

2822850

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Yakima Project, Washington

2822850

DECLARATION OF ABANDONMENT

WHEREAS, pursuant to the Act of August 30, 1890, the United States of America has occupied rights-of-way for certain irrigation lateral ditches located across property in Yakima County, Washington; and

WHEREAS, pursuant to the Yakima-Tieton Rehabilitation and Betterment Program, the old lateral ditch system has been replaced with a new pressurized-pipe system; and, in connection therewith it has been determined that most of the old laterals are no longer needed for project purposes.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that in pursuance of the provisions of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, the UNITED STATES OF AMERICA hereby abandons the following described lateral ditches and all sublateral ditches appurtenant thereto, and the rights-of-way for said laterals and sublaterals are hereby reconveyed to the underlying fee owner of the real property:

"A" Lateral beginning at Dam No. 1 in the SE1/4SW1/4 of Sec. 11, T. 14 N., R. 16 E., W.M.; thence northeasterly through the S1/2 of said Sec. 11, northerly through the W1/2W1/2 of Sec. 12, the W1/2 of Sec. 1 and the NE1/4SE1/4 of Sec. 2, all in T. 14 N., R. 16 E., and thence easterly through the S1/2S1/2 of Sec. 36, T. 15 N., R. 16 E., W.M., Washington.

"B" Lateral beginning at Dam No. 2 in the SE1/4SW1/4 of Sec. 12, T. 14 N., R. 16 E., W.M.; thence northerly through the E1/2 of said Sec. 12, north and easterly through the W1/2SE1/4, SW1/4NE1/4 and NE1/4SE1/4 of Sec. 1, T. 14 N., R. 16 E., W.M., easterly through the S1/2N1/2 and N1/2S1/2 of Sec. 6, southerly through the SW1/4 of Sec. 5, NE1/4 of Sec. 8, SW1/4 of Sec. 9, and NW1/4 of Sec. 16, all in T. 14 N., R. 17 E., W.M., Washington.

"C" Lateral (also known as the "N" Line) beginning at Dam No. 3 in the NE1/4NE1/4 of Sec. 13, T. 14 N., R. 16 E., W.M.; thence northerly through the SW1/4 of Sec. 18, W1/2W1/2 of Sec. 7, easterly through the S1/2N1/2 of Sec. 7, SW1/4NW1/4 and S1/2 of Sec. 8, southerly through SW1/4 of Sec. 9, NW1/4 and E1/2 of Sec. 16, SW1/4 of Sec. 15, Sec. 22, Sec. 27, SW1/4SW1/4 of Sec. 26, and Sec. 35, T. 14 N., R. 17 E., W.M., thence southerly through Sec. 1, NE1/4 of Sec. 12, in T. 13 N., R. 17 E., W.M., and Sec. 7, T. 13 N., R. 18 E., W.M., Washington. EXCEPT: That portion of the Lateral from Sta. 844+60 to Sta. 849+50 located in the SE1/4NE1/4SE1/4 of Sec. 7, T. 13 N., R. 18 E., W.M., Washington.

"D" Lateral (also known as the Nf Line) beginning at Dam No. 5 in the NW1/4SE1/4 of Sec. 20, T. 14 N., R. 17 E., W.M.; thence easterly through the NE1/4SE1/4 of Sec. 20, the SW1/4 and SW1/4SE1/4 of Sec. 21, and N1/2NE1/4 of Sec. 28, T. 14 N., R. 17 E., W.M., Washington. EXCEPT: For the right-of-way for Dam No. 5, which is all of the United States right-of-way within the SE1/4NW1/4SE1/4 of Sec. 20, T. 14 N., R. 17 E., W.M., Washington.

"E" Lateral (also known as the Ca Line) beginning at Dam No. 1 in the SE1/4SW1/4 of Sec. 11, T. 14 N., R. 16 E., W.M.; thence easterly through the S1/2S1/2 of Sec. 11, SW1/4SW1/4 of Sec. 12, southerly through the W1/2 of Sec. 13, and Sec. 24, easterly through the N1/2 of Sec. 25, T. 14 N., R. 16 E., W.M.; thence north through the NW1/4NW1/4 of Sec. 30, north and southeasterly through the S1/2SW1/4 of Sec. 19, southeasterly through the NE1/4NW1/4, NE1/4 and NE1/4SE1/4 of Sec. 30, southwesterly through the NW1/4SW1/4 of Sec. 29, and S1/2 of Sec. 30, T. 14 N., R. 17 E., W.M., Washington.

"F" Lateral beginning at Dam No. 2 in the SE1/4SW1/4 of Sec. 12, T. 14 N., R. 16 E., W.M.; thence southerly through the SE1/4SW1/4 of Sec. 12, E1/2 of Sec. 13, southwest and east through the NE1/4 of Sec. 24, T. 14 N., R. 16 E., W.M.; and easterly through the NW1/4 of Sec. 19, T. 14 N., R. 17 E., W.M., Washington.

