

MINUTE ITEM  
This Calendar Item No. C09  
was approved as Minute Item  
No. 09 by the State Lands  
Commission by a vote of 3  
to 0 at its 4/16/94  
meeting.

CALENDAR ITEM

C09

A 26  
S 12

04/06/94  
W 25072  
Burks  
PRC 7755

GENERAL LEASE - RIGHT OF WAY

**PARTY:** Del Este Water Company  
430 10th Street  
Modesto, California 95353

**LOCATION:** Tide and submerged land located in the bed of the  
Tuolumne River, City of Modesto, within Carpenter  
Road Bridge right of way, Stanislaus County.

**EXHIBITS:** A. Land Description B. Location Map

**AB 884:** 07/20/94

**CEQA  
FINDING:** FIND THAT THE ACTIVITY IS EXEMPT FROM THE  
REQUIREMENT OF THE CEQA PURSUANT TO 14 CAL. CODE  
REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT,  
CLASS 4, 15304, 14 CAL. CODE REGS.

**SIGNIFICANT LANDS  
INVENTORY  
FINDING:** FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE  
CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO  
P.R.C. 6370, ET. SEQ.

**RECOMMENDED  
ACTION:** IT IS RECOMMENDED THAT THE COMMISSION:

AUTHORIZE ISSUANCE TO DEL ESTE WATER COMPANY OF A  
THIRTEEN (13) YEAR GENERAL LEASE - RIGHT OF WAY  
BEGINNING APRIL 15, 1994; IN CONSIDERATION OF \$100  
PER ANNUM, WITH THE STATE RESERVING THE RIGHT TO  
FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF  
THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE  
FOR A COMBINED SINGLE LIMIT COVERAGE OF \$500,000;  
FOR THE PROPOSED PLACEMENT OF A 16-INCH DIAMETER  
WATER MAIN TO BE ATTACHED TO THE EXISTING CARPENTER  
ROAD BRIDGE RIGHT OF WAY (PRC 2178); ON THE LAND  
DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE  
MADE A PART HEREOF.

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**EXHIBIT "A"**  
**WO-25072**  
**Land Description**

A strip of sovereign land across the bed of the Tuolumne River, Stanislaus County, California, said strip being ten feet wide, lying five feet on each side of the center line of a proposed 16 inch water pipe, said pipe to be situated along the easterly side of the existing county bridge, said pipe to be entirely within those areas described in the bridge right of way lease PRC-2178.9 as follows:

**PARCEL NO. 1**

A 115.00 foot Right-of-Way located in Section 12, Township 4 South, Range 8 East, and in Section 7, Township 4 South, Range 9 East, Mount Diablo Base & Meridian, said Right-of-Way being more particularly described as follows; to-wit:

**BEGINNING** at a point on the low water mark of the left bank of the Tuolumne River, said point being 20 feet West of and 406.71 feet South of the Section corner common to Sections 1 and 12, Township 4 South, Range 8 East, and Sections 6 and 7, Township 4 South, Range 9 East, Mount Diablo Base & Meridian, said point being at Engineers Station 12+64.90 "L" line; said "L" line being 20.00 feet Westerly of and parallel to the Range line; thence following said low water line downstream in a general Northwesterly direction to a point which is 70.00 feet West at right angle from said "L" line; thence North 0° 17' 20" West and along a line which is 70.00 feet Westerly of and parallel to said "L" line a distance of 192 feet, more or less to a point on the low water line on the right bank of the Tuolumne River; thence following said low water line upstream in a general Southeasterly direction to a point which is 45.00 feet East at a right angle from said "L" line; thence South 0° 17' 20" East and along a line which is 45.00 feet Easterly of and parallel to said "L" line a distance of 192.00 feet, more or less, to a point on the low water line of the left bank of the Tuolumne River; thence following the low water line downstream in a general Northwesterly direction to Engineers Station 12+64.90 "L" line and the point of beginning of this Description.

