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Potlatch

January 14, 2007

Janet Magnuson
Office of Regional Counsel
United States Environmental
Protection Agency
1200 Sixth Avenue, Suite 900, ORC-158
Seattle, Washington 98101

Re: Potlatch Corporation's Response to Request for Information Pursuant to Section 104(e) of CERCLA, for the Avery Landing Superfund Site, Avery, Idaho

Dear Ms. Magnuson:

Attached is Potlatch Corporation's response to EPA's December 4, 2007 Information Request regarding the Avery Landing Site.

Very truly yours,

Pamela Mull

Pamela Mull

Enclosure

Potlatch Corporation
601 West First Avenue · Suite 1600 · Spokane, WA 99201 · 509-835-1500 · 509-835-1555

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POTLATCH CORPORATION'S RESPONSE TO REQUEST FOR INFORMATION PURSUANT TO SECTION 104(E) OF CERCLA, FOR THE AVERY LANDING SUPERFUND SITE, AVERY, IDAHO

This responds to EPA's Section 104(e) information request to Potlatch Corporation ("Potlatch") dated December 4, 2007 regarding the Avery Landing Site ("Site").

Introduction.

EPA seeks information related to historic conditions at the Site which occurred from 1907 to 1980 when Potlatch did not own or operate the Site and therefore much of the information Potlatch has provided during this time period is not based on personal knowledge. Even though Potlatch did not cause any contamination at the Site it has voluntarily reduced contaminated seepage into the St. Joe River by installing a petroleum recovery system and later a barrier wall which Potlatch believes has minimized any impact to the environment. Since contamination at the Site was discovered, Potlatch has worked cooperatively with both IDEQ and EPA in addressing the contamination.

While Potlatch intends to fully comply with EPA's 104 request, because of the formal nature of the request and the potential legal consequences associated with 104 responses, Potlatch sets forth the following objections:

Potlatch objects to the request for information to the extent it requires the disclosure of information protected under the attorney client privilege and work product doctrine. Also, Potlatch objects to the request to the extent it is overly broad, ambiguous, and unreasonable. Potlatch objects to the request to the extent it requires Potlatch to reach legal conclusions such as whether appropriate due diligence occurred prior to Site acquisition, whether Potlatch exercised due care when it became aware of the contamination, whether and when "releases" occurred and whether the contamination at the Site is considered a "hazardous substance."

William F. Davis, Land Specialist for Potlatch Forest Holdings, Inc. was relied upon to provide the answers to Response Nos. 1, 2, 5, 7, 8 and 9. The remainder of the responses were based upon a review of the voluminous records on the Site in the possession of Potlatch, EPA, IDEQ and Shoshone County.

Request No. 1. Identify the current owners(s) and/or operator(s) of the Site. State the dates during which the current owners(s) and/or operator(s) owned, operated or leased any portion of the Site and provide copies of all documents evidencing or relating to such ownership, operation or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.

Response to Request No. 1.

A. Township 45 North Range 5 East, Section 16:

Potlatch Forest Products Corporation has been the owner of Parts of Government Lots 1 and 2 lying South of the Right of way of Forest 50 and North of the St. Joe River in Section 16, Township 45 North, Range 5 East B.M., Shoshone County State of Idaho since December 30, 2005. The property was conveyed to Potlatch Forest Products Corporation by Potlatch Corporation through a Bargain and Sale Deed which was recorded in Shoshone County on January 19, 2006 as Instrument Number 428582.

On May 27, 1980, Potlatch Corporation acquired Parts of Government Lots 1 and 2 in Section 16, Township 45 North, Range 5 East B.M., Shoshone County State of Idaho as part of a real estate purchase from the Trustee in bankruptcy for the property of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (CMSPR). Title was conveyed by Quitclaim Deed recorded in Shoshone County on June 3, 1980 as Instrument 148758. Copies of the Purchase and Sale Agreement and Quitclaim Deed are attached under **Tab A**. The description of the property is subject to four (4) exceptions stated: "That certain main line right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company extending south and west toward St. Maries, Idaho, from the west line of Section 11, Township 45 North, Range 5 East, Boise Meridian, Shoshone County, State of Idaho, identified as Avery terminus, and terminating at Railroad Engineer's Station 2077+80, where said right of way intersects the east-west centerline of Section 13, Township 46 North, Range 2 West, Boise Meridian, Benewah County, State of Idaho, identified as St. Maries terminus, including real property consisting of, but not limited to, rights of way, trackage, bridges, footings and or other improvement (emphasis added)." Exact descriptions of the location, width, placement of the rights of way or identification of fee ownership or use by easement were not included on the deed. The Railroad provided approximate information on the location, width, and placement of the rights-of-way by providing copies of Right of Way and Track Maps from the office of Valuation Engineer dated June 30, 1918. Legends on the maps show acquisition history. Some legends have been kept up to date but several had not. A copy of the Right-of-Way map related to the Site is attached under **Tab B**.

Potlatch leased portions of Section 16 from CMSPR from at least 1973 until 1980. The leases authorized Potlatch to use a portion of Section 16 for a log landing area and for an employee bunkhouse. Copies of those leases are attached under **Tab C**.

After 1980 Potlatch utilized a portion of the Site in Section 16 as a log landing and log storage area for some period of time. Also Potlatch has entered into a number of leases and special use permits for portions of Section 16 which are attached under **Tab D**. Also upon information and belief Potlatch leased or authorized the use of portions of Section 16 to Western Construction, Seubert Excavation, Inland Asphalt, Plum Creek, Western Forest Products and Shoshone County for a variety of uses such as log storage, material storage, parking and a campsite. Potlatch does not have copies of any of these leases or permits.

Ownership of portions of the Site in Government Lots 1 and 2 of Section 16 Township 45 North, Range 5 East B.M., Shoshone County State of Idaho were acquired by the United States as a result of a Declaration of Taking, Civil Case Number 86 3065 through which the United States Department of Transportation, Federal Highway Administration (FHA) acquired right of way of Forest Road 50. The Judgment on Declaration of Taking and Order for Delivery of Possession was recorded in Shoshone County on June 27, 1986 as Instrument Number 323442. A copy of the Court's Order is attached under **Tab E**. In 1992 the FHA conveyed an easement through its property in Section 16 at the Site to Shoshone County for the operation and maintenance of a highway. A copy of the easement is attached under **Tab F**.

County = easement

Parts of Government Lots 1 and 2 in Section 16, Township 45 North, Range 5 East B.M., Shoshone County State of Idaho were originally acquired by the Chicago, Milwaukee and Puget Sound Railway Company (a predecessor of the CMSPR) from Lee Setser on March 29, 1909 through a deed recorded in Shoshone County Book 39 of Deeds at page 212. Lee Setser received a patent from the United States Government for Lots 1 and 2 of Section 16, Township 45 North, Range 5 East on September 18, 1916. The patent was recorded on June 17, 1919 in Book 52 at page 608, Shoshone County Records. A copy of the Deed and patent are attached under **Tab G**.

Lee had patent from Govt. & deed to RR.

B. Township 45 North Range 5 East, Section 15:

Lawrence R. Bentcik and Ethel M. Bentcik have been the owners of "That portion of Government Lots 3 and 4, Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, State of Idaho, lying South of the Highway Right of Way," since January 17, 1995. They acquired title from David Theriault through a Quitclaim Deed recorded in Shoshone County on January 17, 1995 as Instrument Number 365647. Lawrence R. Bentcik and Ethel M. Bentcik also were decreed owners of the property in a quiet title decree on August 19, 1996 in case number 32882. The decree was recorded in Shoshone County on August 19, 1996 as Instrument Number 273797.

On April 2, 1980, the United States District Court Northern District of Illinois Eastern Division, in Order Number 307, authorized the Trustee of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company to abandon all lines west of Miles City, Montana with the exception of its trackage rights between Miles City and Billings, Montana. As part of its condemnation procedure for Forest Highway 50 (Judgment on Declaration of Taking and Order for Delivery of Possession recorded in Shoshone County on June 27, 1986 as Instrument Number 323442) the Federal Highway Administration determined that parts of Government Lots 3 and 4, Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, State of Idaho, reverted under the General Railroad Act of March 3, 1875 and the Act of March 3, 1899 to the underlying land owners of record, the heirs of Edward I. Theriault. David Theriault was heir to the Theriault Estate. The Theriault family acquired the property from George Williams, heir to Samuel Williamson March 29, 1919 through a deed recorded in Shoshone County in Book 53 at page 359 on March 31, 1919. The Heirs of Samuel Williams Acquired Patent to the property on February 15, 1921. The patent was recorded in Shoshone County in Book 55 at page 224 on May 27, 1921.

15 - Reverted to Theriault
16 - Patent - deeded to RR

CMSPR held an easement for railroad purposes crossing Government Lots 3 and 4, Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, State of Idaho, authorized by the General Railroad Act of March 3, 1875 and the Act of March 3, 1899. Potlatch Corporation's acquisition of the easement through the May 27, 1980 Quitclaim deed recorded in Shoshone County as Instrument 148758 is clouded by Court Order Number 307, authorizing abandonment of the rail lines west of Miles City on April 2, 1980.

Also the United States, acting though the Bureau of Land Management (BLM) took the position that it had to approve a new right of way before Potlatch could acquire any interest in the right of way previously held by CMSPR in Section 15. BLM never issued a new right of way or easement to Potlatch in Section 15. Consistent with this position the United States maintained in condemnation litigation in the United State District court for the District of Idaho (CV-86-3035) that Potlatch had no interest in any right of way in Section 15. In that litigation the FHA acquired the right of way at the Site through Section 15 from the Theriaults. The Judgment on Declaration of Taking and Order for Delivery of Possession was recorded in Shoshone County on June 27, 1986 as Instrument Number 323442. In 1992 the FHA conveyed an easement through its property in Section 15 at the Site to Shoshone County for the operation and maintenance of a highway.

Request No. 2. Identify any legal or equitable interest that you now have, or previously had in the Site. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how and to whom such interest was conveyed. In addition submit copies of all instruments evidencing the acquisition of conveyance of such interest.

Response to Request No. 2. See response to No. 1.

Request No. 3. Did you acquire or operate the site or any portion of the Site after the disposal or placement of hazardous substances on, or at the Site? Describe all of the facts on which you base the answer to the preceding question.

Response to Request No. 3. Yes. To the extent any hazardous substances were disposed of or placed at the Site, such disposal and placement predated Potlatch's acquisition of a portion of the Site in 1980. Based on all available information, Potlatch believes that all of the contamination at the Site was originally caused by the CMSPR's operations at the Site from 1907 to 1977 (CMSPR apparently discontinued all operations at the Site in 1977). It appears that a 500,0000 gallon above ground storage tank at the Site in Section 15 which was used by CMSPR to store Bunker C fuel, diesel and perhaps other fuels may have leaked fuel into the subsurface and/or frequent spills occurred around the tank during fueling operations. There may have also been routine maintenance activities which occurred at shops and other buildings at the Site from 1907 through 1977 by CMSPR that may have resulted in the disposal or placement of hazardous substances at the Site.

When Potlatch was notified by the Idaho Department of Environmental Quality (IDEQ) in 1988 that oil was migrating under the Site into the St. Joe River, a Potlatch employee, Michael Fish, spoke to a number of former CMSPR employees who still resided in Avery, Idaho at that

time. These people confirmed the above facts. Also at this time (1988) Potlatch learned that the CMSPR had been investigated by both IDEQ and EPA in the 1970s regarding one or more petroleum spills or discharges into the St. Joe River from the Site. Apparently representatives from both IDEQ and EPA visited the Site in the 1970s . As a result of these investigations, EPA issued a NPDES Permit to CMSPR in 1974 (NPDES Permit No. ID-000003-5). Also reports prepared by IDEQ and EPA in the 1980's and 1990's confirm that the contamination at the Site was caused by CMSPR's operations. The documents relied upon in responding to this request are attached under **Tab H** as well as voluminous records in the possession and control of EPA and IDEQ.

Request No. 4. At the time you acquired or operated the site, did you know or have reason to know that any hazardous substance was disposed of on, or at the Site? Describe all investigations of the Site you undertook prior to acquiring the Site ands all of the facts on which you based the answer to the preceding question.

Response to Request No. 4. There are no records that suggest Potlatch was aware of any hazardous substances at the portion of the Site acquired by Potlatch in 1980. Whether Potlatch had any reason to know that hazardous substances were disposed of at the Site at the time of acquisition calls for a legal conclusion which Potlatch is unable to answer. Potlatch believes that under current standards at the time (1980) in the area the Company exercised appropriate due diligence prior to the acquisition. The portion of the Site acquired by Potlatch from CMSPR was part of much larger transaction in which Potlatch acquired approximately 115 miles of railroad mainlines and branch lines, 37 miles of side tracks and yard tracks, approximately 2200 acres of land and extensive miscellaneous equipment. Prior to the purchase, Potlatch retained independent experts to evaluate the land, rail lines and equipment. The land appraiser retained by Potlatch to evaluate all of the acreage and rail lines, including the Site, was Western Appraisals & Surveys. A copy of the Appraisal Report and other documents related to the pre-acquisition diligence undertaken by Potlatch are attached under **Tab I**. The Appraisal Report does not indicate that there was any contamination at the Site and the Report does not suggest any reduction in value of the land at the Site compared to other acreage evaluated. The principal Potlatch employees involved in the transaction with the Trustee for the property of CMSPR were Jim Morris and James Benson. It is not known if either person actually visited the Site prior to acquisition. Mr. Morris is deceased. It is believed that Mr. Benson currently resides in Oregon. Files turned over by CMSPR after Potlatch acquired a portion of the Site indicated that an oil spill or discharge occurred in 1970 and was investigated by IDEQ and EPA. See **Tab H**. It appears that the CMSPR was discharging oil in the river associated with an oil sump. CMSPR eventually obtained a NPDES Permit from EPA for such discharges in 1974. Those records are attached under **Tab H**.

Request No. 5. Identify all prior owners of the Site. For each prior owner, further identify:

a. The dates of ownership;

Response to Request No. 5a. Parts of Government Lots 1 and 2 in Section 16, Township 45 North, Range 5 East B.M., Shoshone County State of Idaho were originally

acquired by the Chicago, Milwaukee and Puget Sound Railway Company (a predecessor of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, from Lee Setser on March 29, 1909 through a deed recorded in Shoshone County Book 39 of Deeds at page 212. Lee Setser received a patent from the United States Government for Lots 1 and 2 of Section 16, Township 45 North, Range 5 East on September 18, 1916. The patent was recorded on June 17, 1919 in Book 52 at page 608, Shoshone County Records.

Chicago, Milwaukee, St. Paul and Pacific Railroad Company held an easement for railroad purposes crossing Government Lots 3 and 4, Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, State of Idaho, authorized by the General Railroad Act of March 3, 1875 and the Act of March 3, 1899. The Grant and Filing Map was filled with the Department of interior by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company on May 10, 1907. The Department of Agriculture would not recognize the grant until the Railroad signed a stipulation setting forth how the National Forest lands would be treated. The Railroad did not sign the stipulation until September 25, 1917. The effective date of the stipulation was May 10,1907.