"G" Lateral (also known as the Lm Line) beginning at Dam No. 4 in the SE1/4NE1/4 of Sec. 18, T. 14 N., R. 17 E., W.M.; thence southerly through the SE1/4NE1/4 and NE1/4SE1/4 of Sec. 18, W1/2SW1/4 of Sec. 17, SE1/4 of Sec. 18, NE1/4NE1/4 of Sec. 19, W1/2NW1/4 of Sec. 20, E1/2 of Sec. 19, SW1/4SW1/4 of Sec. 20, Sec. 29 (EXCEPT: That portion from Sta. 214+73 to Sta. 227+00 in the SW1/4SE1/4 of Sec. 29), thence southwest through N1/2 of Sec. 32, southwest and southeast through Sec. 31, and southwest through SW1/4SW1/4 of Sec. 32, T. 14 N., R. 17 E., W.M.; thence southeast through N1/2 of Sec. 5, Sec. 4, NE1/4NE1/4 of Sec. 9, Sec. 10, thence southwest through Sec. 15, S1/2 of Sec. 16, N1/2N1/2 of Sec. 20, S1/2S1/2 of Sec. 17, Sec. 19, N1/2NW1/4 of Sec. 30, T. 13 N., R. 17 E., W.M.; thence south through Sec. 25 and 36, T. 13 N., R. 16 E., W.M.; thence southeast through Sec. 31, T. 13 N., R. 17 E., W.M.; thence south through NE1/4NE1/4 of Sec. 1, T. 12 N., R. 16 E., W.M.; thence southeast through Sec. 6, Sec. 5, N1/2 of Sec. 4, T. 12 N., R. 17 E., W.M.; thence northeast through SE1/4SE1/4 of Sec. 33, T. 13 N., R. 17 E., W.M.; thence south through Sec. 4, and N1/2 of Sec. 9, T. 12 N., R. 17 E., W.M., all in the State of Washington.

"H" Lateral (also known as the Cc Line) beginning at Dam No. 5 in the NW1/4SE1/4 of Sec. 20, T. 14 N., R. 17 E., W.M.; thence south through the S1/2SE1/4 of Sec. 20, the E1/2NE1/4 of Sec. 29, the W1/2 of Sec. 28, and south and east through Sec. 33, T. 14 N., R. 17 E., W.M., Washington. EXCEPT: The right-of-way for Dam No. 5 and that portion of the lateral from Sta. 0+00 to Sta. 3+92 which is all of the right-of-way within the SE1/4NW1/4SE1/4 of Sec. 20, T. 14 N., R. 17 E., W.M., Washington.

"J" Lateral beginning at its junction with the "G" Lateral in the N1/2SE1/4 of Sec. 10, T. 13 N., R. 17 E., W.M.; thence east through the east half of Sec. 10, and the S1/2 and S1/2NE1/4 of Sec. 11, T. 13 N., R. 17 E., W.M., Washington.

"K" Lateral (also known as the Ly2 Line) beginning at its junction with the "J" Lateral in the NE1/4SW1/4 of Sec. 11, T. 13 N., R. 17 E., W.M.; thence south through the E1/2SW1/4 of Sec. 11, southeast through the N1/2 of Sec. 14, Sec. 13, N1/2NE1/4 of Sec. 24, T. 13 N., R. 17 E., W.M.; thence north and east through the NW1/4NW1/4 of Sec. 19, Sec. 18 and Sec. 17, T. 13 N., R. 18 E., W.M., Washington.

"L" Lateral (also known as the Ly Line) beginning at its junction with the "K" Lateral in the NE1/4NE1/4 of Sec. 24, T. 13 N., R. 17 E., W.M.; thence east through Sec. 24, T. 13 N., R. 17 E., W.M.; thence east through the N1/2 of Sec. 19, north through the W1/2NW1/4 of Sec. 20, east through the S1/2SW1/4 of Sec. 17, N1/2 of Sec. 20, NW1/4NW1/4 of Sec. 21, S1/2 of Sec. 16, and E1/2 of Sec. 15, T. 13 N., R. 18 E., W.M., Washington. EXCEPT: Those portions of the Lateral from Sta. 269+00 to Sta. 272+03 in the N1/2SE1/4NE1/4 of Sec. 19; from Sta. 277+03 to Sta. 286+00 in the N1/2SW1/4NW1/4 of Sec. 20; from Sta. 354+00 to Sta. 359+00 in the SW1/4NW1/4NE1/4 of Sec. 20; from Sta. 367+50 to Sta. 371+90 in the NW1/4NE1/4NE1/4 of Sec. 20; and, from Sta. 422+00 to Sta. 444+00 in the SE1/4 of Sec. 16, all in T. 13 N., R. 18 E., W.M., Washington.