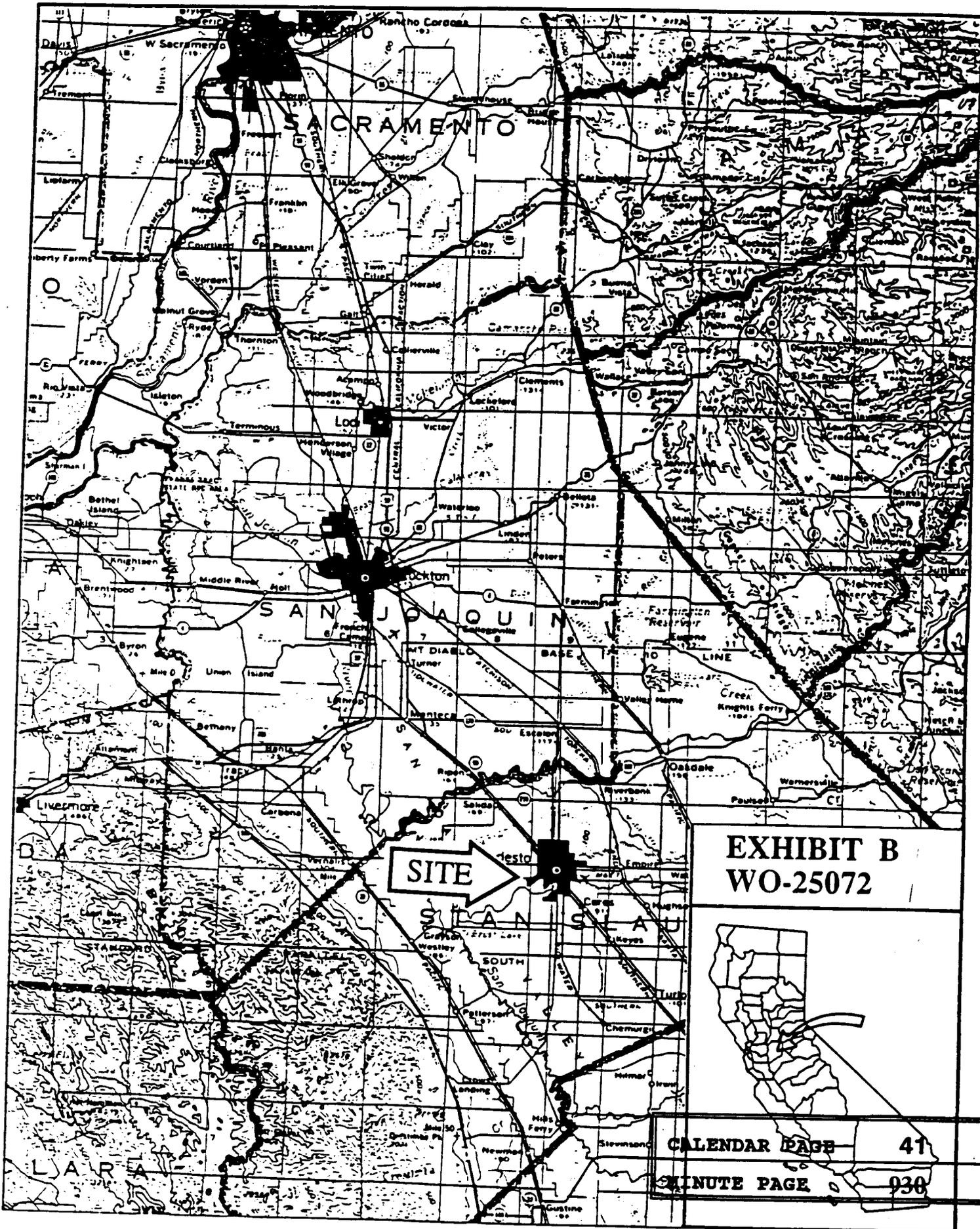
**PARCEL NO. 2**

A portion of the Northeast quarter of the Northeast quarter of Section 12, Township 4 South, Range 8 East, Mount Diablo Base & Meridian, said portion being more particularly described as follows, to-wit:

Beginning at the northeast corner of said Section 12; thence South 0° 17' 20" East and along the East line of said Section 12 to a point on the low water line of the right bank of the Tuolumne River; thence following said low water line downstream in a general Northwesterly direction to a point which is 90 feet Westerly at a right angle from said East line of said Section 12; thence North 0° 17' 20" West and along a line parallel to and 90 feet Westerly from said West line of Section 12 to a point on the North line of said Section 12, thence East and along the North line of said Section 12 to the point of beginning.

PREPARED by DELTA Boundary Staff 1/26/1994

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**EXHIBIT B**  
**WO-25072**



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