CALENDAR ITEM

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CONSIDER CESSION OF CONCURRENT CRIMINAL JURISDICTION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 126 AT THE NATIONAL TRAINING CENTER AND FORT IRWIN, SAN BERNARDINO COUNTY

PARTY:
United States Department of the Army

AREA, LAND, TYPE, AND LOCATION:
National Training Center and Fort Irwin, San Bernardino County

PROPOSED ACTION:
Pursuant to Government Code section 126, the California State Lands Commission (Commission) is authorized on behalf of the State of California to cede concurrent criminal legislative jurisdiction to the United States upon finding:

a. the land is held for the erection of forts, arsenals, and other needful buildings, or other public purpose within the purview of Clause 17 of Section 8 of Article 1 of the United States Constitution;

b. the cession is in compliance with the laws of the United States;

c. the United States has in writing requested such cession;

d. the State reserves jurisdiction over the land, water, and use of water with full power to control and regulate the acquisition, use, control, and distribution of water with respect to the land affected by the cession;

e. the State reserves to itself all deposits of minerals, including oil and gas, in the land, and to the State, or persons authorized by the State, the right to prospect, mine, and remove the deposits from the land; and

f. the United States has agreed to compensate the State for costs incurred in processing the cession.

Upon making these findings the State of California and the United States will equally share the State's criminal legislative jurisdiction over lands affected by the cession.

The United States presently has concurrent criminal legislative jurisdiction over the National Training Center and Fort Irwin, San Bernardino County and cooperates in law enforcement with the Sheriff of San Bernardino County under a 2005 Memorandum of Understanding between the District Attorney's Office, the Sheriff's Office, and Fort Irwin. This jurisdiction was first ceded by the California State Lands Commission on June 19, 1986; and renewed for another five years in 1991, 1996, 2002, and 2007. The prior cessions have expired. By letter dated February 13, 2012, the United States has requested that the State of California again cede concurrent criminal legislative jurisdiction over these facilities for another five years.

A noticed public hearing was held on March 20, 2012. Notice of the hearing was published as required by Section 126 and served upon the Clerk of the Board of Supervisors for San Bernardino County. Affidavits of the publication and service are found in the Commission's files. No comments in opposition to the cession were received. The lands comprising the National Training Center were acquired by purchase or condemnation or were withdrawn from the public domain and are all owned by the United States. The United States has agreed to compensate the Commission for costs incurred during processing of its request. Finally, the United States has indicated in its February 13, 2012 letter that it will accept the cession when made by the Commission.

The Commission's staff believes that the cession of concurrent criminal legislative jurisdiction is in the best interest of the State of California in connection with the exercise of criminal jurisdiction over these facilities.

OTHER PERTINENT INFORMATION

The staff recommends that the Commission find that the subject cession of concurrent criminal jurisdiction does not have a potential for resulting in either a direct or a reasonable foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXIHIBITS:

A. Land Description
B. Location Map

RECOMMENDED ACTION
It is recommended that the Commission:

CEQA FINDING:
Find that the subject cession of concurrent criminal jurisdiction is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Determine that the public hearing held on March 20, 2012, complied with Government Code section 126 and California Code of Regulations, Title 2 sections 2600 et seq. dealing with the cession of concurrent criminal jurisdiction and that the following requirements have been satisfied:

    A. The United States requested in writing that the State of California cede concurrent criminal legislative jurisdiction over the lands described in Exhibit A attached and by this reference made a part hereof, said lands being within the State of California;

    B. The lands are held by the United States for the erection of forts, magazines, arsenals, dockyards, and other needful buildings or other federal purpose within the purview of clause 17 of section 8 of Article 1 of the Constitution of the United States;

    C. The lands were acquired by the United States by purchase or condemnation or were withdrawn from the public domain;

    D. Jurisdiction ceded herein shall continue for the lesser of five years or so long as the United States owns the lands;

    E. In ceding concurrent criminal legislative jurisdiction, the Legislature and the State reserve jurisdiction over the land, water, and use of water with full power of control and regulate the acquisition, use, control, and distribution of water with respect to the land affected by such cession;

    F. In ceding concurrent criminal legislative jurisdiction, the Legislature and the State except and reserve to the State all deposits of minerals,

including oil and gas, in the land, and the right to prospect for, mine, and remove such deposits from the land;

G. The cession is pursuant to and in compliance with the laws of the United States; and

H. The United States has agreed to compensate the State for its cost incurred in processing the cession.

2. Determine that a cession of concurrent criminal legislative jurisdiction over the lands described in Exhibit A attached hereto, and by this reference made a part hereof, is in the best interest of the State of California because the United States will then have the authority to conduct investigations and prosecutions of criminal offenses at these facilities and will be able to assist local law enforcement.