RR had easement at Bechtel property

which property? 15 or 16?

Pursuant to federal law, it is believed that the United States retained some property interest in the right of way at the Site throughout CMSPR's railroad operations at the Site from 1907 to 1980. See also Response to No. 1.

b. All evidence showing that they controlled access to the Site;

Response to Request No. 5b. Potlatch does not have any information as to how the CMSPR controlled access to the Site during their ownership and operation of the Site from 1907 through 1980. The Site was very remote and difficult to access except by rail.

c. All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

Response to Request No. 5c. See Response to No. 3.

Request No. 6. Identify all prior operators of the Site. For each prior operator, further identify:

a. The dates of operation;

Response to Request 6a. CMSPR was the operator of the site from 1907-1977. Potlatch is not aware of any other "operators" at the Site as that term is defined under CERCLA

b. The nature of prior operations at the Site.

Response to Request 6b. The Avery Yard was a division point for the railroad. As noted it is believed that CMSPR discontinued railroad operations at the Site in 1977 but continued to own the Site until 1980 when Potlatch acquired a portion of the Site from the Trustee for the property of CMSPR. Due to the 1.6 mile Taft Tunnel, electric engines were used

from Avery to a switch point in Montana. East bound trains were switched from diesel to electric engines and west bound trains were switched from electric engines to diesel engines. The Avery Yard was used as a maintenance and fueling site for engines and cars.

c. All evidence that they controlled access to the site.

Response to Request 6c. See Response to No. 5b.

d. All evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Site during the period that they owned the Site.

Response to Request 6d. See 5c above.

Request No. 7. Describe the nature of your activities or business at the Site, with respect to purchasing, receiving, processing, storing, treating, disposing, or otherwise handling hazardous substances or materials at the Site.

Response to Request No. 7. Potlatch's use of a portion of the Site has been as a log handling and storage area, parking of equipment, storage of materials and leasing of building and a contractors camping area on the site. Potlatch is unaware of any hazardous substances being received, stored, treated or disposed of at the Site by Potlatch or any of its tenants. Lessees and Permittees were contractually required to comply with federal, State and local statutes, rules and regulations for hazardous materials. See **Tab D**.

Request No. 8. Did you ever use, purchase, generate, store treat, dispose, or otherwise handle at the Site any hazardous substances? If the answer to the question is anything but an unqualified "no," identify:

Response to Request No. 8. No. However it is likely gasoline, diesel and lubricants may have been brought on to a portion of the Site in Section 16 to operate equipment. Potlatch is unaware any spills or leaks associated with its operation and use of equipment on a portion of the Site.

a. In general terms, the nature and quantity of the non-hazardous substances so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled.

Response to Request No. 8a. Non-hazardous substances used on Site were logs, rock, culverts and construction materials. Potlatch does not know the quantity of these materials. Any storage of these non-hazardous materials would have been above ground.

b. The chemical composition, characteristics, physical state (e.g., solid, liquid) of each hazardous substance so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled.

Response to Request No. 8b. Potential hazardous substances on site would have been liquids: gasoline, diesel, heating oil, hydraulic oil, grease, gas and propane. Potlatch has no way

of estimating the composition of these potential hazardous substances. Storage of these potential hazardous substances would have been above ground.

c. The persons who supplied you with each such hazardous substance.

Response to Request No. 8c. Unknown.

d. How each such hazardous substance was used, purchased, generated stored, treated, transported, disposed or otherwise handled by you.

Response to Request No. 8d. Any fuel or other lubricant would have been used for heating, fueling and maintaining equipment. Purchase was probably from local suppliers in St. Maries or Wallace, Idaho. Storage would have been in buckets, barrels, and tanks. Contractors, Lessees, and Permittees were required to handle substances in compliance with Federal, State and Local rules, regulations, and statutes per special use permits and leases with such contractors. See **Tab D**.

e. When each such hazardous substance was used, purchased, generated, stored, treated, transported disposed or otherwise handled by you.

Response to Request No. 8e. The substances described in Response to No. 8 were used at various times by contractors, lessees and permittees from 1980 to present.

f. Where each such hazardous substance was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

Response to Request No. 8f. The substances described in Response to No. 8 that were purchased by contractors, lessee and permittees probably came from local suppliers in St. Maries and Wallace, Idaho for use on site to fuel or maintain equipment or heat buildings. Storage would have been in buckets, barrels, and tanks. Contractors, lessees, and permittees were required to handle substances in compliance with Federal, State and Local rules, regulations, and statues. See **Tab D**.

g. The quantity of each such hazardous substance used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

Response to Request No. 8g. Unknown.

Request No. 9. Provide information about the Site, including but not limited to the following:

a. Property Boundaries, including a written legal Description;

Response to Request No. 9a. The Potlatch ownership is described as:

Parts of Government Lots 1 and 2 lying South of the Right of way of Forest 50 and North of the St. Joe River in Section 16, Township 45 North, Range 5 East B.M., Shoshone County State of Idaho.

The Bentcik property is described as:

> That portion of Government Lots 3 and 4, Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, State of Idaho, lying South of the Highway Right of Way.

Only the Section line for Sections 15 and 16 between the Potlatch property and the Bentcik property has been surveyed. See also Response to No. 1.

b. Location of underground utilities (Telephone, Electrical, sewer, water main, etc.):

Response to Request No. 9b. There is an easement to the Avery Water and Sewer District for a sewer dated August 6, 1980. The sewer line crosses the river next to the logging camp and more or less parallels the railroad grade crossed under the right of way to a absorption bed. The absorption bed was part of the right of way for Forest Road 50.

There is an easement to GTE Northwest Incorporated 10 feet in width for a buried phone line north and south across Government Lot 1 of Section 16. Effective date was September 9, 1992.

c. Location and description of any easements;

Response to Request No. 9c. See 9b above.

d. Surface Structures (e.g., Buildings, Tanks, etc.);

Response to Request No. 9d. Structures on the Potlatch ownership are on the west end of Government Lot 1 and the east end of Government lot 2 of Section 16. Structures in the logging camp area are two abandoned storage skid shacks that are not in use, a wash shower house, one cabin, and covers for trailer parking, 2 of the current trailers have small additions. The residential area contains 2 house trailers with additions, 3 cabins and fenced cable satellite receiver site.

Bentcik constructed a cabin and outbuildings on their property in Section 15.

e. Ground water wells, Including drilling logs.

Response to Request No. 9e . Potlatch has water right 91-7151 with a priority date of November 8, 2004, in the amount of .48 CFS, for a well located in Lot 1, Section 16. A well log is on file with Idaho Water Resources Department. Extensive subsurface monitoring has been conducted by Potlatch's consultant as well as by EPA. Potlatch's site investigation of subsurface conditions is described in full in Response No. 10, infra.

Potlatch is unaware of the type of water supply used at the Site in Section 15.

f. Storm water drainage system, and sanitary sewer system, past and present, including septic tanks(s), Subsurface disposal fields(s), and other underground structures; and where, when and how such systems are emptied.

Response to Request No. 9f. Potlatch is unaware of the sewer system used on Section 16 at the Site. The camp area the west end of Government Lot 1 and the east end of lot 2 in Section 16 at the Site is served by the Avery Sewer System which has been in existence since 1992.

g. Any and all additions, demolitions or changes of any kind on, under or above the Site, its physical structures or to the property itself (e.g., excavation work); and any planned additions, demolitions or other changes to the site;

Response to Request No. 9g . The only changes to the Potlatch portion of the Site have been the construction of the oil recovery system and the barrier wall which is described more fully in Response to No. 10, infra. Some minor remodeling has been done to the trailers and shacks in the camp area. No other work is planned.

h. All maps and drawings, including as-built drawings, of the Site in your possession.

Response to Request No. 9h . Potlatch objects to this request as unreasonable and burdensome as there are hundreds of maps and drawings of the Site in Potlatch's possession. Maps and drawings of the Site are attached under **Tabs B, I, J, K** and **L**.

Request No. 10. Provide all reports, information or data related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about the Site. Provide copies of all documents, containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

Response to Request No. 10. Under the supervision of IDEQ, and at times EPA, Potlatch has conducted extensive site investigations and remediation activities at the Site from 1988 through 2007. In 1988 when Potlatch was notified by IDEQ that an oily substance was seeping into the St. Joe River from underneath the Site, Potlatch promptly undertook a site investigation in close consultation with IDEQ. Also booms were placed in the River near the areas of the seeps to contain and capture any oil sheen. A trench and test pits were dug to estimate the extent of contamination in the summer of 1988. In the fall of 1988 Potlatch retained HartCrowser, an environmental consultant, to further investigate the Site and to propose a remediation strategy. Eventually, HartCrowser proposed and IDEQ approved a free phase recovery system to remove subsurface contamination at the Site. In 1994, Potlatch formally entered into a Consent Order with IDEQ to address contamination on Potlatch's property. The Consent Order formally approved the free phase oil recovery system and required Potlatch to undertake monitoring and prepare reports documenting the performance of the system. The

correspondence, reports and data that were gathered by Potlatch and its consultants from 1988 to 2000 are attached under **Tab J**.

In 1999 and into 2000, Potlatch, in consultation with both IDEQ and EPA, determined that the oil recovery system was not performing at a level that succeeded in stopping all contaminated seeps into the River. Therefore Potlatch agreed to amend the Consent Order and to implement a new remediation strategy which involved the design, construction and installation of a barrier wall in a portion of the Site adjacent to the St. Joe River. The documents describing the design, agency approvals, installation and monitoring of the barrier wall's performance are attached under **Tab K**. The barrier wall appeared to have been working until the fall of 2005, when a Potlatch employee observed a slight oil sheen in the River adjacent to the Site. Potlatch reported the observation and evaluated a number of alternatives to determine the cause of the sheen. Oil booms were again placed in the River to contain the small amount of sheen observed in the River during low flows.

Potlatch is also aware that IDEQ took some ground water samples in 1990. Also EPA undertook a Site inspection in 1993 and again in 2007 in which the Agency collected significant ground water, surface water and soil samples at the Site.

Request No. 11. Describe the care you exercised with respect to the hazardous substances found at the Site.

Response to Request No. 11. See Response to No. 10 and attached **Tabs J** and **K**.

Request No. 12. Identify all leaks, spills, or releases into the environment of any hazardous substances, pollutants, or contaminants that have occurred at of from the Site. In addition, identify;

Response to Request No. 12. See Response to Nos. 3 and 10 and related attachments therein. Also Potlatch is not aware of any leaks, spills or releases that may have occurred on those portions of the Site in Sections 15 and 16 which were not owned by Potlatch.

a. When such releases occurred:

Response to Request No. 12a. See Response to No's 3 and 10. The migration of contamination under the Site into the St. Joe River has been occurring at least since 1988 when IDEQ first notified Potlatch. Seepage continued sporadically depending upon flows in the River from 1988 to 2000. Potlatch does not believe such migration and seepage constitutes a "release." Potlatch does not believe such seepage has caused any environmental harm and the installation of booms has further minimized any impact to the environment. As noted in Response No 10, a slight oil sheen was again observed in the River in the fall of 2005 and has sporadically reappeared during low flows. Booms continue to be in place to capture any minor sheen.

b. How the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated).

Response to Request No. 12b. Release of the substances that have caused the contamination occurred prior to the Site being acquired by Potlatch as more fully described in Response to No. 3. It is believed that said contamination is migrating onto Potlatch's property from Section 15 at the Site and is migrating towards the St. Joe River. It is believed that ground water flow is the cause of the migration of contamination. Potlatch is unaware of activities on other portions of the Site owned by the FHA or the Bentciks which caused releases of hazardous substances.

c. The amount of each hazardous substances, pollutants, or contaminants so released;

Response to Request No. 12c. Potlatch has never attempted to estimate the amount of contamination at the site and how much has migrated into ground water and surface water.

d. Where such releases occurred:

Response to Request No. 12d. See Responses to Nos. 3, 10 and 12(a) and 12(b).

e. Any and all activities undertaken in response to each such release or threatened release, including the notification of any agency or governmental units about the release.

Response to Request No. 12e. The one oil spill that is documented in the CMSPR records occurred in 1970 and the CMSPR response to such spill or discharge is set forth in **Tab H**. Potlatch is unaware whether CMSPR notified the agencies at the time. However, EPA ultimately issued CMSPR a NPDES Permit for oily discharges at the Site in 1974. See also Response to No. 10

Since the first report of oil seepage in 1988, Potlatch has worked with the Idaho Department of Environmental Quality and associated agencies to identify and control the oil seepage problem.

f. Any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;

Response to Request No. 12f. See Response to No. 10

g. All persons with information relating to these releases.

Response to Request No. 12g . All persons identified in the documents provided in response to this information request may have information relating to any releases.

Request No. 13. Has any contaminated soil ever been excavated or removed from the Site? Unless the answer to the preceding question is anything besides an unequivocal "no", identify:

a. Location of excavation;

Response to Request No. 13a. During excavation of trenches in the 1990s and construction of a barrier wall adjacent to the St. Joe River in 2000 some contaminated soil was excavated by Potlatch and its consultants and contractors. The location of the excavations and volume of material removed are set forth in the reports in **Tabs J** and **K**. Potlatch is unaware whether the owners of Section 15 at the Site ever excavated or removed contaminated soil. The FHA or its contractors may have excavated and removed contaminated soils during construction of Highway 50 in Sections 15 and 16 at the Site.

b. Amount of soil excavated;

Response to Request No. 13b. See response to 13a.

c. Manner and place of disposal and /or storage of excavated soil;

Response to Request No. 13c. The impacted soils excavated by Potlatch during remediation activities on portions of the Site were landfarmed on Site in accordance with the IDEQ Consent Order. See also documents attached under **Tabs J** and **K**.

d. Dates of soil excavation;

Response to Request No. 13d. See response to 13a.

e. Identity of persons who excavated or removed the soil;

Response to Request No. 13e. See response to 13a. All persons that may have been involved in the excavations are identified in the documents produced under **Tabs J** and **K**.

f. Reason for soil excavation;

Response to Request No. 13f. See Response to 13a.

g. Whether the excavation or removed soil contained hazardous substances and why the soil contained such substances;

Response to Request No. 13g. The soil was analyzed as part of the remediation under the IDEQ Consent Order. See also **Tabs J** and **K**. To the extent the soil contained hazardous substances it was likely caused by CMSPR's operations at the Site.

h. All analyses or tests and results of any analyses of the soil that was removed from the Site;

Response to Request No. 13h. See documents produced under **Tabs J** and **K**.

i. All persons, including contractors, with information about (a) through (h) of this request.

Response to Request No. 13i. All of the Potlatch employees, contractors, consultants and agency personnel that would have information about Response to Request Nos. 14(a) through (h) are identified in the documents produced under **Tabs J** and **K**.

Request No. 14. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Site concerning insurance issues.

Response to Request No. 14. Potlatch does not have any such documentation.

Request No. 15. Information from the Federal Highway Administration indicates that Potlatch Corporation removed a large (500,000 gallon) above-ground petroleum storage tank in the 1980s. Provide information and documentation concerning this tank including the former location of the tank, the removal of the tank, and the disposal of the tank and its contents.

