Application for Use of State-owned Aquatic Lands

Applicant Name: PacifiCorp
County: Yakima County
Water Body: Yakima River
Type of Authorization - Use: Easement – Aerial Power Utility Line
Authorization Number: 51-087099
Term: 30 years

Description: This agreement will allow the use of State-owned aquatic lands for the sole purpose of a aerial power utility line. It is located on the Yakima River, in Yakima County, Washington.
PacifiCorp
Authorization No. 51-087099
Authorized Use: Aerial Power Utility Line
Location: Yakima River, Yakima County

Vicinity Map

Every attempt was made to use the most accurate and current geographic data available. However, due to multiple sources, scales, and the currency of the data used to develop this map Washington Department of Natural Resources cannot accept responsibility for errors and omissions in the data. Furthermore, this data is not survey grade information and cannot be substituted for an official survey. Therefore, there are no warranties that accompany this material.

Legal Description

Latitude: 46.39989N, Longitude: 120.28055W
Section 35, Township 11N, Range 20E W.M.

Prepared By: RH     Date: 02/14/2011
APPLICATION FOR AUTHORIZATION
TO USE STATE-OWNED AQUATIC LANDS

No work can be started on the project area until a use authorization has been granted by the state Department of Natural Resources

I. SUBMISSION OF APPLICATION

This application form will be reviewed by the state Department of Natural Resources upon receipt at the address given below, and also posted on the DNR website as public information. Applicants will be notified in writing if the application will be accepted for further review. However, this application may be rejected at any time before signed execution of a use authorization.

APPLICATION MUST BE FILLED OUT IN BLUE OR BLACK PEN

Please send the completed application form to your region land manager at:

Washington State Department of Natural Resources
Rivers District, Attn Cindy Preston
PO Box 280
Castle Rock WA 98611

Enclose a $25.00 non-refundable application processing fee with the application. (This fee is not required for local, state, and other government agencies).

II. APPLICANT INFORMATION

Date of Application: 9-21-10 10-26-2011

Authorization to be Issued To (how name is to appear in the lease document): PacifiCorp

Applicant’s Representative: Kayla Carol, Property Agent

Relationship to Applicant: Employee

Address: 825 NE Multnomah St.
        Suite 1700

City: Portland  State: OR  Zip Code: 97232

Telephone: 503-813-6253  Fax: 503-813-6596  E-Mail: Kayla.carol@pacificorp.com

FOR OFFICIAL USE ONLY  Support staff: Application Fee Received □ JARPA Received □ Date:
Land Manager: □ New Application; □ Renewal Application  □  Land Manager Initials
Land Manager: Type: (20, 21, 22, 23, 31, 51)  Nature Use Code
Land Records: New Application Number: Trust ; County ; AQR Plate No.
II. APPLICANT INFORMATION cont'

Department of Revenue Tax *Registration Number (Unified Business Identifier) is Required: 93-0246090

Which of the following applies to Applicant (Check One and Attach written authority to sign - bylaws, power of attorney, etc): Delegation of Authority for Stuart Kelly, Managing Director, Construction & Support Services

<table>
<thead>
<tr>
<th>Corporation</th>
<th>State of Registration: Oregon</th>
<th>Limited Partnership</th>
<th>State of Registration:</th>
<th>General Partnership</th>
<th>State of Registration:</th>
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</thead>
<tbody>
<tr>
<td>Sole Proprietorship</td>
<td>□</td>
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<td>Marital/Community Spouse</td>
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<td>Government Agency</td>
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Other □ (Please Explain:)

Has the site use been authorized before or is it currently under lease? Yes □ Lease Number: 0 No □ Don't Know □

PacifiCorp dba Pacific Power line original installation 1930's

III. LOCATION

The Body of Water on which the state property is located: Yakima River

<table>
<thead>
<tr>
<th>County in which the state property is located: Yakima</th>
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</thead>
<tbody>
<tr>
<td>Government Lot: 2 &amp; 5 or the West 1/2 of the NE 1/4</td>
</tr>
<tr>
<td>Section: 35</td>
</tr>
<tr>
<td>Township: 11N</td>
</tr>
<tr>
<td>Range: 20</td>
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<td>E □ or W □</td>
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</tbody>
</table>

Note: A legal property survey including the legal description and other information about the property is required to obtain a use authorization. WA DNR survey requirements are attached to this form. The survey plat will be attached to the lease/easement as Exhibit A. DO NOT HAVE THIS SURVEY CONDUCTED UNTIL YOU HAVE BEEN NOTIFIED IN WRITING THAT THE APPLICATION HAS BEEN ACCEPTED FOR PROCESSING.

Physical description of Project Area (For example, Marsh, Tidelands adjacent to the Chehalis River, etc.): Adjacent to Meyers Road and Meyers Road Bridge crossing the Yakima River at river mile 91.

