS EARTHQUAKE, GATE CLOSED	526	466	2.46	0.37	28.0	23.8 15.5
NORMAL, GATE CLOSED	526	466	3.74	0.20	49.5	36.6 8.1



CONDITION	HEAD WATER ELEV.	TAIL-WATER ELEV.	F. S. AGAINST OVERTURN	COEFF. OF FRICTION	SHEAR FRICTION FACTOR	FDN. STRESS (PSI)
150,000 CFS DESIGN FLOOD, GATE DOWN	544	500	1.54	0.69	17.0	2.0 35.0
NORMAL PLUS EARTHQUAKE, GATE CLOSED	526	466	2.46	0.37	28.0	23.8 15.5
NORMAL, GATE CLOSED	526	466	3.74	0.20	49.5	36.6 8.1

ELEVATION LOOKING DOWNSTREAM
1" = 20'



I CERTIFY THAT I SUPERVISED THE PREPARATION OF THE EXHIBIT DRAWINGS AND THAT THEY ACCURATELY SHOW THE PRINCIPAL STRUCTURES AND APPURTENANT WORKS AS OBTAINED FROM THE RECORDS OF DESIGN AND CONSTRUCTION DRAWINGS IN THE PORTLAND GENERAL ELECTRIC COMPANY FILES.

John A. Scarola
A. SCAROLA

THIS DRAWING IS ADDED AS PART OF THE APPLICATION FOR AMENDMENT OF LICENSE DATED JULY 31, 1963
PORTLAND GENERAL ELECTRIC COMPANY

By *Walter J. Johnson*
VICE PRESIDENT

EXHIBIT L SHEET 28

PROJECT NO. 2195 OREGON
PORTLAND GENERAL ELECTRIC COMPANY
NORTH FORK HYDRO-ELECTRIC PROJECT
FARADAY DIVERSION DAM
ELEVATION 8 SECTIONS

ATTACHMENT C

CHAIN OF TITLE

DEC 30 1992

WATER RESOURCES DEPT.
SALEM, OREGON

<u>Date</u>	<u>Action</u>
05/02/03	Oregon Water Power Railway Company ("OWPRC"), by George I. Brown, posted Notice of Appropriation
12/31/06	OWPRC sells its interest in the appropriation and the Cazadero project to Portland Railway Light & Power Company ("PRL&P").
04/26/24	PRL&P name changed to Portland Electric Power Company ("PEPCo").
03/30/30	PEPCo name changed to Pacific Northwest Public Service Company.
03/15/33	Pacific Northwest Public Service Company name changed back to PEPCo.
11/15/48	PEPCo transfers water rights to Portland General Electric Company ("PGE") as part of an asset distribution plan.