



Department of Energy

Bonneville Power Administration
P.O. Box 3621
Portland, Oregon 97208-3621

FREEDOM OF INFORMATION ACT/PRIVACY PROGRAM

April 11, 2023

In reply refer to: FOIA #BPA-2023-00708-F

SENT VIA EMAIL ONLY TO:

PII

Melvin Loomis

PII

Dear Mr. Loomis,

The Bonneville Power Administration (BPA) has received your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). BPA received your records request on March 16, 2023. BPA has assigned your request a tracking number of BPA-2023-00708-F. Please use that BPA tracking number in any correspondence with the agency regarding your FOIA request.

Request

“Transmission line easement and access road easement, Tract Nos. F-PA-31 and F-PA-AR-L#2; Clallam county file number 238051, Vol. 200, Page 233. Also [include] drawing number 36811, attached to and made a part of.”

Acknowledgment

BPA has reviewed your request and has determined that it fulfills all of the criteria of a proper request under the FOIA and the DOE FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

Response

BPA searched for and gathered records responsive to your request. BPA collected 5 pages from knowledgeable personnel in the agency's Real Property Operations office. Those 5 pages accompany this communication, released in full with no redactions applied.

Fee

There are no fees applicable to your request for BPA records.

Certification

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records search and release described above. Your FOIA request BPA-2023-00708-F is now closed with all responsive agency records provided.

Appeal

Note that the records release certified above is final. This final decision, as well as the adequacy of the search, may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to:

Director, Office of Hearings and Appeals,
HG-1, L'Enfant Plaza
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-1615

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. The appeal must contain all of the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either: 1) in the district where you reside; 2) where you have your principal place of business; 3) where DOE's records are situated; or 4) in the District of Columbia.

Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
E-mail: ogis@nara.gov
Phone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Questions about this communication may be directed to the FOIA Public Liaison James King at jjking@bpa.gov or 503-230-7621. Questions about this communication may also be directed to Brian Roth, FOIA Case Coordinator, at bsroth@bpa.gov or 503-230-4383.

Sincerely,

Candice D. Palen
Freedom of Information/Privacy Act Officer

[Responsive agency information and records accompany this communication.](#)

Tract Nos. F-PA-31 and
F-PA-AR-4#2

TRANSMISSION LINE EASEMENT
AND ACCESS ROAD EASEMENT

The Grantor, ELMER L. MC FARLAND, a single man at the time of acquiring title, for and in consideration of the sum of THREE HUNDRED EIGHTY DOLLARS (\$380.00), in hand paid by the UNITED STATES OF AMERICA, receipt of which is hereby acknowledged, hereby grants, bargains, sells, and conveys to the UNITED STATES OF AMERICA and its assigns, a perpetual easement and right to enter and erect, operate, maintain, repair, rebuild, and patrol one or more electric power transmission lines and appurtenant signal lines, poles, towers, wires, cables, and appliances necessary in connection therewith, in, upon, over, under, and across the following-described parcel of land in the County of Clallam, in the State of Washington, to-wit:

That portion of that part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, lying west of the center of Johnson Creek, of Section 4, Township 29 North, Range 3 West of the Willamette Meridian, Clallam County, Washington, which lies within a strip of land 200 feet in width, the boundaries of said strip lying 50 feet distant northerly from and 150 feet distant southerly from and parallel to the survey line of the Fairmount-Port Angeles transmission line as now located and staked on the ground over, across, upon and/or adjacent to the above described property, said survey line being particularly described as follows:

Beginning at survey station 464 + 16.6 a point on the south line of Section 3, Township 29 North, Range 3 West, Willamette Meridian, said point being N. 88° 21' W. a distance of 1970.5 feet from the southeast corner of said Section 3; thence N. 40° 01' W. a distance of 362.7 feet to survey station 467 + 79.3; thence N. 61° 21' W. a distance of 5720.7 feet to survey station 525 + 00.0; thence N. 73° 30' W. a distance of 3490.8 feet to survey station 559 + 90.8 a point on the west line of Section 4, Township 29 North, Range 3 West, Willamette Meridian, said point being S. 2° 47' W. a distance of 1569.1 feet from the northwest corner of said Section 4;

together with the right to clear said parcel of land and keep the same clear of all brush, timber, structures, and fire hazards, provided however, the words "fire hazards" shall not be interpreted to include growing crops; and also the present and future right to top, limb, fell, and remove all growing trees, dead trees or snags (collectively called "danger trees") located on Grantor's land adjacent to said parcel of land, which could fall upon or against said transmission and signal line facilities.

Also, in addition to the above-described easement and right-of-way, the Grantor herein grants, bargains, sells and conveys unto the UNITED STATES OF AMERICA a permanent easement and right-of-way over, upon and across that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 29 North, Range 3 West, Willamette Meridian, lying westerly of Johnson Creek, except the above-described transmission line easement and right-of-way, as is now surveyed and staked on the ground and as is shown colored in red on drawing, serial number 36811, attached hereto and, by reference, made a part of

the description of this access road easement and right-of-way, for the purpose of constructing an access road approximately 14 feet in width, with such additional widths as are necessary to provide for cuts, fills, and turnouts, and for curves at angle points, to be used in connection with the aforementioned transmission line easement and right-of-way, together with such other rights and the right to construct such other appurtenant structures as are necessary to accomplish the purposes for which this access road easement and right-of-way is granted.

The Grantor, his heirs and assigns, will be permitted the right of ingress and egress over and across said road, and the right to pass and repass along and on said road insofar as the same extends across the lands of the Grantor, said right to be exercised in a manner that will not interfere with the use of the road by the United States of America, its agents and assigns.

TO HAVE AND TO HOLD said easements and rights unto the UNITED STATES OF AMERICA and its assigns, forever.

The Grantor covenants to and with the UNITED STATES OF AMERICA and its assigns that the title to all brush and timber cut and removed from said parcel of land and also all growing trees, dead tees or snags (collectively called "danger trees") cut and removed from Grantor's land adjacent to said parcel of land is and shall be vested in the UNITED STATES OF AMERICA and its assigns and that the consideration paid for conveying said easements and rights herein described is accepted as full compensation for all damages incidental to the exercise of any of said rights.

The Grantor also covenants to and with the UNITED STATES OF AMERICA that Grantor is lawfully seized and possessed of the lands aforesaid; has a good and lawful right and power to sell and convey same; that same are free and clear of encumbrances, except as above indicated; and that Grantor will forever warrant and defend the title to said easements and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 24th day of April, 1948.

Elmer L. McFarland
Elmer L. McFarland

238051

TRANSMISSION LINE EASEMENT
AND ACCESS ROAD EASEMENT

Elmer L. McFarland
to
The United States of America

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Filed for Record at the request
of CHALLAM CO. ABST. CO.
APR 28 1948 A.D., 19
at 16 min. past 7 o'clock P.M.
and recorded in vol. 200 of
Abstracts page 237
County of Clallam County, Wa.
E. L. McFarland
Elmer L. McFarland
Notary Public

Vol. 200 page 237

Notary
Sourville Power Administration
Title Unit, Land Section
P. O. Box No. 3537
Portland, Oregon