Response to Request No. 15. The tank was removed by a Potlatch contractor, Crowley Environmental Services, in 1986. A small volume of water and diesel fuel was found in the tank during dismantling and removal. The water/diesel fuel mixture was pumped out of the tank into a tank truck and was hauled to Potlatch's Lewiston facility and burned for energy recovery. The FHA reimbursed Potlatch for the expense. Correspondence and documents related to the tank removal are attached under **Tab L**.

Request No. 16. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein, or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

Response to Request No. 16. All of the persons identified in the documents produced in response to this information request may be able to provide additional information. Also it is likely that there may be numerous former employees of the CMSPR that Potlatch is unable to identify at this time that may be able to provide additional information. Finally, at this time Potlatch is unable to identify any present or former employees of the FHA or its contractors that may be able to provide additional information.

Potlatch

Intra Company Memo

Potlatch Corporation

Date: August 20, 1990

To: Norm Linton

From: Mike Fish

Subject: Avery Mitigation

Question: What was the condition of the landing at the time that Potlatch purchased it from the railroad?

The landing is a long and narrow piece of land and was used in several different ways.

The area of the oil contamination was the area of least activity, a kind of overflow work area for the rest of the landing, and to my knowledge, no one knew of the underground pool of contaminants at that time.

The area just downstream of the contaminated area is the area of the camp. There were no known problems in that area and none has been identified there to date. Construction of some of the camp area was completed prior to the purchase and no evidence of the contamination was apparent during the construction of the underground utilities. Again, none has been located there to date.

The third area was the log landing area that was yet further downstream and was the area of the highest activity resulting from Potlatch's operations. No contamination has ever been located in this area. The area was improved by regrading and placing a layer of rock on the surface of the landing prior to its purchase. No evidence of contamination was present at that time.

Question: Are there records of leaks or spillage by the railroad?

I am not aware of any written records of leaks or spillage by the railroad but since the contamination has been discovered, I have talked to long time residents of Avery and past employees of the railroad who have first hand knowledge of the practices and conditions that allowed contamination of the area. Activities that would today be termed a spill were common occurrences.

Question: Is the roundhouse/storage facility located on property that Potlatch now owns?

XI. CERTIFICATION

The Appraiser certifies and agrees that:

1. The Appraiser has no present or contemplated future interest in the property appraised and that neither the employment to make this appraisal, nor the compensation for it, is contingent upon the appraised value of the property.
2. The Appraiser has no personal interest in or bias with respect to the subject matter of the appraisal report or the parties involved.
3. The Appraiser has personally inspected the property, both inside and out, and has made an exterior inspection of all comparable sales listed herein, and that according to the best of the Appraiser's knowledge and belief, all statements and information in this report are true and correct, and that the Appraiser has not knowingly withheld any information.
4. All contingent and limiting conditions are contained herein (imposed by the terms of the assignment or by the undersigned affecting the analyses, opinion, and conclusions contained in this report).
5. This appraisal report has been made in conformity with and is subject to the requirements of the Code of Professional Ethics and Standards of Professional Conduct of the appraisal organizations with which the Appraiser is affiliated.
6. All conclusions and opinions concerning the real estate that are set forth in the appraisal report were prepared by the Appraiser whose signature appears in this appraisal report. No changes of any item of the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.

December 11, 1979
Date

Terry R. Rudd, M.A.I.
Gary E. Meisner, M.A.I.
Lynn A. Reddekopp, Appraiser

Potlatch

Intra Company Memo

Potlatch Corporation

Date: July 1, 1988

To: M. D. Clausner

From: W. O. Dameworth

Subject: Avery Site Investigation

On 6/27/88 Dave Wren, Mike Weger, and I met with Steve Breithaupt from the Idaho Division of Environment to collect soil and water samples at the Avery Log Landing. A large power shovel was used to excavate holes in the northeast and southeast corners of our property. Because of the assessor's records, the State is contending that we own the adjacent property also; but our records indicate it is owned by the Therlault Estate. Mr. Breithaupt requested that we sample on that property, and I indicated to him that we would not do so as long as we believe it is not our property. He said the State may view this site as a serious enough problem to use State funds for cleanup and collect later from the property owners. The St. Joe River is a protected resource water.

Soil and water samples were taken from the two test pits and will be analyzed in the next 10 days for oil and grease content as well as for flash point. There was a distinct and strong odor of petroleum products from both test pits at a depth of about 14 feet below the surface. If the source of this contamination is the old aboveground tank, the extent of contamination will probably be significant.

There is an indication of oil seepage on the river bank on both sides of the property line between ourselves and Therlault.

In order to resolve the property ownership discrepancy, we need to work with the assessor's office to convince them of the correct ownership. The cleanup on our own property could cost a substantial amount of money, however.

As soon as the sample analysis is complete, we will send you a copy. After discussing the results with the State and their decision on a cleanup plan, we may need to have a contractor, such as ERT, to clean up the site. If the ownership question isn't resolved, the State will probably hire their own contractor.

WOD

WOD:ts

cc: J. E. James
F. M. Davis
J. C. McAdoo
G. R. Griffin
G. E. Reeve
M. Weger, St. Maries
D. A. Wren

PROJECT UNDERSTANDING

Our knowledge of the project is based on the following:

- Telephone discussions with Mr. W. Dameworth of Potlatch Corporation.
- Telephone discussions with Steve Breithaupt and Joe Baldwin of the Idaho Department of Health and Welfare (IH&W). These calls were approved by Mr. Dameworth.
- A site visit by Hart Crowser's proposed project manager on October 11, 1988.
- Review of documents provided by Potlatch including drawings of the old railroad facility and records from the previous site characterization efforts made in the summer of 1988.

Site History

The site is located on the north side of the St. Joe River, just downstream from the St. Joe River Bridge at Avery. The site was developed as a major maintenance facility by the Chicago, Milwaukee, and St. Paul Railroad ("The Milwaukee Road") during the early part of this century. Most of the facility development occurring between approximately 1910 and the end of World War II. The Milwaukee Road discontinued the northwestern segments of their route in the 1970's, and removed the trackage and other facilities, leaving a nearly vacant, level site.

During the use by the Milwaukee Road, the site contained a 500,000-gallon riveted steel above ground fuel tank (likely used for both fuel oil and diesel), roundhouse,

turntable, locomotive fueling dock, and extensive maintenance and repair facilities.

Since acquisition by Potlatch, the site has been used exclusively as a log landing and staging area, with no permanent facilities.

The Federal Highways Administration has begun major renovation of the St. Joe River Highway. This has included, in the Avery area, relocation of the roadway to the north side of the river with right-of-way crossing the northern portion of the site.

Property ownership is complicated in that Potlatch apparently owns only the western portion of the site, in Section 16. The eastern half of the site, in Section 15, is apparently owned by the Therriault Estate (note: spelling is uncertain), the identity, location, and financial resources of whom have not yet been established.

Site Conditions

As mentioned, the site is now essentially level with only a few small wood frame structures indicative of the previous railroad usage. According to IH&W, the site was first brought to their attention in June of 1987 through a complaint filed by a fisherman.

Following the complaint, two test pits were dug by Potlatch at the request of IH&W. These test pits were excavated in June of 1988 and were difficult to dig owing to old foundation members, buried stacked railroad ties, and other debris. The soils exposed contained visible evidence of petroleum contamination and a soil sample from each test pit was submitted for analysis for

well on that site. This is within a few hundred feet of monitoring wells installed by Potlatch that had significant petroleum contamination.

At the time of our visit, we observed the following:

- Well 11 contained about two feet of petroleum products, beginning at a depth of about 13 feet.

- Groundwater depth in well 4 was about 15 feet.

- Evidence of past petroleum seepage could be seen along the stream bank for a distance of about 200 feet, approximately 125 feet upstream and 75 feet downstream from the old pumphouse building, which is thought to lie approximately on the section 15/16 line.

- Active petroleum seepage was observed immediately below the pumphouse building over a distance of about 30 feet. This included small pools of thick black oil on the bank, short plumes of oil into the river, and several hundred square feet of oil sheen on the river.

SCOPE OF WORK

The sections that follow indicate our suggested approach to the project. Since property ownership and regulatory authority are still imprecisely defined, we recommend that Potlatch proceed in a staged manner to control both short term costs and long term liabilities.

Project Strategy

Hart Crowser recommends that Potlatch establish an overall strategy for dealing with the project. This includes developing an overall approach, establishing a strategy with respect to federal and state regulations and enforcement, and developing and implementing a site remediation plan based on the above. We recommend that the following elements be included:

meeting 1st for 12-15-88

Establish relations with other landowners. Other affected landowners include both the Therriault Estate and the Federal Highways Administration (FHWA). Our experience has shown that it is usually advantageous to establish a lead party who undertakes the site action with a cost sharing relationship between them and the other effected parties. Although the FHWA is not directly involved with the river frontage, the presence of substantial free petroleum product in Well 11, and the general degree of site contamination strongly indicates that the FHWA right-of-way is underlain by contaminated soils. Overall costs to Potlatch are likely to be lower if a united front can be presented to the agency, and if direct agency involvement in site remediation is avoided.

Identify and evaluate applicable regulations. IH&W officials have indicated that their principal concern at the moment is the seepage of petroleum products into the

river, and that a product recovery/interception system is desired. Their is clear regulatory authority in this area from both state and federal clean water acts. The St. Joe River is considered navigable below Avery, thus potentially involving direct federal action (through EPA or Coast Guard) is possible. The St. Joe River is classified as a "Special Resource Water" by the State, providing additional impetus for protection.

The presence of a nearby domestic well is significant, since it potentially involves safe drinking water legislation, and inevitably leads to much higher rankings of a site on state and federal priority listings. The location, use, ownership and water quality of the well should be determined.

IH&W officials are aware that other contaminants besides petroleum may also be present on the site, such as PCB's, chlorinated solvents, creosote, pentachlorophenol (PCP) and metals and have expressed interest in quantifying these items. Hart Crowser has had considerable experience in similar heavy industrial sites, including Union Station in Tacoma. Our experience indicates that, in such sites, wide varieties of such industrial chemicals are almost always present to a minor degree with the petroleum. Their detection on a site tends to significantly complicate and confuse remediation efforts and could potentially force the cleanup to be dealt with as a hazardous waste under state and federal statutes. Accordingly, we recommend that site characterization and remediation be focussed on the petroleum issue unless clear regulatory mandate or other issues can be identified.

- A recovered product storage tank. Due to the remoteness of the site, we suggest a 10,000-gallon tank to reduce the frequency that it must be emptied.

- An infiltration gallery, located near the existing FHWA right-of-way, to which groundwater from the recovery trench will be pumped. This will then create a "pump-and-flush" effect, enhancing product recovery.

- All components will be weatherized to resist prolonged cold winter conditions.

Potlatch may find it advantageous to proceed with installation of this system on a unilateral basis even if participation of other owners has not yet been achieved. The advantages of this include:

- Reduced agency and public pressure while establishing a good will relationship with the regulators.

- Reduces the possibility of federal involvement.

- Minimizes the potential for a direct state or federal cleanup, which almost inevitably cost much more than voluntary measures.

We discussed the possible need to cleanup the existing contaminated riverbank soils. IH&W indicated that they didn't consider that to be a priority at this time. In our experience, federal involvement would almost certainly result in a bank soil cleanup mandate.

These results indicate that the oil is slightly out of specification due to chromium. The sample was not analyzed for arsenic due to limitations of the laboratory, however, based on past history of the site it seems unlikely that arsenic would be a significant factor. There is not a specification limit for PCBs in 40 CFR 266. However, the 1.4 ppm level in this sample is well below regulatory criteria of the Toxic Substances Control Act (TOSCA).

Although the single sample may not be totally representative of the petroleum products which may be recovered by the proposed interception trench, the results are encouraging for reuse as waste oil burned for energy. The high chrome value is still within limits for out of specification oil, or the oil could be blended down as discussed in the following section.

The railroad's past maintenance activities on this site are obviously the most likely source of these oily wastes. These activities would certainly have included oil changing, storage of heating oils and locomotive fuels, and other lubrication and petroleum product related maintenance activities.

PRELIMINARY ASSESSMENT OF RECOVERED OILY WASTES

The definition of a used oil from 40 CFR 266:

Options

The oily waste is most likely covered under 5.A. above. There is minimal requirement and the boiler at your facility can be used to burn the waste. Should the waste initially or partially be off-specification, blending with other recovered oily waste or blending with your current fuels may bring it into specification.

Should it be impossible to blend, treat, or process the oily wastes, they may still be marketed to others who may be able to blend before burning, or your boilers or industrial furnaces may meet the more limited boiler/furnace standard listed under 40 CFR 266.41 and 260.10.

OTHER REGULATORY ISSUES

Given the current analytical data, EPA is not likely to be concerned or get involved in this cleanup. Should human health or environmental damage occur, then EPA would reconsider there role. Also should the cleanup stall or slow significantly, EPA may increase their involvement. Their clearest authority to become involved would be through the use of the Clean Water Act as a consequence of seepage into the river.

An emergency cleanup under CERCLA does not appear likely. Petroleum spills are generally exempt from CERCLA. However, should high concentrations of Appendix VIII constituents be discovered, EPA has taken action.

neutral and acid extractable organics (BNAs) by Method SW8270. These results are presented in Attachment B.

The analytical results show that metals and PCBs were not detected at elevated concentrations. Although the highest TPH concentration was 3,400 mg/kg, the polynuclear aromatic hydrocarbon (PAH) compounds in this sample were below 1 mg/kg. Based on the primary source of contaminants at the site (bunker C/heavy-end petroleum hydrocarbons), this relatively low PAH concentration indicates that the stockpiled soils do not represent grossly contaminated soils from the site. Based on these results, the stockpiled soils do not constitute a hazardous waste.

The remediation plan for the site requires that soil not constituting a hazardous waste but containing over 1,000 mg/kg TPH be landfarmed onsite. TPH results for soil currently stockpiled range from 250 to 3,400 mg/kg, with 8 of 10 samples exceeding 1,000 mg/kg. The average TPH concentration is 1,695 mg/kg.

We recommend that Potlatch and IDEQ consider landspreading rather than landfarming of the stockpiled soil, based on the following reasons:

- Landspreading is a passive remediation method which decreases petroleum hydrocarbon concentrations in soil through biological action and aeration. Landspreading should be able to attain the 1,000 mg/kg TPH criteria within one to two years. While a work plan and follow-up monitoring would still be required for landspreading, the additional effort of lining, tilling, and fertilization typically required for landfarming would be eliminated.

- The stockpiled soils are representative of existing surficial soils at the site since they have been excavated from the shallow portions of the recovery trenches. Placement back on the site should therefore not result in additional impact to the site.

Whichever remediation method is selected, activities will be scheduled for next spring because of weather conditions. A liner will be placed over the stockpiled soil to secure it for the winter.

Work for this project was performed, and this letter prepared, in accordance with generally accepted professional practices for the nature and conditions of the work completed in the same or similar location, at the time the work was performed. It is intended for the exclusive use of the Potlatch Corporation for specific application to the referenced property.