3. Cede concurrent criminal legislative jurisdiction to the United States over the National Training Center and Fort Irwin, San Bernardino County for the lesser of five years, or so long as the United States owns the lands.

4. Authorize the Executive Officer to execute a Resolution of Cession of Concurrent Criminal Legislative Jurisdiction and its recording in the Official Records of San Bernardino County.

EXHIBIT A

3 February 2012

National Training Center and Fort Irwin
Cession Land Description

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SOUTH PACIFIC DIVISION
LOS ANGELES DISTRICT, ASSET MANAGEMENT DIVISION
POST OFFICE BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

PERIMETER DESCRIPTION OF FORT IRWIN MILITARY RESERVATION, INCLUDING EASTERN AND WESTERN EXPANSION AREAS, FOR LEGISLATIVE JURISDICTION PURPOSES

The following abbreviations (alphabetically listed) may be used in this description: ac = acre(s); APN = Assessor Parcel Number; approx = approximately; BLM = Bureau of Land Management of US Dept of Interior, successor agency of General Land Office; cen-sec = center-of-section; cor = corner; E = East; e'ly = easterly; EO = Executive Order (Presidential); FR = Federal Register; Frac = Fractional; ft = foot, feet; GL = Government Lot; GLO = General Land Office, predecessor agency of BLM; ha = hectare(s); km = kilometer(s); KRGTC = Kern River Gas Transmission Company; m = meter(s); MDM = Mount Diablo Meridian; mi = mile(s); N = North; NE = Northeast; ne'ly = northeasterly; n'ly = northerly; NW = Northwest; nw'ly = northwesterly; Pg(s) = Page(s); PL = Public Law; PLO = Public Land Order (by Secretary of the Interior); Pt = Point; R = Range; Rng = Range; S = South; SBM = San Bernardino Meridian; SE = Southeast; sec(s) = section(s); se'ly = southeasterly; s'ly = southerly; sq km = square kilometer(s); sq mi = square mile(s); Stat = Statute; SW = Southwest; sw'ly = southwesterly; T = Township; thru = through; Twp = Township; W = West; w'ly = westerly.

DESCRIPTION

Two parcels of land, herewith designated Parcel 1 and Parcel 2, in the unincorporated area of the County of San Bernardino, State of California, more particularly described as follows:

PARCEL 1 (Original Military Reservation, Eastern & Western Expansion Areas)

Those certain lands in the unincorporated area of the County of San Bernardino, State of California, as described in EO 8450, dated 20 June 1940, and EO 8507, dated 8 August 1940, as amended by EO 9098, dated 14 March 1942, and as amended by EO 9526, dated 28 February 1945, and as described in PLO 3082, dated 14 May 1963 (FR Vol 28 Pg 5051), and as authorized in the *Fort Irwin Military Land Withdrawal Act of 2001*, PL 107-107, Title XXIX, 115 Stat 1335-1341, being more particularly described as follows, the basis of bearings being California State Plane Coordinate System, Zone 5, North American Datum of 1983:

BEGINNING at the SW cor of Sec 7, T14N, R1E of the SBM, being also a pt in the SBM, being also a pt in the boundary line established in said EO 8507, hereinafter called the "EO8507 Line";

THENCE the following one hundred seventy-three courses, numbered (1) thru (173) below:

(1) N'ly along the EO8507 Line and W lines of Secs 7 and 6, and along said SBM, to the NW cor of said Sec 6 and NW cor of said T14N, R1E;

(2) N'ly along the EO8507 Line and W lines of T15N, R1E and T16N, R1E and T17N, R1E and the W lines of Secs 31 and 30, T18N, R1E to the NW cor of said Sec 30;

(3) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R1E, to the NE cor of said Sec 25;

(4) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R2E, to the NE cor of said Sec 25;

(5) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R3E, to the NE cor of said Sec 25;

(6) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R4E, to the NE cor of said Sec 25;

(7) S'ly along the EO8507 Line and E lines of Secs 25 and 36, T18N, R4E, to the SE cor of said Sec 36;

(8) S'ly along the EO8507 Line and E lines of Secs 1 and 12, T17N, R4E, to the SE cor of said Sec 12;