Name of Owner(s) of Uplands, Shorelands, and/or Tidelands shoreward and adjacent to the Property:

Yakima County, Russ Kelly

Address: 128 N. 2nd Street | City: Yakima | State: WA | Zip Code: 98901
Phone Number: 509-574-2326 | Fax Number: 509-574-2301 | E-mail: russ.kelly@co.yakima.wa.us

Note: Except for property located within established Harbor Areas, proof of ownership, or authorization to use the adjacent tideland, shoreland, or upland property may be required. If the applicant is the owner of the adjacent land, attach a copy of the deed. The County has requested us to move the line over so they can re-build the bridge

County Parcel No(s). for adjacent properties, upland, and/or adjacent tideland properties:
20113511011, 20113511012
IV. USE OF PROPERTY

Describe, in detail, the proposed use of the Property:
As part of the County of Yakima bridge reconstruction project PacifiCorp will relocate the existing overhead electric distribution 12.47kV line. The crossing is aerial wire with the poles being located outside the river channel. This will be the new permanent position of the electric lines. DETAILS: Three phases of conductors 795 AAC will be in the upper position with a neutral mounted about 30 inches below the upper phase wires. Initially these poles will have 4 conductors with 3 more to be added in the future. The three additional conductors will make up a second feeder. Pole details: Steel, 90 feet in length, installed 11 feet in depth, leaving 79 feet above ground surface. The top crossarm to be about 2 inches below the top of the pole and our second future crossarm will be 30 feet below the first crossarm. These poles will have anchor guys ahead and back and to the sides (similar configuration as the existing pole line has.) Once the new line is built then the old one will be removed in a manner that will not affect the river. There will be to joint users (they will secure their own permits to cross the river) Telephone (Century Link) and Cable TV, Comcast.
The profile drawing attached is printed at 11X17 the horizontal scale is 1"=100' and the vertical scale is 1" = 20'.

Is or will the Property be subleased to another party? Yes  ☐  No ☒
If yes, submit a copy of the sublease agreement.

What are the current and past uses of the site?
Since approximately 1954 an existing overhead electric distribution line has crossed the Yakima River adjacent to the Meyers Road bridge. Currently the poles are outside of the river channel and will remain outside of the channel when relocated.

Do you have any knowledge of contamination of the site by toxic or hazardous substances, or of past uses or practices that might have lead to contamination by such substances? Yes  ☐  No ☒
If so, please explain:

Do you know if any fill material has been placed on the property in question? Yes  ☐  No ☒
If yes, please explain:
There is no fill due to the relocation of the electric lines.

V. IMPROVEMENTS
Physical improvements are structures placed on the land that cannot be removed without damage to the land. Examples of such structures include: pilings, dolphins, piers, wharves, piling-supported buildings, structures built on fill or concrete foundations, buried pipelines and cables, and support structures for bridges.

What physical improvements currently exist on the site? (Photos may be required.)
PacifiCorp power has a distribution aerial wire crossing. See existing single pole photos.

If there are physical improvements currently on the site, who owns them?
PacifiCorp power line crosses the river and nearby, Yakima County owns Meyers Road bridge.

If there are physical improvements currently on the site, describe their condition:
The PacifiCorp power line is in good condition and is being relocated due to safety issues around the Meyers Road Bridge reconstruction.
Which, if any, of the existing physical improvements will be removed, remodeled, or reconstructed? The applicant will relocate the existing power line due to conflict with the Meyers Road bridge construction.

Describe any physical improvements that the applicant is proposing to construct on the site: None on the river. Aerial wire crossing.

Has any fill material been placed on the site? Yes ☐ No ☒
If Yes, please describe:

VI. LOCAL, STATE, AND FEDERAL REGULATORY PERMITS
Copies of all Government Regulatory Permits, or Permit Waivers Are Required Before Issuance of a DNR Use Authorization. Your project may require all or some of the following.

Please include the following permit applications, permits, or waivers with the application:

JARPA (Joint Aquatic Resource Permit Application) - This one form is used to apply for all of the following individual permits:
1. Shoreline Substantial Development, Conditional Use, Variance Permit or Exemption (Issued by Local Government, and is required for work or activity in the 100 year flood plain, or within 200 feet of the Ordinary High Water mark of certain waters; and which included any one of the following: dumping, drilling, dredging, filling, placement or alteration of structures or any activity which substantially interferes with normal public use of the waters.)

The County of Yakima has included PacifiCorp utility work in their permits. Contact is Widener Associates, Ross Widener, 10108 32nd Ave W, Ste D, Everett, WA 98204-1302 425-348-3059 Except the permits were for an underground crossing and PacifiCorp electric lines will remain as an overhead crossing.

Describe any habitat mitigation required by any of the permitting agencies identified above and identify where such mitigation is proposed to occur.
At this time no mitigation is proposed for the aerial wire crossing. There is no impact change.

All answers and statements are true and correct to the best of my knowledge.

<table>
<thead>
<tr>
<th>Applicant Name (please print):</th>
<th>Title:</th>
</tr>
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<tbody>
<tr>
<td>PacifiCorp</td>
<td>Ld. Sr. Property Agent</td>
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</table>

Applicant or Authorized Signature:
(Kayla Carol) [Signature] 1-25-2012