

MINUTE ITEM

This Calendar Item No. 42
was approved as Minute Item
42 by the State Lands
Commission by a vote of 3
to 0 at its 3-5-81
meeting.

CALENDAR ITEM

42

2/81
W 503.934
Hadly
Eagan

APPROVAL OF AMENDED PARCEL DESCRIPTION IN CONNECTION
WITH PREVIOUSLY AUTHORIZED SETTLEMENT OF CALIFORNIA
V. ARIZONA AND UNITED STATES OF AMERICA, PERTAINING
TO LAND IN THE FORMER BED OF THE COLORADO RIVER, DAVIS LAKE AREA

At its October 1980 meeting, the Commission authorized settlement of State of California v. State of Arizona and the United States of America, No. 78, Original, a quiet title action pending in the United States Supreme Court and involving an 11.3-mile reach of the former channel of the Colorado River in the Davis Lake Area, near Blythe. The Commission authorized settlement in accordance with three parcel descriptions presented with the settlement proposal. To obtain a complete resolution of the case, additional lands need to be included in the approved settlement description.

The three parcel descriptions previously approved by the Commission included only those areas of the former river channel where the abutting upland owner is the United States of America. It is, however, necessary to define the common boundary line between the ownerships of the State of California and the State of Arizona along the entire 11.3-mile reach of the former river channel at issue in the case. The complaint filed with the court by California placed the entire mutual boundary between the ownerships of the two states in issue by describing a single parcel along the California side of the entire 11.3-mile reach of the former river channel. A single parcel should therefore have been presented for the Commission's approval last October, but through inadvertence, was not.

The proposed settlement has been approved in principle by the special master assigned by the Supreme Court to hear the case. Before the parties can proceed with the final documentation for the settlement, it will be necessary for the Commission to approve a revised parcel description that covers the entire reach of the river, thereby correcting the omissions in the descriptions previously approved.

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A metes and bounds description of the revised parcel is on file in the offices of the Commission. The plat attached as Exhibit "A" shows the approximate location of the revised parcel. The revised description is based upon the same mutual understandings between the parties that formed the basis for the three parcel descriptions previously approved. The revised description has been reviewed by staff and the Office of the Attorney General, and is jointly recommended for approval as being in the best interests of the State of California.

EXHIBIT: A. Parcel Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE EXECUTIVE OFFICER AND THE ATTORNEY GENERAL TO INCORPORATE THE REVISED PARCEL DESCRIPTION THAT IS ON FILE IN THE OFFICES OF THE COMMISSION INTO THE DOCUMENTS TO BE SUBMITTED IN SETTLEMENT OF STATE OF CALIFORNIA V. STATE OF ARIZONA AND THE UNITED STATES OF AMERICA, UNITED STATES SUPREME COURT NO. 78, ORIGINAL, AND TO TAKE ALL OTHER ACTIONS NECESSARY TO ACCOMPLISH THE PREVIOUSLY AUTHORIZED SETTLEMENT OF SAID LITIGATION.

Blythe 20 Miles ↑

○ Former Channel
Colorado River

Limits of Davis Lake Project

Radio
Facility

WINDLIFE REFUGE

Water

EXHIBIT A
W 503.934



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