(9) E'ly along the EO8507 Line and N lines of Secs 18, 17, 16, 15, 14 and 13, T17N, R5E, to the NW cor of said Sec 13;

(10) S'ly along the EO8507 Line and E line of said Sec 13 to the SE cor thereof;

(11) E'ly along the EO8507 Line and N lines of Secs 19, 20 and 21, T17N, R6E, to the NE cor of said Sec 21;

(12) S'ly along the EO8507 Line and E lines of Secs 21, 28 and 33, said T17N, R6E, to the SE cor of said Sec 33;

(13) E'ly along the EO8507 Line and N line of Sec 3, T16N, R6E, to the NE cor thereof;

(14) S'ly along the EO8507 Line and E lines of Secs 3, 10, 15, 22, 27 and 34, said T16N, R6E, to the SE cor of said Sec 34 and SW cor of Sec 35, said Twp and Rng, being also a point in the Third Standard Parallel North, also being a point in the N line of Sec 2, T 15N, R6E;

(15) leaving said EO8507 Line, e'ly along said Third Standard Parallel North and the N lines of Secs 2 and 1, T15N, R6E, and Sec 6, T15N, R7E, and the S lines of Secs 35 and 36, T16N, R6E, to a found GLO/BLM monument marking the SE cor of said Sec 36 and SW cor of Sec 31, T16N, R7E, as shown in the BLM retracement of the south boundary of said T16N, R7E, executed by David H. Haller, Cadastral Surveyor, begun 17 August 2004 and completed 19 August 2004, pursuant to Special Instructions of 1 October 2004 for Group No. 1426-California, hereinafter referred to as "per said BLM retracement", the lotting and areas thereon being as shown on the official plat of survey approved 5 December 1856;

(16) e'ly along said Third Standard Parallel North and the N line of Sec 6, T15N, R7E, and the S line of said Sec 31, T16N, R7E, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 31, T16N, R7E, per said BLM retracement;

(17) e'ly along said Third Standard Parallel North and the N lines of Secs 6 and 5, T15N, R7E, and the S line of said Sec 31, T16N, R7E, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 31 and SW cor of Sec 32, T16N, R7E, per said BLM retracement;

(18) e'ly along said Third Standard Parallel North and the N line of Sec 5, T15N, R7E, and the S line of said Sec 32, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 32, per said BLM retracement;

(19) e'ly along said Third Standard Parallel North and the N lines of Secs 5 and 4, T15N, R7E, and the S line of

said Sec 32, **S 85° 59' 40" E, 2,637.77 ft (803.992 m)**, to a found GLO/BLM monument marking the SE cor of said

Sec 32 and SW cor of Sec 33, T16N, R7E, per said BLM retracement;

(20) e'ly along said Third Standard Parallel North and the N line of Sec 4, T15N, R7E, and the S line of said Sec 33, **S 86° 07' 10" E, 2,651.09 ft (808.052 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 33, per said BLM retracement;

(21) e'ly along said Third Standard Parallel North and the N lines of Secs 4 and 3, T15N, R7E, and the S line of said Sec 33, **S 86° 01' 40" E, 2,640.58 ft (804.849 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 33 and SW cor of Sec 34, T16N, R7E, per said BLM retracement;

(22) e'ly along said Third Standard Parallel North and the N line of Sec 3, T15N, R7E, and the S line of said Sec 34, **S 89° 20'30" E, 2,644.59 ft (806.071 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 34, per said BLM retracement;

(23) e'ly along said Third Standard Parallel North and the N lines of Secs 3 and 2, T15N, R7E, and the S line of said Sec 34, **S 89° 02' 00" E, 2,625.51 ft (800.255 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 34 and SW cor of Sec 35, T16N, R7E, per said BLM retracement;

(24) e'ly along said Third Standard Parallel North and the N line of Sec 2, T15N, R7E, and the S line of said Sec 35, **S 89° 25' 50" E, 2,629.59 ft (801.499 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 35, per said BLM retracement;

(25) e'ly along said Third Standard Parallel North and the N lines of Secs 2 and 1, T15N, R7E, and the S line of said Sec 35, **S 89° 23' 10" E, 2,634.01 ft (802.846 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 35 and SW cor of Sec 36, T16N, R7E, per said BLM retracement;

(26) e'ly along said Third Standard Parallel North and the N line of Sec 1, T15N, R7E, and the S line of said Sec 36, **S 89° 24' 40" E, 2,632.97 ft (802.529 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 36, per said BLM retracement;

