

MINUTE ITEM

This Calendar Item No. C14
W. 14
S. 0
10/24/85

CALENDAR ITEM

A 34
S 25

C14

10/24/85
WP 4565 PRC 4565
Bjornsen

GRAZING LEASE

APPLICANT: Roy Hunter
P. O. Box 26
Olancho California 93549

AREA, TYPE LAND AND LOCATION:
199± acres consisting of four parcels of vacant school land, located on the west side of Owens Lake in Inyo County.

LAND USE: Cattle Grazing.

TERMS OF PROPOSED LEASE:
Initial period: Ten years beginning December 14, 1985.

CONSIDERATION: \$199 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
The applicant has offered \$1 per acre per year. A staff appraisal/review indicates the offer is a comparable rental paid for grazing use in the area.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and the first years rental have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

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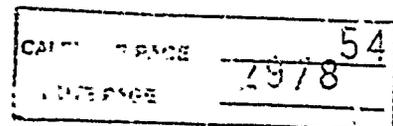
AB 884: 12/24/85.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land, 2 Cal. Adm. Code 2905(d)(1).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

2. Special provisions of the lease include the following:
 - a. The number of animals permitted on the leased land is restricted to that which can be supported by the available forage and water, taking into consideration forage and water reserved for necessary wildlife use. The actual capacity may vary over the term of this lease due to climatic conditions or other natural phenomena.
 - b. Lessee shall take all reasonable and necessary actions to prevent, suppress and control fires on the leased land.
 - c. This lease shall terminate as to all or a portion of the Lease Premises upon State Lands Commission approval of the sale or exchange of such premises or their designation as a base for indemnity selection as provided by law. Lessee shall be notified of such termination by registered mail at lease sixty (60) days prior to its effective date.
 - d. Section 4 entitled General Provisions, Subsection 5, entitled Reservations, Encumbrances and Rights-of-Way, part (a)(1), entitled Reservations is amended to read as follows:



5. RESERVATIONS, ENCUMBRANCES AND RIGHTS-OF-WAY

(a) Reservations:

- (1) Lessor expressly reserves all natural resources in or on the lease premises, including but not limited to oil, coal, natural gas and other hydrocarbons, minerals, aggregates, timber and geothermal resources, as well as the right to grant exploration permits and leases in and over the lease premises for the extraction of such natural resources and so much of the surface as is reasonably necessary for the extraction and processing of such natural resources.

3. This activity involves in part, lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. The said part consists of the fractional E1/2, Section 7, T18S R37E, MDM; it is classified in use category Class B, which authorizes limited use. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification. This is a replacement lease for ongoing cattle grazing. The applicant has been the continuous grazing lessee of the subject State land parcels since the early 1960's.

EXHIBITS:

- A. Land Description.
B. Location Map.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 2 CAL. ADM. CODE 2905(d)(1).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO ROY HUNTER OF A TEN-YEAR GRAZING LEASE BEGINNING DECEMBER 14, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$199, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR CATTLE GRAZING ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

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Four parcels of State Lands situated in Inyo County, California, said parcels being the fractional $E\frac{1}{2}$ of Section 7 and the fractional $E\frac{1}{2}$ of Section 18, T18S, R37E, MDM and the fractional $N\frac{1}{2}$ of the $N\frac{1}{2}$ of Section 30 and the fractional $NE\frac{1}{4}$ of the $SW\frac{1}{4}$ of Section 30, T17S, R37E, MDM, as shown on the official township plats containing said parcels.

END OF DESCRIPTION

REVIEWED JULY 3, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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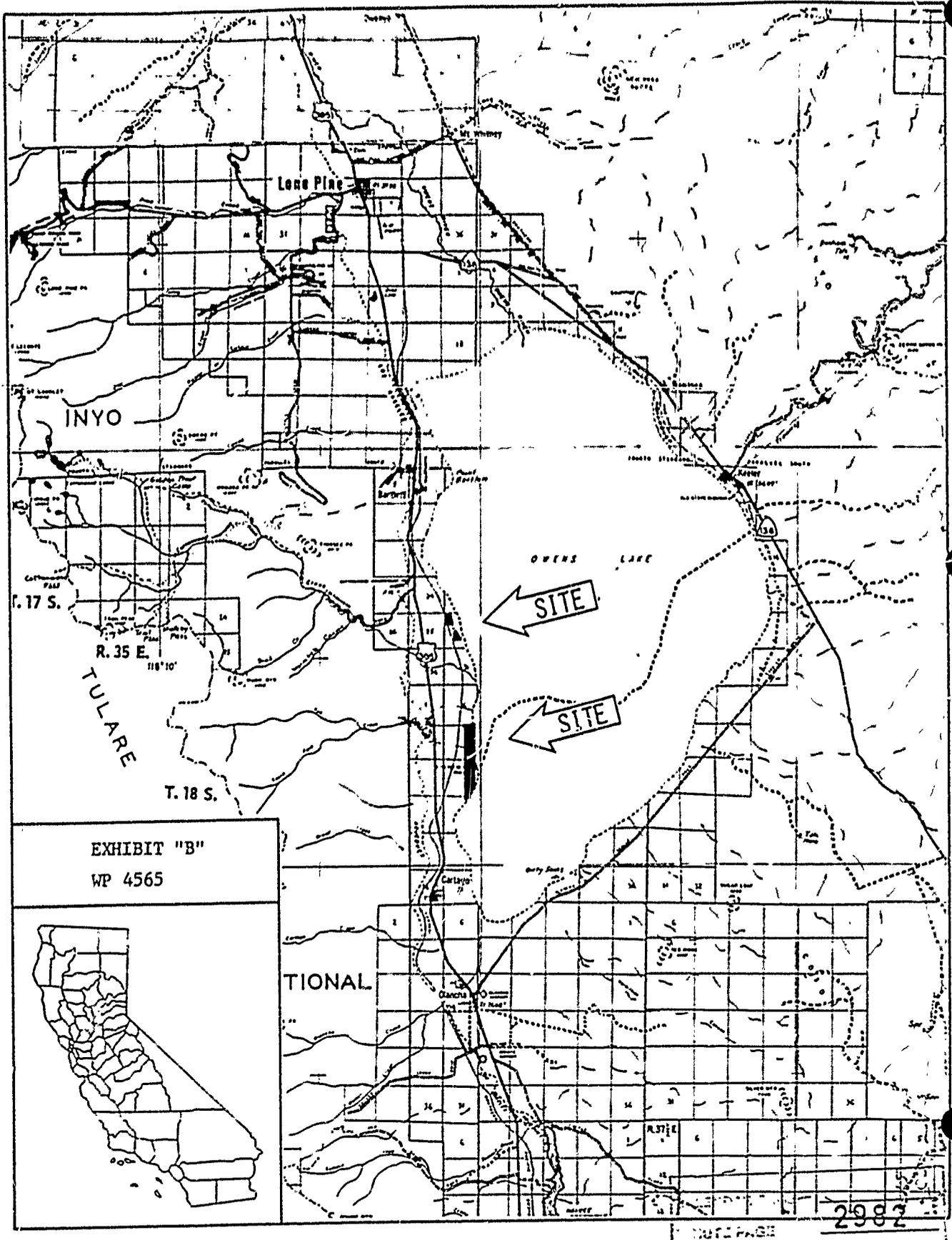


EXHIBIT "B"
WP 4565