A

EXHIBIT A

D 1521

Shoshone
DEEDS
286664
July 2, 1980

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QUITCLAIM DEED

Grantor, RICHARD B. OGILVIE, not as an individual but solely as Trustee of the property of CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, Debtor, being in possession of all the assets and property of said Railroad Company under authority of the United States District Court for the Northern District of Illinois, Eastern Division, Docket No. 77 B 8999 in proceedings under Section 77 of the Bankruptcy Act and pursuant to Order No. 331A of said Court entered May 15, 1980, for and in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, does hereby CONVEY and QUITCLAIM, free from the liens of said Railroad Company's First Mortgage and General Mortgage, each dated as of January 1, 1944, and all mortgages supplementary thereto, and from all other liens and claims as provided in said Order No. 331A, unto POTLATCH CORPORATION, a Delaware corporation, Grantee, subject to any and all exceptions and reservations hereinafter set forth, the following described real estate situated and being in Benewah County, Idaho, and in Shoshone County, Idaho, as described on Exhibit A attached hereto and made a part hereof.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

This conveyance is subject to all existing rights of way and easements, whether or not of record, and to all other encumbrances, exceptions and reservations of record.

286664

IN WITNESS WHEREOF, this instrument is executed by W. L. SMITH PRESIDENT, AS A REPRESENTATIVE OF THE TRUSTEE, this 27th day of May, 1980.

RICHARD B. OGILVIE, not as an individual but solely as Trustee of the property of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Debtor

By: W. L. SMITH PRESIDENT

WITNESS: G. G. GRUDNOWSKI Secretary

For said Trustee

STATE OF ILLINOIS)
: ss.
COUNTY OF COOK)

On this 27th day of May, A. D., 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared W. L. SMITH, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed as Trustee aforesaid. Representative of the

Raymond H. Keegan
Notary Public

RAYMOND H. KEEGAN
Notary Public, Cook County, Ill.
My Commission Expires Nov. 30, 1983

RDA:an:1-1

286664

DESCRIPTION

Avery to St. Maries

That certain main line right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company extending south and west toward St. Maries, Idaho, from the west line of Section 11, Township 45 North, Range 5 East, Boise Meridian, Shoshone County, State of Idaho, identified as Avery terminus, and terminating at Railroad Engineer's Station 2077+80, where said right of way intersects the east-west centerline of Section 13, Township 46 North, Range 2 West, Boise Meridian, Benewah County, State of Idaho, identified as St. Maries terminus, including real property consisting of, but not limited to, rights of way, trackage, bridges, footings and or other improvements. EXCEPT (at Avery) all that portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's property in Government Lots 1 through 4 in Section 15, Township 45 North, Range 5 East, B.M., Shoshone County, Idaho, lying northerly of the following described line:

> Commencing at the intersection of the east line of Government Lot 1, said Section 15, and the north line of Shoshone County Road covered by agreement dated November 24, 1936. and being the point of beginning; thence westerly along the northerly line of said county road to the east line of Government Lot 2, said Section 15; thence continuing westerly along said northerly line of county road to a point 45 feet northerly, as measured at right angles to Chicago, Milwaukee, St. Paul and Pacific Railroad Company's main track centerline; thence continuing westerly along a line parallel and 45 feet northerly, as measured at right angles to said main track centerline to a point opposite Railroad Engineer's Station 0+20; thence northerly at right angles to said main track centerline to a point on the northerly line of said county road; thence continuing westerly along the northerly line of said county road to a point opposite and at right angles to Railroad Engineer's Station 3+20; thence southerly to a point 60 feet northerly and at right angles to said main track centerline; thence westerly along a line parallel to and 60 feet northerly, as measured at right angles to said main track centerline, to a point on the east line of Government Lot 3, said Section 15; thence northerly along said east line of Government Lot 3 to a point 100 feet northerly, as measured at right angles to said main track centerline; thence continuing westerly parallel to and 100 feet northerly, as measured at right angles to said main track centerline, to a point on the west line of Government Lot 4, said section 15, and being the point of ending:

EXHIBIT - A

286664

AND EXCEPT (at Calder) all that northerly portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 300 foot wide right of way in the SE¼NW¼ and SW¼NE¼ Section 3, Township 45 North, Range 2 East, B.M., Shoshone County, Idaho, lying westerly of the westerly line of the 40 foot wide roadway right of way granted by Chicago, Milwaukee, St. Paul and Pacific Railroad Company to the United States Forest Service by easement dated September 4, 1935, and northerly of a line 8½ feet northerly, as measured at right angles to the centerline of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's most northerly side track:

AND EXCEPT (also at Calder) that portion of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's right of way in Government Lot 13, Section 3, Township 45 North, Range 2 East, B.M., Shoshone County, Idaho, described as follows:

> Commencing on a point at the intersection of the easterly line of the 40 foot wide roadway granted by Chicago, Milwaukee, St. Paul and Pacific Railroad Company to the United States Forest Service by easement dated September 4, 1935, and the northerly right of way line of Chicago, Milwaukee, St. Paul and Pacific Railroad Company, and being the True Point of Beginning; thence easterly along said northerly right of way line, 280 feet; thence southerly along a line parallel to said 40 foot wide roadway, 140 feet; thence westerly parallel to said northerly right of way line, 280 feet to a point on the easterly line of said 40 foot wide roadway; thence northerly along the easterly line of said roadway, 140 feet to the True Point of Beginning:

AND EXCEPT (at St. Joe) those portions of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's property in the W½ Section 20, Township 46 North, Range 1 East, B.M., Benewah County, Idaho, lying 75 feet northerly and 75 feet southerly, as measured at right angles to Chicago, Milwaukee, St. Paul and Pacific Railroad Company's main track centerline, and those portions in the E½ of said Section 20 lying 75 feet northerly and 100 feet southerly, as measured at right angles to said main track centerline.

EXHIBIT - A

B

EXHIBIT B

323442

U. S. DISTRICT COURT
DISTRICT OF IDAHO
Filed at 4 p M

JUN 20 1986

JERRY L. CLAPP, Clerk
By _____ Deputy

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA, Plaintiff, -vs- 164.21 ACRES OF LAND, MORE OR LESS, SITUATE IN SHOSHONE COUNTY, STATE OF IDAHO; POTLATCH CORPORATION, and the HEIRS OF MARY D. THERIAULT and EDWARD I. THERIAULT, et al.; and UNKNOWN OWNERS, Defendant.	Civil No. CV 86 3065 JUDGMENT ON DECLARATION OF TAKING AND ORDER FOR DELIVERY OF POSSESSION I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office. Dated this 24th day of June, 1986. JERRY L. CLAPP, Clerk By _____ Deputy

THIS CAUSE having come on for hearing ex parte upon motion of the plaintiff to enter a judgment on the Declaration of Taking, filed in the above-entitled matter on the 18th day of June, 1986, and for an order fixing the date for the surrender of possession of the property described in the Complaint filed herein to plaintiff, and upon consideration thereof and of the Complaint filed herein, said Declaration of Taking, the statutes in such cases made and provided, and it appearing that plaintiff is entitled to possession of said property;

FORM OBD-183
MAR. 83

FIRST: That the United States of America is entitled to acquire property by eminent domain for the purposes as set out and prayed in said complaint;

SECOND: That a complaint for condemnation was filed at the request of the Administrator of the Federal Highway Administration, Department of Transportation of the United States of America, the authority empowered by law to acquire said estate or interest upon the lands described in said complaint and also under the authority of the Attorney General of the United States;

THIRD: That the Complaint and Declaration of Taking state the authority under which, and the public use for which the estate or interest upon said lands was taken, that the Administrator of the Federal Highway Administration is the person duly authorized and empowered by law to acquire lands such as are described in the complaint for the public use for the construction and reconstruction of Forest Highway Route 50 being constructed between St. Maries and Avery, Idaho and for such other uses as may be authorized by Congress or by Executive Order, and the Attorney General of the United States is the person duly authorized by law to direct the institution of such condemnation proceedings;

FOURTH: That a proper description of the land upon which said estate or interest is sought to be taken, sufficient for identification thereof, is set out in said Declaration of Taking;

FIFTH: That said Declaration of Taking contains a statement of the estate or interest in the said lands taken for said public uses, and said estate or interest is more particularly described as follows, to-wit:

> The said land is necessary for the construction and reconstruction of Forest Highway Route 50 being constructed between St. Maries and Avery, Idaho, in accordance with standards, including control of access, adopted by the Secretary of Transportation in cooperation with the State highway departments, which standards have been adopted, affirmed and continued in effect by the Federal Highway Administrator pursuant to the authority delegated to him by the Secretary of Transportation and in accordance with Section 13(a) of the Department of Transportation Act approved October 15, 1966 (80 Stat. 931, 949, as renumbered by §906, 90 Stat. 149).

SIXTH: That a plat showing the lands taken is incorporated in said Declaration of Taking;

SEVENTH: That a statement is contained in said Declaration of Taking of a sum of money, estimated by said acquiring authority to be just compensation for said estate or interest, in the amount of Twenty Five Thousand Five Hundred Dollars ($25,500.00), and that said sum was deposited in the registry of this Court for the use of the parties entitled thereto upon and at the time of the filing of the said Declaration of Taking;

EIGHTH: That a statement is contained in said Declaration of Taking that the amount of the ultimate aware of compensation for the taking of said estate or interest, in the opinion of the said Administrator of the Federal Highway Administration

will be within any limits prescribed by law on the price to be paid therefor;

IT IS, THEREFORE, this 20th day of June, 1986,

ORDERED, ADJUDGED AND DECREED that the estate or interest in the lands described in Schedule A and delineated on Schedule B, attached hereto and made a part hereof, vested in the United States of America upon the filing of said Declaration of Taking and the depositing in the registry of this Court of the said sum of $25,500.00, as hereinabove recited, the said state or interests in the said lands is deemed to have been condemned and taken for the use of the United States of America and the right to just compensation for the estate or interests in the property taken, upon the filing of the Declaration of Taking and making of the deposit, vested in the persons entitled thereto, and the amount of compensation shall be ascertained and awaarded in this proceeding and established by judgment herein pursuant to law; and

That the United States is entitled to the possession of the estate or interest upon the lands described in Schedule A and delineated on Schedule B, attached hereto, on the 11th day of July, 1986, provided that a certified copy of the Judgment on Declaration of Taking and Order for Delivery of Possession shall be served upon the persons in actual possession or control of the premises, and if no defendants are in actual possession or control of said premises, then the United States is entitled to the possession of the estate or interest upon the lands thirty (30) days after the posting of a

certified copy of this Judgment in a conspicuous place upon the premises and the mailing by cetified mail of a copy thereof to the last known address of said defendants, and this cause is held open for such other and further orders, judgmetns and decrees as shall be necessary in the premises, and

IT IS FURTHER ORDERED that a conformed copy of this judgment and order be served, either by mail or personally by agents of the United States upon any of the defendants now in possession of the property described in Schedule A and delineated on Schedule B, attached hereto, forthwith, or if no such defendants are found in actual possession of said premises, then a certified copy be posted at a conspicous place upon said premises and forthwith make due return of said service to this Court.

DATED this 20th day of June, 1986.

HAROLD L. RYAN

HAROLD L. RYAN
UNITED STATES DISTRICT JUDGE

FORM OBD-183
MAR. 83

323443

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 1

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Idaho First National Bank as trustee for Edward W. Phillips and Kenneth T. Thompson.

A parcel of land lying within the following described property: Lot 9 of Section 13, T. 45 N., R. 3 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 200 feet in width, 100 feet on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 87+79.42, said Station being 1960.845 feet, S9°35'03.3"W of the Northeast corner of said Section 13; thence on a 1,300 foot radius curve to the right 79.21 feet to Station 88+58.63; thence S22°22'W, 474.18 feet to Station 93+32.81; thence on a 1,570 foot radius curve to the left approximately 187.19 feet to a point on the South boundary of said Lot 9, which point is approximate Station 95+20.

The parcel of land to which this description applies contains 3.41 acres, more or less.

SCHEDULE A

PAL 000087

3234

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 2

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (BLM)

A parcel of land lying within the following described property:

Lot 12 of Section 13, T. 45 N., R. 3 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 200 feet in width, 100 feet on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 95+20, said Station being on the north boundary of said Lot 12; thence on a 1,570 foot radius curve to the left, approximately 10.56 feet to Station 95+30.56; thence S15°09'W, 11.57 feet to Station 95+42.13; thence on a 660 foot radius curve to the left, 470.56 feet to Station 100+12.69; thence S25°42'E, 0.99 feet to Station 100+13.68; thence on a 530 foot radius curve to the left, 225.55 feet to Station 102+39.23; thence S50°05'E, 8.63 feet to Station 102+47.86; thence on a 1050 foot radius curve to the left, 131.64 feet to Station 103+79.50; thence S57°16'E approximately 332.50 feet to a point on the east boundary of said Lot 12, which point is approximate Station 107+12.

The parcel of land to which this description applies contains 5.45 acres, more or less.

3234

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 3

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation.

A parcel of land lying within the following described property:

Lot 9 of Section 18, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 200 feet in width, 100 feet on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 107+12, said Station being on the west boundary of said Lot 9; thence S57°16'E, approximately 738 feet to a point on the south boundary of said Lot 9, which point is approximate Station 114+50.

The parcel of land to which this description applies contains 3.40 acres, more or less.

323142

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 4

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation.

A parcel of land lying within the following described property:

Lots 10, 8, and 5 of Section 18, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land variable in width, 100 feet on the left side and variable in width on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 114+50, said Station being on the north boundary of said Lot 10; thence S57°16'E, approximately 155.25 feet to Station 116+05.25; thence on a 1020 foot radius curve to the left 146.87 feet to Station 117+52.12; thence S65°31'E, 15.81 feet to Station 117+67.93; thence on a 710 foot radius curve to the left 609.88 feet to Station 123+77.81; thence N65°16'E, 0.49 feet to Station 123+78.30; thence on a 900 foot radius curve to the left 162.32 feet to Station 125+40.62; thence N54°56'E, 477.52 feet to Station 130+18.14; thence on a 2780 foot radius curve to the right 107.55 feet to Station 131+25.69; thence N57°09'E, 581.72 feet to Station 137+07.41; thence on a 3850 foot radius curve to the left 133.27 feet to Station 138+40.68; thence N55°10'E, 317.59 feet to Station 141+58.27; thence on a 4830 foot

radius curve to the left 154.55 feet to Station 143+12.82; thence N53°20'E, 162.60 feet to Station 144+75.42; thence on a 2820 foot radius curve to the left approximately 434.58 feet to a point on the north boundary of said Lot 5, which point is approximate Station 149+10.

The width right of the said centerline of the strip of land above referred to is as follows:

Limit to Limit	Width Right of Centerline
N. Bdry. Lot 10 to 121+89±	100 feet
121+89± to 149+21±	To O.H.W.*
149+21± to N. Bdry. Lot 5	100 feet

*O.H.W. = Ordinary high water line along north bank of St. Joe River.

The parcel of land to which this description applies contains 14.53 acres, more or less.