(27) e'ly along said Third Standard Parallel North and the N line of Sec 1, T15N, R7E, and the N line of Sec 6, T15N, R8E, and the S line of said Sec 36, T16N, R7E, S **89° 51' 00" E, 2,634.25 ft (802.919 m),** to a found GLO/BLM monument marking the SE cor of said Sec 36, T16N, R7E, and SW cor of Sec 31, T16N, R8E, per said BLM retracement;

(28) e'ly along said Third Standard Parallel North and the S line of Sec 31, T16N, R8E, and the N line of Sec 6, T15N, R8E, **S 89° 28' 10" E, 2,635.08 ft (803.172 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 31, T16N, R8E, per said BLM retracement;

(29) e'ly along said Third Standard Parallel North and the S line of Sec 31, T16N, R8E, and the N line of Sec 6, T15N, R8E, **S 89° 09' 40" E, 1,329.42 ft (405.207 m)**, to a set BLM monument marking the NE cor of said Sec 6, T15N, R8E, per said BLM retracement;

(30) leaving said Third Standard Parallel North, s'ly along the E line of said Sec 6, T15N, R8E, **S 00° 59' 10" W, 3,148.87 ft (959.776 m)**, to a found GLO/BLM monument marking the E ¼ cor of said Sec 6,as shown on BLM dependent resurvey of a portion of the W boundary and the subdivisional line of said T15N, R8E, executed by David H. Haller, Cadastral Surveyor, beginning 2 August 2004 and completed 14 September 2004, pursuant to the aforesaid Special Instructions, hereinafter referred to as "per said BLM resurvey";

(31) s'ly along the E line of said Sec 6, **S 00° 24' 40" E, 2,631.34 ft (802.032 m)**, to a set BLM monument marking

the SE cor of said Sec 6 and NE cor of Sec 7, T15N, R8E, per said BLM resurvey;

(32) s'ly along the E line of said Sec 7, **S 00° 38' 50" W, 2,631.44 ft (802.063 m)**, to a set BLM monument marking the E ¼ cor of said Sec 7, per said BLM resurvey;

(33) s'ly along the E line of said Sec 7, **S 00° 38' 50" W, 2,631.45 ft (802.066 m)**, to a set BLM monument marking the SE cor of said Sec 7 and NE cor of Sec 18, T15N, R8E, per said BLM resurvey;

(34) s'ly along the E line of said Sec 18, **S 00° 11' 10" W, 2,631.29 ft (802.017 m)**, to a set BLM monument marking the E ¼ cor of said Sec 18, per said BLM resurvey;

(35) s'ly along the E line of said Sec 18, **S 00° 11' 10" W, 2,631.29 ft (802.017 m)**, to a set BLM monument marking the SE cor of said Sec 18 and NE cor of Sec 19, T15N, R8E, per said BLM resurvey;

(36) s'ly along the E line of said Sec 19, **S 01° 12' 10" E, 2,631.85 ft (802.188 m)**, to a set BLM monument marking the E ¼ cor of said Sec 19, per said BLM resurvey;

(37) s'ly along the E line of said Sec 19, **S 01° 12' 10" E, 1,776 ft (541.3 m),** more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from, the previously existing 36-inch (0.91 m) diameter pipeline (known as the "Old Line") or the more recently-constructed 36-inch (0.91 m) diameter pipeline (known as the "Loop Line"), both operated by Kern River Gas Transmission Company (KRGTC), and said Old Line and Loop Line pipelines being the most nw'ly utility structures in the vicinity of Utility Planning Corridor "D" established by the BLM's California Desert Conservation Area Plan of 1980 as amended;

(38) sw'ly along said SE'ly Line, **S 71° 41' 16" W, 2,136 ft (651.1 m)**, more or less, to an angle point therein, lying in the SW ¼ SE ¼ of said Sec 19;

(39) sw'ly along said SE'ly Line, passing thru the SW ¼ SE ¼ said Sec 19, the N ½ of Sec 30, T 15 N, R 8 E, Sec 25, the NW ¼ NW ¼ of Sec 36, Sec 35 and SE ¼ SE ¼ of Sec 34, T15N, R7E, **S 53° 42' 26" W, 20,118 ft (6132.0 m)**, more or less, to an angle point therein, lying in the W ½ of GL2 in the NE ¼ of Sec 3, T14N, R7E;

(40) sw'ly along said SE'ly Line, **S 61° 37' 23" W, 100 ft (30.5 m)**, more or less, to an angle point therein, lying in said W ½ of GL2 in the NE ¼ of Sec 3, T14N, R7E;