"N" Lateral beginning at its junction with the "G" Lateral in the NW1/4SW1/4 of Sec. 15, T. 13 N., R. 17 E., W.M.; thence south through the S1/2 of Sec. 15, the NE1/4NW1/4 and E1/2 of Sec. 22, the NE1/4NE1/4 of Sec. 27, Sec. 26, and east through the N1/2N1/2 of Sec. 35 and the N1/2N1/2 of Sec. 36, T. 13 N., R. 17 E., W.M.; thence east through the N1/2 of Sec. 31, and W1/2NW1/4 of Sec. 32, T. 13 N., R. 18 E., W.M., Washington.

"P" Lateral beginning at its junction with the "N" Lateral in the SW1/4 of Sec. 15, T. 13 N., R. 17 E., W.M.; thence south and west through the SW1/4 of Sec. 15, the NW1/4 and NW1/4SW1/4 of Sec. 22, the SE1/4 and SE1/4SW1/4 of Sec. 21, and south through the N1/2NE1/4 of Sec. 28, T. 13 N., R. 17 E., W.M., Washington.

"R" Lateral beginning with its junction with the "G" Lateral in the NE1/4 of Sec. 36, T. 13 N., R. 16 E., W.M.; thence east through the NE1/4 of Sec. 36, T. 13 N., R. 16 E., W.M.; thence east through Sec. 31, the N1/2 of Sec. 32, and the N1/2 of Sec. 33, T. 13 N., R. 17 E., W.M., Washington.

"S" Lateral beginning at its junction with the "G" Lateral in the NW1/4 of Sec. 6, T. 12 N., R. 17 E., W.M.; thence south and east through Sec. 6, the SW1/4SW1/4 of Sec. 5, the N1/2 of Sec. 8, and the N1/2 of Sec. 9, T. 12 N., R. 17 E., W.M., Washington.

"T" Lateral beginning at its junction with the "G" Lateral in the NE1/4 of Sec. 4, T. 12 N., R. 17 E., W.M.; thence east through the NE1/4 of Sec. 4 and N1/2 of Sec. 3, T. 12 N., R. 17 E., W.M.; thence north and east through the S1/2 of Sec. 35 and S1/2 of Sec. 36, T. 13 N., R. 17 E., W.M.; thence east through the S1/2 of Sec. 31 and S1/2 of Sec. 32, T. 13 N., R. 18 E., W.M.; and east through the N1/2 of Sec. 6, T. 12 N., R. 18 E., W.M., Washington.

"U" Lateral beginning at its junction with the "T" Lateral in the N1/2NE1/4 of Sec. 3, T. 12 N., R. 17 E., W.M.; thence north and east through Sec. 35 and Sec. 36, T. 13 N., R. 17 E., W.M.; thence east through the N1/2 of Sec. 31, T. 13 N., R. 18 E., W.M., Washington.

RESERVING unto the United States of America, and its assigns, a right to enter and cross said abandoned rights-of-way for the purpose of filling canals, ditches and laterals and removing any other facilities for the transportation of water located within such rights-of-way and previously owned or utilized by the United States of America. Nothing herein shall restrict or limit the right of the underlying fee owner to fill canals, ditches and laterals or remove any other facilities for the transportation of water within such rights-of-way, provided such facilities for the transportation of water are not in any way connected with the new pressurized system.

This Declaration of Abandonment is not intended nor shall it be construed or interpreted to abandon or relinquish easements, rights of way or fee interests obtained, acquired or confirmed for or in connection with the new pressurized pipe system, notwithstanding that such easements, rights of way or fee interest for the new pressurized pipe system may be located within the rights of way abandoned by this instrument.

IN WITNESS WHEREOF, the United States of America has executed this document as of the 8th day of January, 1988.

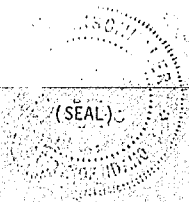
UNITED STATES OF AMERICA

By Kenneth L. Rodde
Acting Regional Director
Pacific Northwest Region
Bureau of Reclamation
Box 043-550 West Fort Street
Boise, Idaho

STATE OF IDAHO)
) ss
County of Ada)

On this 8th day of January, 1988, personally appeared before me Kenneth R. Pedde, to me known to be the official of the UNITED STATES OF AMERICA, that executed the within and foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said United States, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

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



Nancy Winson
Notary Public in and for the
State of Idaho
Residing at Boise
My Commission expires: April 1, 1992

YAKIMA COUNTY
WASH
FILED BY
Yakima County
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BETTIE INGHAM
AUDITOR