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 5

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (BLM)

A parcel of land lying within the following described property:

SW 1/4 NE 1/4 of Section 18, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 200 feet in width, 100 feet on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 149+10, said Station being on the south boundary of said SW 1/4 NE 1/4; thence on a 2820 foot radius curve to the left approximately 24.79 feet to Station 149+34.79; thence N44°00'E, 393.84 feet to Station 153+28.63; thence on a 1860 foot radius curve to the right approximately 149.37 feet to a point on the east boundary of said SW 1/4 NE 1/4, which point is approximate Station 154+78.

The parcel of land to which this description applies contains 2.62 acres, more or less.

323442

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 6

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property:

Lot 3 of Section 18, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land variable in width, 100 feet on the left side and variable on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 154+78, said Station being on the west boundary of said Lot 3; thence on a 1860 foot radius curve to the right approximately 458.77 feet to Station 159+36.77; thence N62°44'E, 877.85 feet to Station 168+14.62; thence on a 680 foot radius curve to the left approximately 185.38 feet to a point on the east boundary of said Lot 3, which point is approximate Station 170+00.

323442

The width right of the said centerline of the strip of land above referred to is as follows:

Limit to Limit	Width Right of Centerline
W. Bdry. Lot 3 to 166+62±	100 feet
166+62± to E. Bdry. Lot 3	to O. H. W.*

*O.H.W. = Ordinary high water line along north bank of St. Joe River.

The parcel of land to which this description applies contains 6.90 acres, more or less.

323442

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 7

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (BLM)

A parcel of land lying within the following described property: Lots 4, 3, 2, and 1 of Section 17, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land variable in width, 100 feet on the left side and variable on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 170+00, said Station being on the west boundary of said Lot 4; thence on a 680 foot radius curve to the left approximately 235.94 feet to Station 172+35.94; thence N27°14'E, 295.11 feet to Station 175+31.05; thence on a 690 foot radius curve to the right 258.52 feet to Station 177+89.57; thence N48°42'E, 845.92 feet to Station 186+35.49; thence on a 730 foot radius curve to the right 484.79 feet to Station 191+20.28; thence N86°45'E, 32.57 feet to Station 191+52.85; thence on a 1910 foot radius curve to the right 450.59 feet to Station 196+03.44; thence S79°44'E, 762.69 feet to Station 203+66.13; thence on a 1900 foot radius curve to the right 531.69 feet to Station 208+97.82; thence S63°42'E, 54.85 feet to Station 209+52.67; thence on a 5430 foot radius curve to the right 627.07 feet to Station 215+79.74;

thence S57°05'E, 0.11 feet to Station 215+79.85; thence on a 940 foot radius curve to the right 258.67 feet to Station 218+38.52; thence S41°19'E, 351.03 feet to Station 221+89.55; thence on an 810 foot radius curve to the left 120.87 feet to Station 223+10.42; thence S49°52'E, 8.70 feet to Station 223+19.12; thence on a 620 foot radius curve to the left 279.14 feet to Station 225+98.26; thence S75°39'45"E, 20.96 feet to Station 226+19.22; thence on a 620 foot radius curve to the left 205.87 feet to Station 228+25.09; thence N85°18'45"E, 0.16 feet to Station 228+25.25; thence on a 1040 foot radius curve to the left 144.53 feet to Station 229+69.78; thence N77°21'E, approximately 270.22 feet to a point on the east boundary of said Lot 1, which point is approximate Station 232+40.

The width right of said centerline of the strip of land above referred to is as follows:

Limit to Limit	Width Right of Centerline
W. Bdry. Lot 4 to 217+54±	to O.H.W.*
217+54± to 223+49±	100 feet
223+49± to E. Bdry Lot 1	to O.H.W.*

*O.H.W. = Ordinary high water line along north bank of St. Joe River.

The parcel of land to which this description applies contains 25.16 acres, more or less.

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CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 8

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)--Potlatch has easement from State of Idaho

A parcel of land lying within the following described property:

Lots 4, 3, 2, and 1 of Section 16, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 50 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 232+40, said Station being on the west boundary of said Lot 4; thence N77°21'E, approximately 328.59 feet to Station 235+68.59; thence on a 7,710 foot radius curve to the right, 305.01 feet to Station 238+73.60; thence N79°37'E, 0.07 feet to Station 238+73.67; thence on a 2,080 foot radius curve to the right 212.37 feet to Station 240+86.04; thence N85°28'E, 74.08 feet to Station 241+60.12; thence on a 3,000 foot radius curve to the right 435.46 feet to Station 245+95.58; thence S86°13'E, 29.25 feet to Station 246+24.83; thence on a 700 foot radius curve to the right 276.52 feet to Station 249+01.35; thence S63°35'E, 800.35 feet to Station 257+01.70; thence on a 900 foot radius curve to the left 219.65 feet to Station 259+21.35;

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thence S77°34'E, 0.51 feet to Station 259+21.86; thence on a 660 foot radius curve to the left 620.50 feet to Station 265+42.36; thence N48°34'E, 20.56 feet to Station 265+62.92; thence on a 770 foot radius curve to the left 90.27 feet to Station 266+53.19; thence N41°51'E, 312.87 feet to Station 269+66.06; thence on a 1120 foot radius curve to the right 699.16 feet to Station 276+65.22; thence N77°37'E, 46.41 feet to Station 277+11.63; thence on a 660 foot radius curve to the right 649.30 feet to Station 283+60.93; thence S46°01'E, 687.69 feet to Station 290+48.62; thence on a 530 foot radius curve to the left 169.74 feet to Station 292+18.36; thence S64°22'E, 21.02 feet to Station 292+39.38; thence on a 520 foot radius curve to the left approximately 0.62 feet to a point on the east boundary of said Lot 1, which point is approximate Station 292+40.

The parcel of land to which this description applies contains 20.13 acres, more or less.

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 9

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property: Lot 2, of Section 15; Lots 3, 2, 1, NE 1/4 of the SE 1/4 and Lot 6 Section 10; Lots 4, 3, 2, and 1 of Section 11; and Lot 3 of Section 14; T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land variable in width on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 292+40, said Station being on the west boundary of said Lot 2 of Section 15; thence on a 520 foot radius curve to the left approximately 610.18 feet to Station 298+50.18; thence N48°20'E, 0.44 feet to Station 298+50.62; thence on a 920 foot radius curve to he left 162.44 feet to Station 300+13.06; thence N38°13'E, 938.85 feet to Station 309+51.91; thence on a 2,550 foot radius curve to the left 616.41 feet to Station 315+68.32; thence N24°22'E, 1,293.80 feet to Station 328+62.12; thence on a 750 foot radius curve to the right 719.29 feet to Station 335+81.41; thence N79°19'E, 1,085.03 feet to Station 346+66.44; thence on an 830 foot radius curve to the right 747.97 feet to Station 354+14.41; thence S49°03'E, 605.68 feet to Station 360+20.09; thence on a 2,400 foot radius curve to the left 345.58 feet to

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Station 363+65.67; thence S57°18'E, 31.05 feet to Station 363+96.72; thence on a 780 foot radius curve to the left 100.06 feet to Station 364+96.78; thence S64°39'E, 5.25 feet to Station 365+02.03; thence on a 650 foot radius curve to the left 285.88 feet to Station 367+87.91; thence S89°51'E, 17.90 feet to Station 368+05.81; thence on a 1,050 foot radius curve to the left 113.32 feet to Station 369+19.13; thence N83°58'E, 300.83 feet to Station 372+19.96; thence on a 710 foot radius curve to the right 730.29 feet to Station 379+50.25; thence S37°06'E, 329.84 feet to Station 382+80.09; thence on a 1,400 foot radius curve to the left 157.50 feet to Station 384+37.59; thence S43°32'45"E, 4.79 feet to Station 384+42.38; thence on a 580 foot radius curve to the left 528.96 feet to Station 389+71.34; thence N84°12'E, 42.48 feet to Station 390+13.82; thence on a 470 foot radius curve to the left 206.61 feet to Station 392+20.43; thence N59°00'45"E, 22.99 feet to Station 392+43.42; thence on a 950 foot radius curve to the left 145.01 feet to Station 393+88.43; thence N50°16'E, 228.27 feet to Station 396+16.70; thence on a 1,400 foot radius curve to the right 1,025.44 feet to Station 406+42.14; thence S87°46'E, 970.85 feet to Station 416+12.99; thence on a 1,620 foot radius curve to the left approximately 710.01 feet to a point on the east boundary of said Lot 1 of Section 11, which point is approximate Station 423+23.

323462

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 10

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)

A parcel of land lying within the following described property: Lots 4, 3, 2, and 1 of Section 12, T. 45 N., R. 4 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 423+23, said Station being on the west boundary of said Lot 4; thence on a 1,620 foot radius curve to the left approximately 124.08 feet to Station 424+47.08; thence N62°44'E, 379.07 feet to Station 428+26.15; thence on a 2,240 foot radius curve to the right 1,033.42 feet to Station 438+59.57; thence N89°10'E, 544.18 feet to Station 444+33.75; thence on a 840 foot radius curve to the right 278.31 feet to Station 447+12.06; thence S71°51'E, 359.42 feet to Station 450+71.48; thence on a 1,110 foot radius curve to the left 528.24 feet to Station 455+99.72; thence N80°53'E, 295.41 feet to Station 458+95.13; thence on a 700 foot radius curve to the right 399.71 feet to Station 462+94.84; thence S66°24'E, 298.39 feet to Station 465+53.23;

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The widths in feet of the strip of land above referred to are as follows:

Limit to Limit	Width Left of Centerline	Width Right of Centerline
W. Bdry Lot 2 of Section 15 to E. Bdry. Lot 6 of Section 10	100'	to O.H.W.*
E. Bdry Lot 6 of Section 10 to E. Bdry. Lot 3 of Section 11	50'	50'
E. Bdry Lot 3 of Section 11 to E. Bdry. Lot 2 of Section 11	100'	to O.H.W.*
E. Bdry Lot 2 of Section 11 to E. Bdry. Lot 1 of Section 11	200'	to O.H.W.*

*O.H.W. = Ordinary high water line along north bank of St. Joe River.

The parcel of land to which this description applies contains 50.77 acres, more or less.

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 11

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property: Lots 6, 5, 4, 3, and 11 of Section 7, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 478+50, said Station being on the west boundary of said Lot 6; thence on a 2,860 foot radius curve to the right approximately 1,021.88 feet to Station 488+71.88; thence S81°11'E, 3.47 feet to Station 488+75.35; thence on a 2,600 foot radius curve to the right 237.48 feet to Station 491+12.83; thence S75°57'E, 525.67 feet to Station 496+38.50; thence on an 820 foot radius curve to the left 200.54 feet to Station 498+39.04; thence S89°57'45"E, 0.24 feet to Station 498+39.28; thence on a 630-foot radius curve to the left 267.24 feet to Station 501+06.52; thence N65°44'E, 19.67 feet to Station 501+26.19; thence on a 530 foot radius curve to the left 226.67 feet to Station 503+52.86; thence N41°13'45"E, 0.04 feet to Station 503+52.90;

thence on a 970 foot radius curve to the left 96.01 feet to Station 466+49.24; thence S72°04'15"E, 6.61 feet to Station 466+55.85; thence on a 630 foot radius curve to the left 354.74 feet to Station 470+10.59; thence N75°40'E, 13.53 feet to Station 470+24.12; thence on a 680 foot radius curve to the left 88.42 feet to Station 471+12.54; thence N68°13'E, 231.90 feet to Station 473+44.44; thence on a 2,860 foot radius curve to the right approximately 505.56 feet to a point on the east boundary of said Lot 1, which point is approximate Station 478+50.

The parcel of land to which this description applies contains 20.75 acres, more or less.

323442

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 12

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)

A parcel of land lying within the following described property:

Lot 1 of Section 18, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 545+03, said Station being on the north boundary of said Lot 1; thence on a 750 foot radius curve to the left approximately 270.68 feet to Station 547+73.68; thence S15°40'E, 1.24 feet to Station 547+74.92; thence on a 770 foot radius curve to the left 270.57 feet to Station 550+45.49; thence S35°48'E, 4.39 feet to Station 550+49.88; thence on a 700 foot radius curve to the left 208.10 feet to Station 552+57.98; thence S52°50'E, 2.49 feet to Station 552+60.47; thence on a 1,340 foot radius curve to the left approximately 35.53 feet to a point on the east boundary of said Lot 1, which point is approximate Station 552+96.

The parcel of land to which this description applies contains 2.95 acres, more

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thence on a 1,040 foot radius curve to the left 185.07 feet to Station 505+37.97; thence N31°02'E, 249.63 feet to Station 507+87.60; thence on a 610 foot radius curve to the right 411.00 feet to Station 511+98.60; thence N69°38'15"E, 1.19 feet to Station 511+99.79; thence on an 810 foot radius curve to the right 154.92 feet to Station 513+54.71; thence N80°35'45"E, 39.48 feet to Station 513+94.19; thence on a 2,080 foot radius curve to the right 236.72 feet to Station 516+30.91; thence N87°07'E, 2.67 feet to Station 516+33.58; thence on a 2,220 foot radius curve to the right 350.65 feet to Station 519+84.23; thence S83°50'E, 103.01 feet to Station 520+87.24; thence on a 1,110 foot radius curve to the right 346.13 feet to Station 524+33.37; thence S65°58'E, 28.11 feet to Station 524+61.48; thence on a 710 foot radius curve to the right 248.04 feet to Station 527+09.52; thence S45°57'E, 28.61 feet to Station 527+38.13; thence on a 2,260 foot radius curve to the right 319.50 feet to Station 530+57.63; thence S37°51'E, 85.23 feet to Station 531+42.86; thence on a 750 foot radius curve to the right 163.19 feet to Station 533+06.05; thence S25°23'E, 48.27 feet to Station 533+54.32; thence on a 620 foot radius curve to the right 218.95 feet to Station 535+73.27; thence S5°09'E, 34.80 feet to Station 536+08.07; thence on a 1,630 foot radius curve to the right 321.95 feet to Station 539+30.02; thence S6°10'W, 557.86 feet to Station 544+87.88; thence on a 750 foot radius curve to the left approximately 15.12 feet to a point on the south boundary of said Lot 11, which point is approximate Station 545+03.

The parcel of land to which this description applies contains 24.06 acres, more or less.

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CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 13

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property:

Lots 5, 4, 3, and 2 of Section 17, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 552+96, said Station being on the west boundary of said Lot 5; thence on a 1,340 foot radius curve to the left approximately 115.32 feet to Station 554+11.32; thence S59°17'E, 1,282.81 feet to Station 566+94.13; thence on a 1,120 foot radius curve to the left 616.73 feet to Station 573+10.86; thence N89°10'E, 983.78 feet to Station 582+94.64; thence on a 1,890 foot radius curve to the left 853.81 feet to Station 591+48.45; thence N63°17'E, 12.41 feet to Station 591+60.86; thence on a 960 foot radius curve to the left 606.26 feet to Station 597+67.12; thence N27°06'E, 343.33 feet to Station 601+10.45; thence on a 1,050 foot radius curve to the right 574.82 feet to Station 606+85.27; thence N58°28'E, 27.57 feet to Station 607+12.84; thence

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on a 1,850 foot radius curve to the right approximately 417.16 feet to a point on the north boundary of said Lot 2, which point is approximate Station 611+30.

