

MINUTE ITEM

This Calendar item No. 45  
was approved as Minute Item  
No. 45 by the State Lands  
Commission by a vote of 2  
to 0 at its 5-28-81  
meeting.

CALENDAR ITEM

45

5/81  
W 503.821  
Faber

AUTHORIZATION TO FILE DISCLAIMER IN  
UNITED STATES OF AMERICA V.  
91.5 ACRES OF LAND, MORE OR LESS, ETC., ET AL.,  
IN THE COUNTY OF PLACER  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
CIVIL NO. S76-115-LKK

The State Lands Commission is a party to a United States condemnation action brought by the United States Attorney entitled United States of America v. 91.5 Acres of Land, etc., et al., in the County of Placer, filed in the United States District Court, Eastern District of California, Civil No. S76-115-LKK, involving land in Placer County, to be used in connection with the Auburn Dam Project.

Examination of the Commission's records pertinent to the area has revealed a possible ownership interest held by the State Lands Commission as to the tract of land described in the notice of condemnation. The property is crossed by the American River. Future use of the property should be consistent with the public trust.

It is recommended that the Commission file a disclaimer only as to compensation in this case so as to preserve any interest which may arise over the waters which cross the parcel of land which is the subject of this condemnation action.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO FILE DISCLAIMER OF COMPENSATION ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF UNITED STATES OF AMERICA V. 91.5 ACRES OF LAND MORE OR LESS, IN THE COUNTY OF PLACER, STATE OF CALIFORNIA, ETC., ET AL., UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, CIVIL NO. S76-115-LKK.

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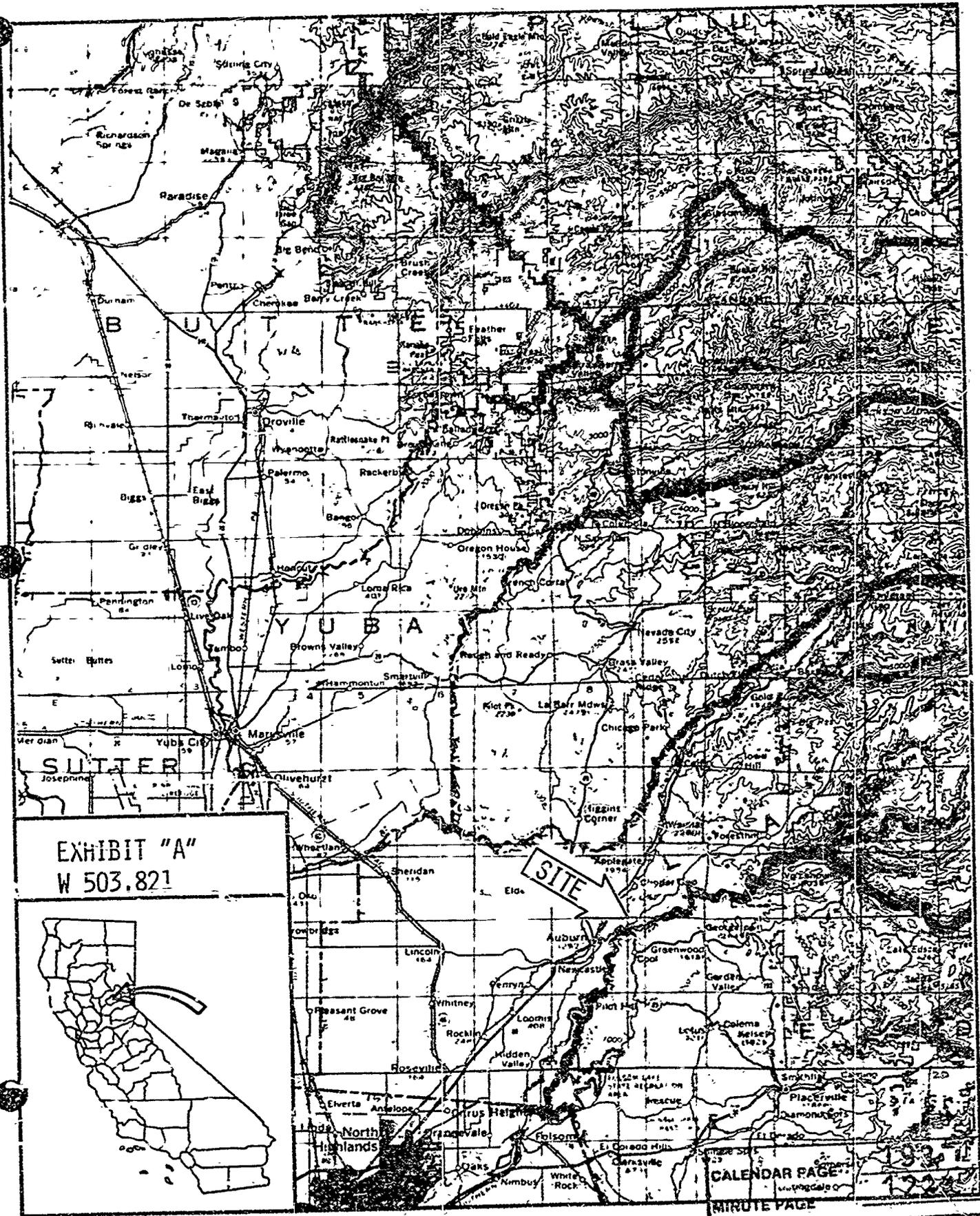


EXHIBIT "A"  
W 503.821



SITE

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STATUS OF MAJOR LITIGATION

Jan Stevens, Assistant Attorney General, reported on the following items:

1. City of Los Angeles v. Ethel Fraser Carman-Kyles, et al.

W 503.494

The courts have granted a hearing in this case.

2. California v. Watt

W 503.1155

Mr. Stevens stated that the above action was filed against Secretary Watt for an accounting for underpayment of mineral royalties from the Federal onshore lands. He stated the State has reason to believe that there has been underpayment by the Department of Interior to the State of its 50% share anywhere from 10% up each year. As the value of the crude goes up, the value of the State's share becomes more important. Mr. Stevens further stated a number of western states anticipate joining in the suit.

(Revised 8/25/81)

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