The parcel of land to which this description applies contains 18.18 acres, more or less.

323442

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 14

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)

A parcel of land lying within the following described property:

Lot 1 of Section 8, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 611+30, said Station being on the south boundary of said Lot 1; thence on a 1,850 foot radius curve to the right approximately 290 feet to a point on the east boundary of said Lot 1, which point is approximate Station 614+20.

The parcel of land to which this description applies contains 1.14 acres, more or less.

323453

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 15

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property:

Lot 1 of Section 9, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left and variable in width to the ordinary high water line along the north bank of the St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 614+20 said Station being on the west boundary of said Lot 1; thence on a 1,850 foot radius curve to the right approximately 22.02 feet to Station 614+42.02; thence N81°03'E, 32.08 feet to Station 614+74.10; thence on a 1,740 foot radius curve to the right 486.41 feet to Station 619+60.51; thence S82°56'E, 15.57 feet to Station 691+76.08; thence on a 1,070 foot radius curve to the right approximately 317.92 feet to a point on the south boundary of said Lot 1, which point is approximate Station 622+94.

The parcel of land to which this description applies contains 2.87 acres, more or less.

323442

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 16

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)

A parcel of land lying within the following described property:

Lot 3 of Section 16, T. 45 N., R. 5 E., B.M., Snosnone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left side and variable in width on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 622+94, said Station being on the north boundary of said Lot 3; thence on a 1,070 foot radius curve to the right approximately 341.31 feet to Station 626+35.31; thence S47°38'E, 382.59 feet to Station 630+17.90; thence on a 1,690 foot radius curve to the left 990.58 feet to Station 640+08.48; thence S81°13'E, approximately 331.52 feet to a point on the east boundary of said Lot 3, which point is approximate Station 643+40.

#16

The widths in feet of the strip of land above referred to are as follows:

Limit to Limit	Width Right of Centerline
N. Bdry Lot 3 to 629+92±	to O.H.W.*
629+92± to E. Bdry. Lot 3	50 feet

*O.H.W. = Ordinary high water line along north bank of St. Joe River.

The parcel of land to which this description applies contains 6.72 acres, more or less.

3234:2

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 17

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Potlatch Corporation

A parcel of land lying within the following described property:

Lots 2 and 1 of Section 16, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 175 feet in width, 125 feet in width on the left side and 50 feet in width on on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 643+40, said Station being on the west boundary of said Lot 2; thence S81°13'E, approximately 1,386.18 feet to Station 657+26.18; thence on a 4,420 foot radius curve to the left approximately 1,259.82 feet to a point on the east boundary of said Lot 1, which point is approximate Station 669+86.

The parcel of land to which this description applies contains 10.63 acres, more or less. This parcel does not encompass the entire railroad right-of-way width on the right side of centerline.

3234

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 18

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: United States (FS)

A parcel of land lying within the following described property:

Lot 5 of Section 14, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land 100 feet in width on the left side and variable in width to the ordinary high water line along the north bank of the St. Joe River and the west bank of the North Fork St. Joe River on the right side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at Engineer's centerline Station 725+39.04, said Station being on the west boundary of said Lot 5; thence on a 660 foot radius curve to the left approximately 92.25 feet to Station 726+31.29; thence N48°17'E, 18.46 feet to Station 726+49.75; thence on a 570 foot radius curve to the left 450.25 feet to Station 731+00, which point lies S37°24'E, 449.86 feet from the northwest corner of said Section 14.

The parcel of land to which this description applies contains 2.88 acres, more or less.

323

CENTERLINE DESCRIPTION OF PROPERTY

PARCEL NO. 19

Description prepared by Federal Highway Administration
Western Direct Federal Division (WDFD), October 1985

Fee Owner: Heirs of Edward I. Theriault

A parcel of land lying within the following described property: Lots 4, 3, 2, and 1 of Section 15, T. 45 N., R. 5 E., B.M., Shoshone County, Idaho.

The said parcel being that portion of said property included in a strip of land variable in width on each side of the centerline of the former Chicago, Milwaukee, St. Paul & Pacific Railroad Company's main track as established by WDFD's 1980 survey and as shown on the official Right-Of-Way Plans for Idaho Forest Highway Project 50-1(6), approved October 3, 1985.

Beginning at approximate Engineer's centerline Station 669+86, said Station being on the west boundary of said Lot 4; thence on a 4,420 foot radius curve to the left approximately 733.06 feet to Station 677+19.06; thence N72°57'E, 814.30 foot to Station 685+33.36; thence on a 4,120 foot radius curve to the right 685.52 feet to Station 692+18.88; thence N82°29'E, 33.61 feet to Station 692+52.49; thence on a 1,440 foot radius curve to the right 647.59 feet to Station 699+00.08; thence S71°45'E, 34.95 feet to Station 699+35.03; thence on a 1,160 foot radius curve to the right 140.71 feet to Station 700+75.74; thence S64°48'E, 858.99 feet to Station 709+34.73; thence on a 1,270 foot radius curve to the left 1,234.63 feet to Station 721+69.36; thence N59°30'E, 332.72 feet to Station 725+02.08; thence on a 660 foot radius curve to the left 36.96 feet

to a point on the east boundary of said Lot 1, which point is Station 725+39.04.

The left or northerly limit of the strip of land is described as follows:

Beginning at a point on the west boundary of said Lot 4, which point is 50 feet left of approximate centerline Station 669+90; thence parallel to the above described center line to a point on the east boundary of said Lot 3, which point is 50 feet left of approximate Station 697+04; thence southerly along the East boundary of said Lot 3 to a point 20 feet left of approximate Station 697+10; thence parallel to the centerline to a point 20 feet left of Station 702+80; thence to a point 10 feet left of Station 702+80; thence to a point 10 feet left of Station 705+20.00; thence to a point 125.95 feet left of Station 705+20.00; thence to a point 125.89 feet left of Station 707+10.53; thence to a point 45.70 feet left of Station 707+10.53; thence to a point 45.73 feet left of Station 708+11.78; thence to a point 45.74 feet left of Station 709+18.95; thence on a 61.51 foot radius curve to the left to a point 26.20 feet left of Station 709+58.23; thence on a chord to a point 22.74 feet left of Station 710+10.69; thence on a chord to a point 23.63 feet left of Station 711+06.59; thence on a chord to a point 23.62 feet left of Station 712+32.44; thence on a chord to a point 23.51 feet left of Station 713+36.76; thence on a chord to a point 23.82 feet left of Station 714+45.69; thence on a chord to a point 23.00 feet left of Station 715+54.43; thence on a 1,247 foot radius curve to the left to a point 23.00 feet left of Station 718+09.34; thence on a 1,244 foot radius curve to the left to a point 29.00 feet left of Station 721+59.34; thence to a point 10.00 feet left of Station 721+59.64; thence to a point 12.00 feet left of Station 724+40.72; thence to a point on the East boundary line of said Lot 1, which point is 77.58 feet left of Station 726+00.21.

#19

323442

The right limit of the strip of land is described as follows:

Beginning at a point on the west boundary of said Lot 4, which point is 50 feet right of approximate centerline Station 669+82; thence parallel to the above described centerline to a point 50 feet right of Station 677+41; thence to a point on the ordinary high water line on the north bank of the St. Joe River, which point is right of Station 677+41; thence along the ordinary high water line on the north bank of the St. Joe River to a point on the said water line right of Station 702+28; thence to a point 60 feet right of Station 702+28; thence parallel to the centerline to a point on the east boundary of said Lot 1, which point is 60 feet right of Station 725+02.67

The parcel of land to which this description applies contains 12.74 acres, more or less.

RECORDED
at the request of
Maurice O. Ellsworth
in
Deeds
Return to:
Maurice O. Ellsworth
United States Attorney
Federal Bldg., Box 037
550 W. Fort St.
Boise, ID 83724
Fee $ 76.00
Env. Enc.

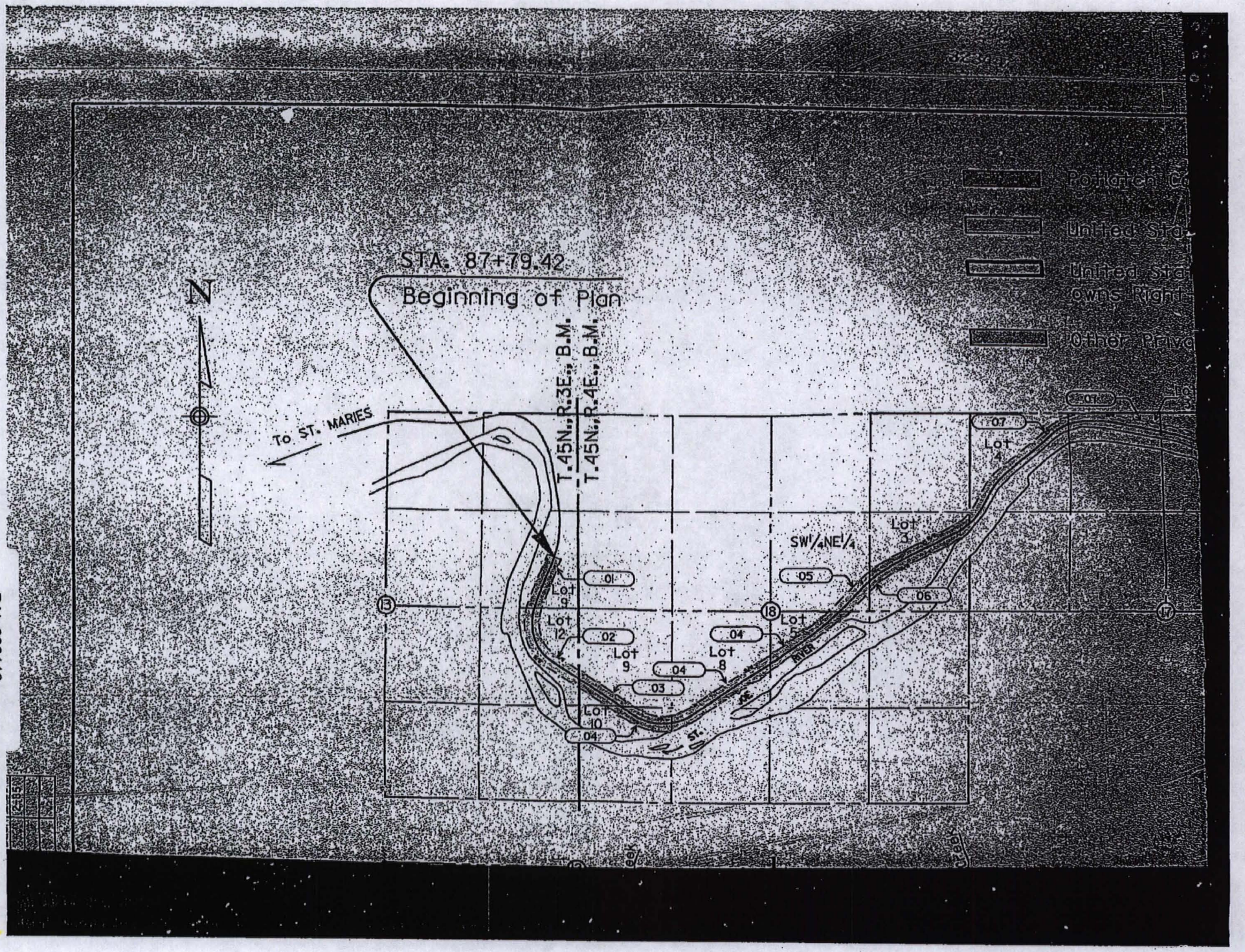
323442

FILED

'86 JUN 27 PM 12 40

IRENE NORDIN
SHOSHONE CTY RECORDER
BY _____ DEPUTY

SEE ATTACHED MAP THAT FOLLOWS THIS PAGE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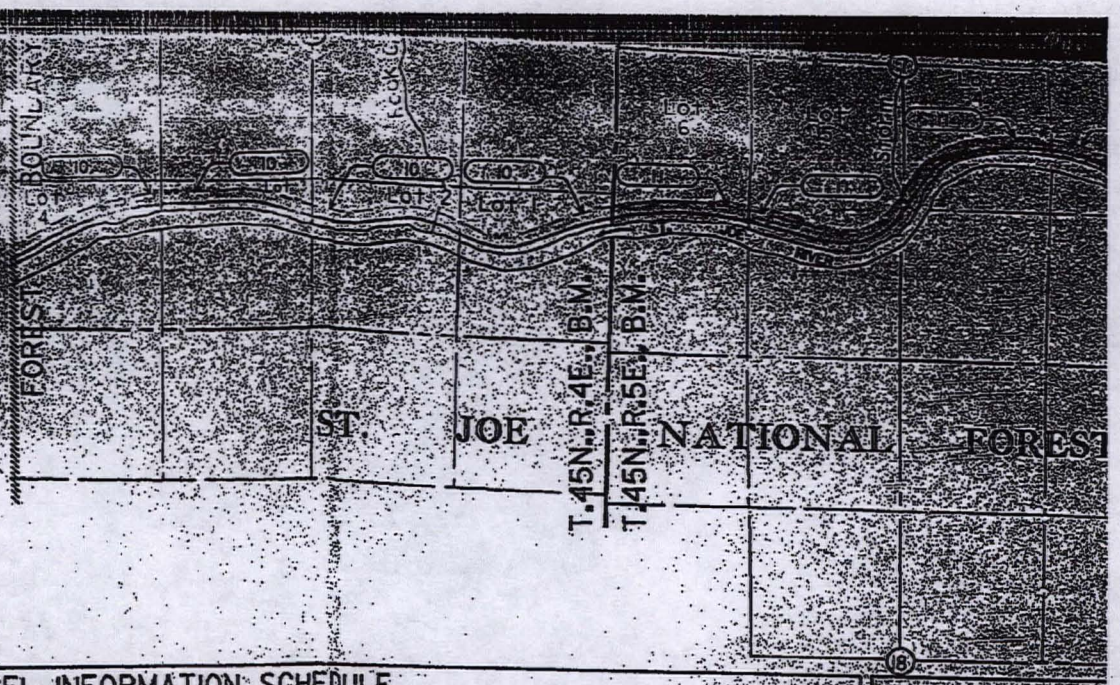
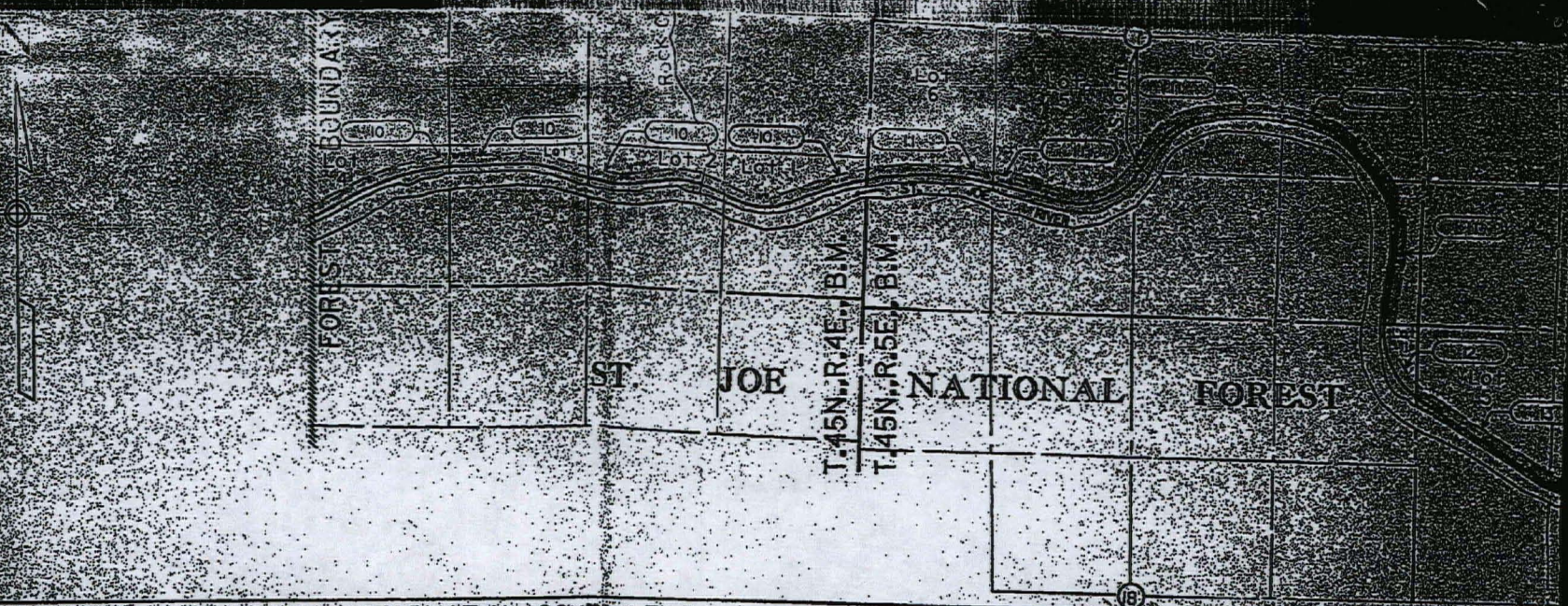


Schedule B

PARCEL INFORMATION SCHEDULE

PARCEL NO.	FEE OWNER	RAILROAD RIGHT-OF-WAY STATUS	R/W CURRENTLY OWNED BY U.S.	R/W TO BE ACQUIRED BY U.S.	PROPOSED DISPOSITION OF RAILROAD IMPROVEMENTS
1	Idaho 1st National Bank	Easement under March 3, 1875 Act has Reverted to Underlying Fee Owner	—	3.41 Ac.	F.H.W.A. to Acquire
2	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	5.45 Ac.	—	Potlatch to Remove
3	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	3.40 Ac.	F.H.W.A. to Acquire
4	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	14.53 Ac.	F.H.W.A. to Acquire
5	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	2.62 Ac.	—	Potlatch to Remove
6	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	6.90 Ac.	F.H.W.A. to Acquire
7	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	25.16 Ac.	—	Potlatch to Remove
8	U.S. F.S.	Potlatch Holds R/W Easement Granted by State of Idaho	—	20.13 Ac.	F.H.W.A. to Acquire
9	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	50.17 Ac.	F.H.W.A. to Acquire
10	U.S. F.S.				
11	Potlatch Corporation				
12	U.S. F.S.				
13	Potlatch Corporation				
14	U.S. F.S.				
15	Potlatch Corporation				
16	U.S. F.S.				
17	Potlatch Corporation				
18	U.S. F.S.				
19	Idaho State Board of Land				

2050/4C3-2074L4



PARCEL INFORMATION SCHEDULE

PARCEL NO.	FEE OWNER	RAILROAD RIGHT-OF-WAY STATUS	R/W CURRENTLY OWNED BY U.S.	R/W TO BE ACQUIRED BY U.S.	PROPOSED DISPOSITION OF RAILROAD IMPROVEMENTS
1	Idaho 1st National Bank	Easement under March 3, 1875 Act has Reverted to Underlying Fee Owner	—	3.41 Ac.	F.H.W.A. to Acquire
2	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	5.45 Ac.	—	Potlatch to Remove
3	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	3.40 Ac.	F.H.W.A. to Acquire
4	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	14.53 Ac.	F.H.W.A. to Acquire
5	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	2.62 Ac.	—	Potlatch to Remove
6	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	6.90 Ac.	F.H.W.A. to Acquire
7	U.S. B.L.M.	Easement under March 3, 1875 Act has Reverted to U.S.	25.16 Ac.	—	Potlatch to Remove
8	U.S.	Potlatch Holds R/W Easement Granted by State of Idaho	—	20.13 Ac.	F.H.W.A. to Acquire
9	Potlatch Corporation	Potlatch Owns Fee Simple Interest	—	50.77 Ac.	F.H.W.A. to Acquire

PARCEL NO.	FEE OWNER	RAILROAD RIGHT-OF-WAY
10	U.S. F.S.	Easement under March 3, 1875 Act has Reverted
11	Potlatch Corporation	Potlatch Owns Fee Simple Interest
12	U.S. F.S.	Easement under March 3, 1875 Act has Reverted
13	Potlatch Corporation	Potlatch Owns Fee Simple Interest
14	U.S. F.S.	Easement under March 3, 1875 Act has Reverted
15	Potlatch Corporation	Potlatch Owns Fee Simple Interest
16	U.S. F.S.	Easement under March 3, 1875 Act has Reverted
17	Potlatch Corporation	Potlatch Owns Fee Simple Interest
18	U.S. F.S.	Easement under March 3, 1875 Act has Reverted
19	Mr. Edward Thorton	Easement under March 3, 1875 Act has Reverted to Fee Owner

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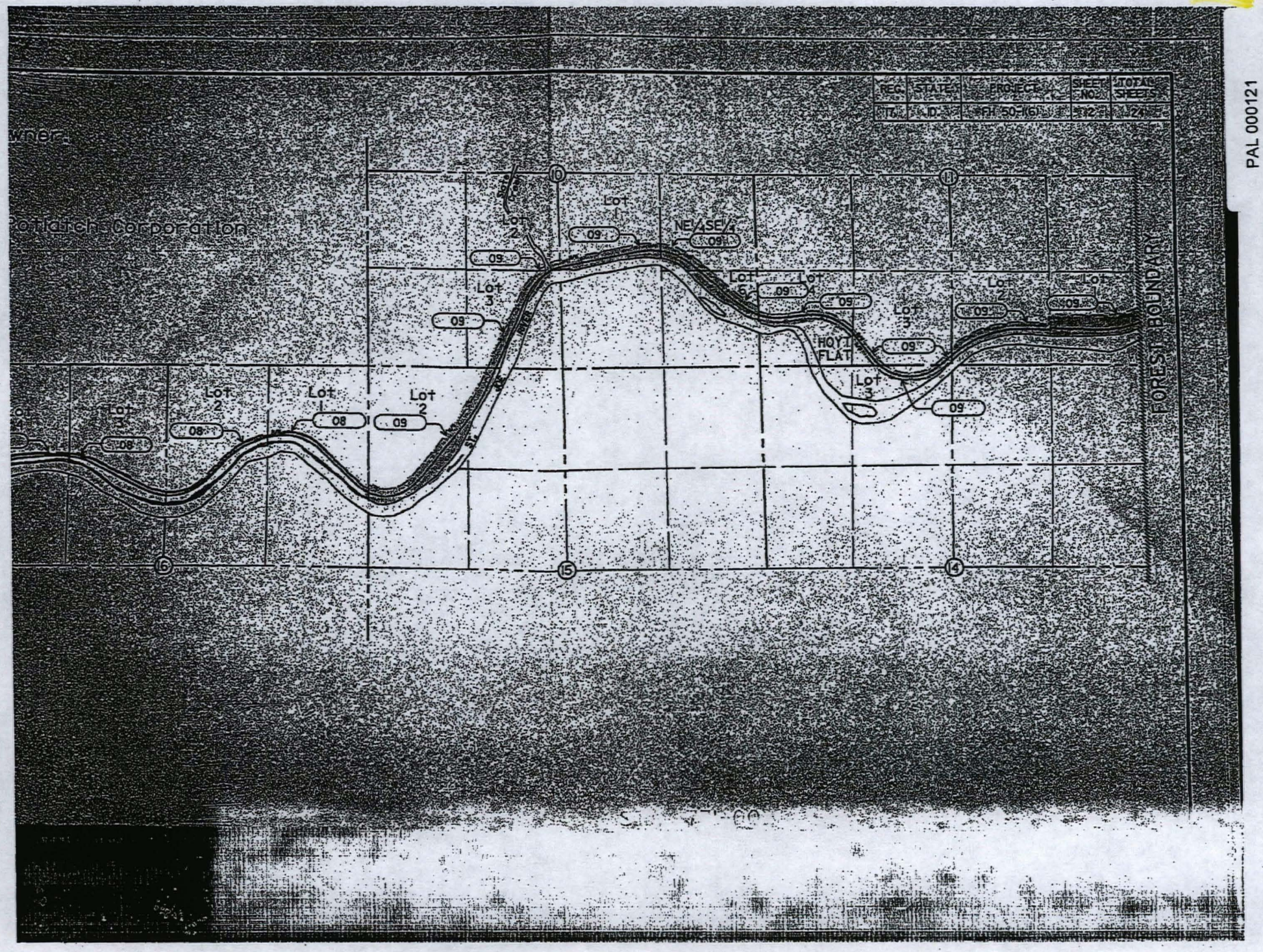
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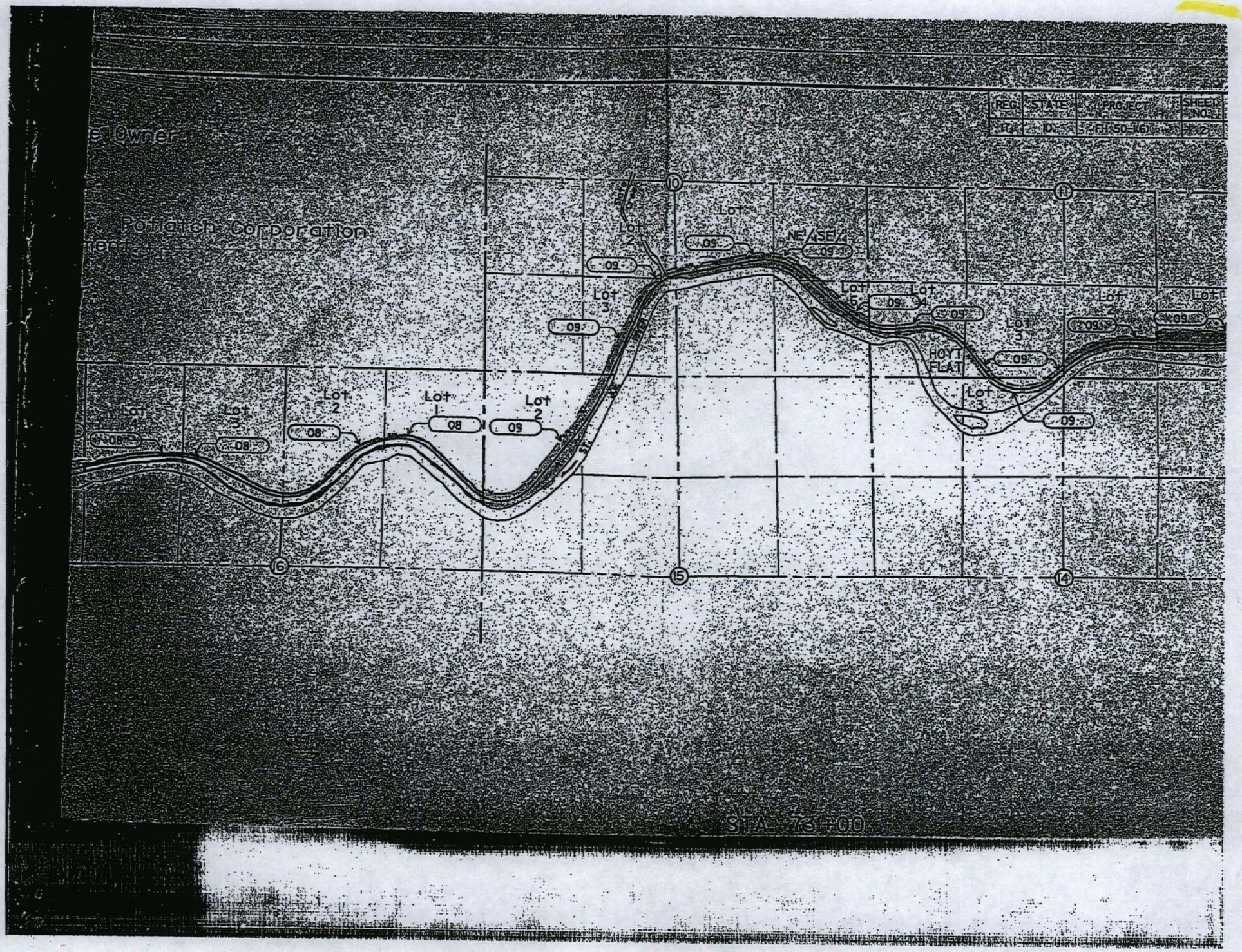

REG. | STATE | PROJECT | SHEET NO.
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Potlatch Corporation
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STA. 731+00

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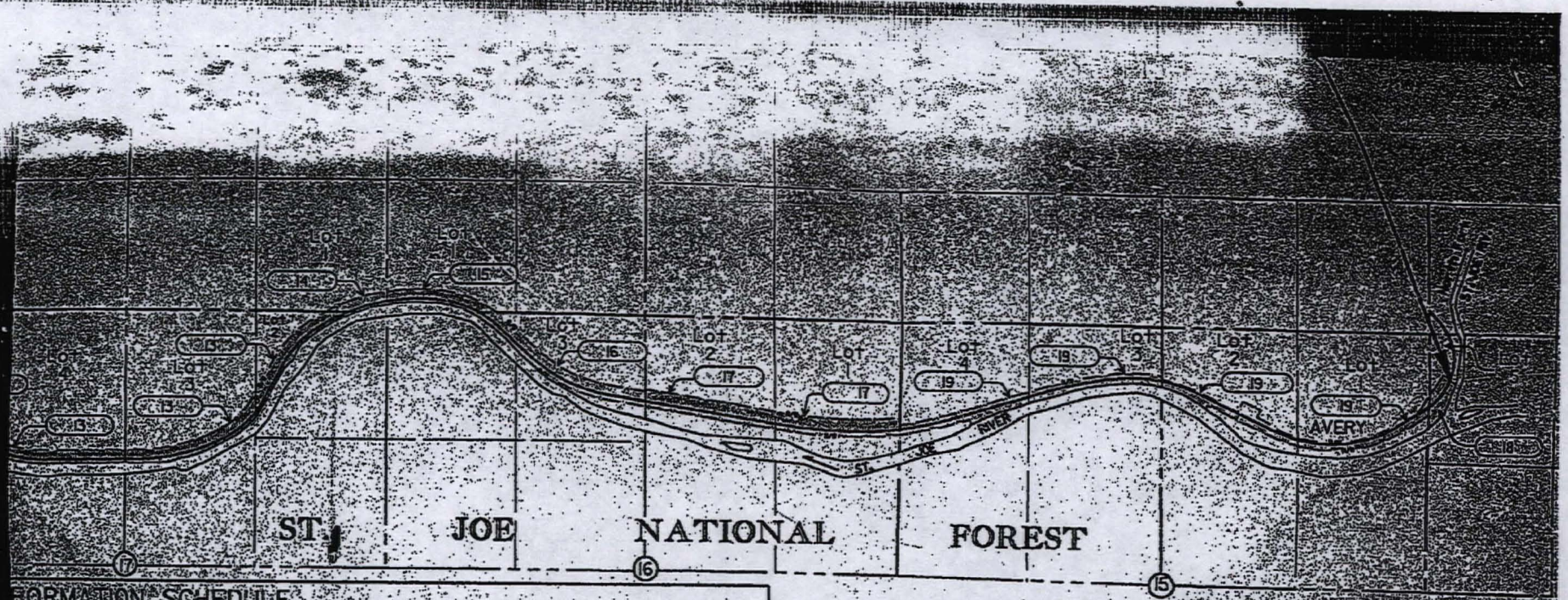

FORMATION SCHEDULE

ATUS	R/W CURRENTLY OWNED BY U.S.	R/W TO BE ACQUIRED BY U.S.	PROPOSED DISPOSITION OF RAILROAD IMPROVEMENTS
rch 3, 1899 to U.S.	20.75 Ac.	—	F.H.W.A. to Acquire Rock Cr Bridge Potlatch to Remove Remainder
	—	24.06 Ac.	F.H.W.A. to Acquire
rch 3, 1899 to U.S.	2.95 Ac.	—	Potlatch to Remove
		18.18 Ac.	F.H.W.A. to Acquire
rch 3, 1899 to U.S.	1.14 Ac.	—	Potlatch to Remove
	—	2.87 Ac.	F.H.W.A. to Acquire
rch 3, 1899 to U.S.	6.72 Ac.	—	Potlatch to Remove
	—	10.63 Ac.	F.H.W.A. to Acquire
rch 3, 1899 to U.S.	2.88 Ac.	—	Potlatch to Remove
o, 1899 Underlying	—	12.74 Ac.	F.H.W.A. to Acquire

Only a portion of existing Railroad Right-of-way width is to be acquired in this area.

Scale in Feet

1000 0 1000 2000 3000

U.S. DEPARTMENT OF TRANSPORTATI
FEDERAL HIGHWAY ADMINISTRATION
WESTERN DIRECT FEDERAL DIVISION
VANCOUVER, WASHINGTON

VICINITY AND OWNERS
ST. JOE RIVER ROAD
SHOSHONE COUNTY
IDAHO

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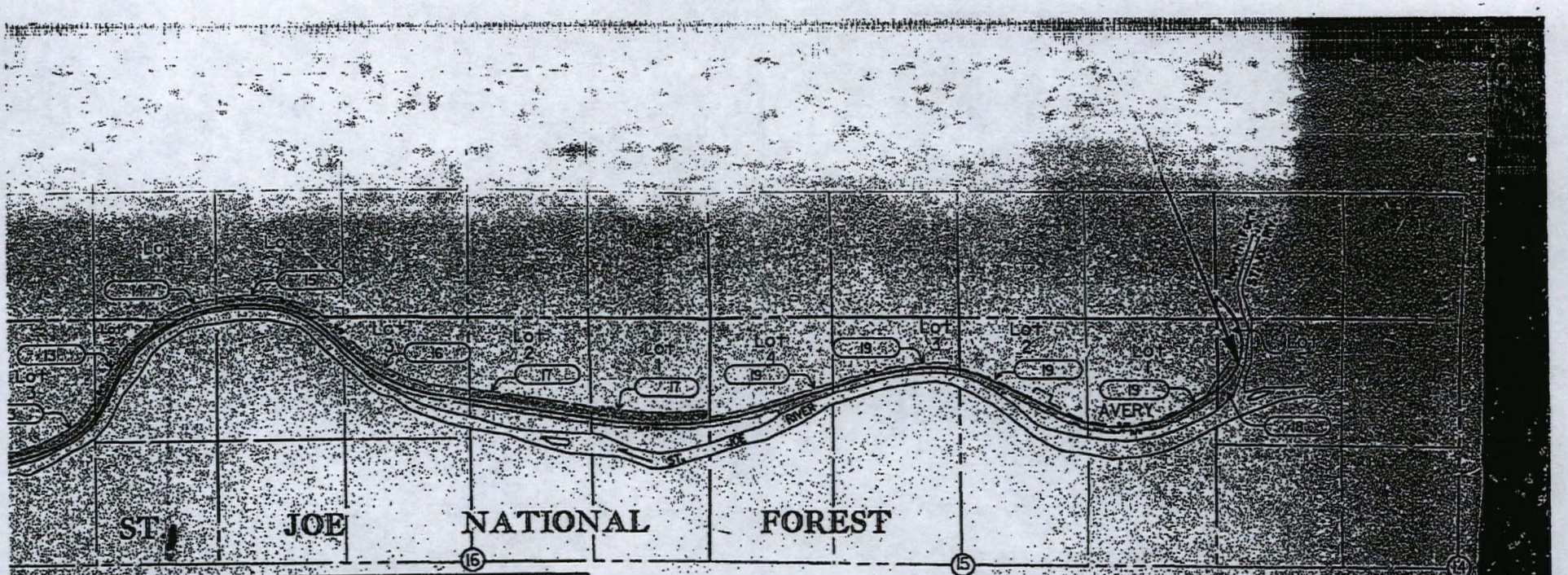

SCHEDULE

R/W CURRENTLY OWNED BY U.S.	R/W TO BE ACQUIRED BY U.S.	PROPOSED DISPOSITION OF RAILROAD IMPROVEMENTS
20.75 Ac.	—	F.H.W.A. to Acquire Rock Cr. Bridge Potlatch to Remove Remainder
—	24.06 Ac.	F.H.W.A. to Acquire
2.95 Ac.	—	Potlatch to Remove
—	18.18 Ac.	F.H.W.A. to Acquire
1.14 Ac.	—	Potlatch to Remove
—	2.87 Ac.	F.H.W.A. to Acquire
6.72 Ac.	—	Potlatch to Remove
—	10.63 Ac.	F.H.W.A. to Acquire
2.88 Ac.	—	Potlatch to Remove
—	12.74 Ac.	F.H.W.A. to Acquire

Only a portion of existing Railroad right-of-way width is to be acquired in this area.

Scale In Feet

1000 0 1000 2000 3000

U. S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
WESTERN DIRECT FEDERAL DIVISION
VANCOUVER, WASHINGTON

VICINITY AND OWNERSHIP MAP
ST. JOE RIVER ROAD
SHOSHONE COUNTY
IDAHO

C

EXHIBIT C

DEEDS
352765

HIGHWAY EASEMENT DEED

THIS DEED, made this 9th day of June, 1992, by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the DEPARTMENT, and SHOSHONE COUNTY, of the STATE of IDAHO, hereinafter referred to as the GRANTEE:

W I T N E S S E T H :

WHEREAS, on May 14, 1984 the DEPARTMENT and the GRANTEE entered into a Forest Highway Agreement to set forth general terms and conditions pursuant to the provisions of Title 23, United States Code, Section 204, and Title 23, code of Federal Regulations, Part 660, Subpart A; and

WHEREAS, on June 17, 1986 the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT in the United States District Court for the District of Idaho, acquired by eminent domaim those lands described below;

WHEREAS, the GRANTEE accepted, by letter dated August 7, 1991, Idaho Forest Highway Project 50-1(9) for operation and maintenance;

NOW THEREFORE, the DEPARTMENT, as authorized by law, does hereby grant to the GRANTEE an easement for a right-of-way for the operation and maintenance of a highway and use of the space above and below the established grade line of the highway pavement for highway purposes on, over, across, in, and upon the following described land of the United Sates:

T.45 N., R.3 E., B.M.

Section 13, Government Lot 9

T.45 N., R.4 E., B.M.

Section 18, Government Lots 9, 10, 8, 5, and 3

Section 15, Government Lot 2

Section 10, Government Lots 3, 2, 1, 6, and the NE1/4 SE1/4

Section 11, Government Lots 4, 3, 2, and 1

Section 14, Government Lot 3

T.45 N., R.5 E., B.M.

Section 7, Government Lots 6, 5, 4, 3, and 11

Section 17, Government Lots 5, 4, 3, and 2

Section 9, Government Lot 1

Section 16, Government Lots 2 and 1

Section 15, Government Lots 4, 3, 2, and 1

as shown on Exhibit A, attached hereto and made a part hereof, subject, however, to the following terms, conditions, and covenants:

1. If outstanding valid claims, exist on the date of this use authorization, the GRANTEE shall obtain such permission as may be necessary on account of any such claims.

2. The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purpose of operation and maintenance of a highway and does not include the grant of any rights for nonhighway purposes or facilities.

3. Consistent with highway safety standards, the GRANTEE shall:

a. Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of construction limits.

b. Provide for the prevention and control of soil erosion within the right-of-way.

c. Vegetate and keep vegetated with suitable species all earth cut and fill slopes feasible for revegetation.

4. Application of chemicals shall be pursuant to the National Environment Policy Act.

5. The provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 242) shall be complied with.

6. The GRANTEE, in consideration of the grant of this easement, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns that:

a. No person shall, on the grounds of race color, sex, age, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to descrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed;

b. The GRANTEE shall use said easement right-of-way so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally assisted programs of the Depatment of Transportation, effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

7. When need for the easement herein granted shall no longer exist, the GRANTEE shall give notice of that fact to the Secretary of Transportation and the rights herein granted shall terminate and the land shall immediately revert to the full control of the Department of Transportation, Federal Highway Administration.

IN WITNESS WHEREOF, I, Robert B. Rutledge, Regional Counsel, pursuant to delegations of authority from the Secretary of Transportation, the Federal Highway Administrator, the Regional Federal Highway Administrator, and Chief

Counsel, Federal Highway Administration, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

BY Robert B. Rutledge
Robert B. Rutledge
Regional Counsel

STATE OF OREGON)
) ss:
COUNTY OF MULTNOMAH)

I, Donna Z. Juhnke, a Notary Public in and for the State of Oregon, do hereby certify that on the 9th day of June, 1992, before me personally appeared Robert B. Rutledge, Regional Counsel, Federal Highway Administration, and acknowledge that the foregoing instrument bearing date of June 9, 1992, was executed by him, in his official capacity and by authority in him vested by law for the purposes and intents in said instrument described and set fourth, and acknowledged the sum to be his free act and deed as Regional Counsel, Federal Highway Admonostration.

Witness my hand and seal this 9th day of June, 1992.

OFFICIAL SEAL
DONNA Z. JUHNKE
NOTARY PUBLIC-OREGON
COMMISSION NO. 001684
MY COMMISSION EXPIRES OCT. 14, 1994

Donna Z. Juhnke
Notary Public

My commission expires October 14, 1994

352762

In compliance with the conditions set forth in the foregoing deed, the County of Shoshone, State of Idaho, certifies, and by the acceptance of this deed, accepts the right-of-way over certain land herein described and agrees for itself, its successors, and assigns forever to abide by the conditions set forth in said deed.

By: Don Heyman

Title: Chairman

STATE OF Idaho

COUNTY OF Shoshone

I, Tamara House, a Notary Public in and for said County and State, hereby certify that Don Heyman, whose name as Chairman is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she in his/her capacity as Chairman, Board of Co Commissioners executed the same voluntarily on this day.

Givin under my hand and seal of office this 24th day of June, 1992.

Tamara House
Notary Public

My commission expires 3/27/97

RIGHT

U.S. DEPA
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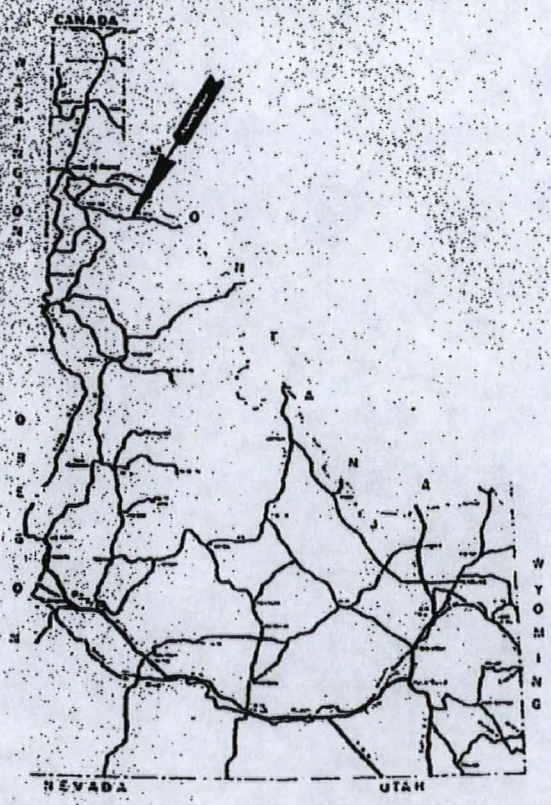

KEY MAP IDAHO

APPROVED

CONVENTIONAL SYMBOLS

- COUNTY LINE
- TOWNSHIP OR RANGE LINE
- SECTION LINE
- QUARTER SECTION LINE
- SIXTEENTH LINE
- NATIONAL PARK OR FOREST BOUNDARY
- LINE TO BE CONSTRUCTED
- LIMIT OF SLOPE LINE TOP OF CUT
- LIMIT OF SLOPE LINE TOE OF FILL
- PROPOSED RIGHT OF WAY LINE — R/W —
- EXISTING RIGHT OF WAY LINE — R/W —
- LIMITED ACCESS RIGHT OF WAY
- TRAVELED WAY
- RAILROAD
- EXISTING FENCE
- EXISTING CULVERT
- CULVERT TO BE CONSTRUCTED
- EXISTING BRIDGE
- PROPOSED BRIDGE
- POWER POLES (EXISTING & PROPOSED)
- TELEPHONE/TELEGRAPH POLES (EXIST. & PROP.)
- JOINT USE POLES (EXISTING & PROPOSED)

ARED BY
TRANSPORTATION
ADMINISTRATION
EDERAL DIVISION
SECTION B

Y PROJECT 50-1(6)

ER ROAD

32 MILES
AL FOREST
COUNTY
IO

INISTRATION
147.49

INDEX TO SHEETS	
SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	VICINITY & OWNERSHIP MAP
3-24	R/W PLAN SHEETS

EXHIBIT A

Recommended For Approval

Project Development Engineer DATE 4/22/85

Approved

DATE 4-23-85