(41) sw'ly along said SE'ly Line, **S 53° 39' 19" W, 451 ft (137.5 m)**, more or less, to an angle point therein, lying in the E ½ of GL2 in the NW ¼ of said Sec 3;

(42)) sw'ly along said SE'ly Line, passing thru Secs 3 and 9, **S 40° 46' 06" W, 11,848 ft (3611.3 m)**, more or less, to an angle point therein, lying in the NE ¼ NE ¼ Sec 17, T14N, R7E;

(43) sw'ly along said SE'ly Line, passing thru Secs 17 and 20, **S 32° 16' 49" W, 9,305 ft (2836.2 m)**, more or less, to an angle point therein, lying in the SE ¼ of Sec 19;

(44) sw'ly along said SE'ly Line, **S 42° 15' 48" W, 102 ft (31.1 m)**, more or less, to an angle point therein, lying in the said SE ¼ of Sec 19;

(45) sw'ly along said SE'ly Line, **S 52° 14' 47" W, 1,926 ft (587.0 m)**, to an angle point therein, lying in the said SE ¼ of Sec 19;

(46) sw'ly along said SE'ly Line, **S 49° 29' 33" W, 2,134 ft (650.4 m)**, more or less, to an angle point therein, lying in GL1 in the NW ¼ of said Sec 30;

(47) sw'ly along said SE'ly Line, **S 52° 05' 15" W, 1,460 ft (445.0 m)**, to an angle point therein, lying in the S ½ of GL2 in the NW ¼ of said Sec 30;

(48) sw'ly along said SE'ly Line, **S 52° 57' 29" W, 887 ft (270.4 m)**, more or less, to an angle point therein, lying in the N ½ (UNSURVEYED) of Sec 25, T 14 N, R 6 E;

(49) sw'ly along said SE'ly Line, **S 50° 54' 05" W, 1,066 ft (325.0 m)**, more or less, to an angle point therein lying in the SW ¼ of said Sec 25, said angle point lying **100 ft (30.480 m)** nw'ly of said Old Line, and at which angle point said Old Line and Loop Line begin tending s'ly, sw'ly and nw'ly, by various courses and distances, into said Utility Planning Corridor "D", and at some points lying beneath structures of the Intermountain Power Authority (IPA);

(50) sw'ly and independently of distances from the KRGTC Lines, **S 64° 30'26" W, 6,343 ft (1,933.5 m)**, more or less, in a direct line thru said Sec 25 and the SE ¼ SE ¼ SE ¼ of Sec 26 to a point in the NW ¼ NE ¼ of Sec 35, last-said Twp and Rng, lying **100 ft (30.480 m)** nw'ly of said KRGTC Lines, where said lines are again the most nw'ly utility structures at or near said Utility Planning Corridor "D";

(51) sw'ly along said SE'ly Line, passing thru said Sec 35 and Sec 34, **S 71° 05' 03" W, 12,825 ft (3,912.2 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of Sec 33;

(52) sw'ly along said SE'ly Line, **S 60° 18' 16" W, 451 ft (137.5 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of said Sec 33;

(53) sw'ly along said SE'ly Line, **S 67° 09' 53" W, 102 ft (31.1 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of said Sec 33 T 14 N, R 6 E, SBM;

(54) sw'ly along said SE'ly Line, **S 74° 19' 22" W, 1612 ft (491.3 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NW ¼ of Sec 4, T 13 N, R 6 E;

(55) sw'ly along said SE'ly Line, **S 71° 19' 12" W, 619 ft (188.7 m)**, more or less, to an angle point therein lying in the E ½ of GL2 in the NE ¼ of Sec 5, last-said Twp and Rng;

(56) sw'ly along said SE'ly Line, **S 77° 23' 11" W, 1,049 ft (319.7 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;

(57) w'ly along said SE'ly Line, **N 89° 47' 36" W, 102 ft (31.1 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;

(58) nw'ly along said SE'ly Line, **N 74° 19' 12" W, 919 ft (280.1 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;

(59) sw'ly along said SE'ly Line, **S 79° 03' 45" W, 1,858 ft (566.3 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NW ¼ of said Sec 5;

(60) sw'ly along said SE'ly Line, **S 30° 49' 04" W, 1,041 ft (317.3 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;

(61) se'ly along said SE'ly Line, **S 14° 32' 11" E, 982 ft (299.3 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;

(62) se'ly along said SE'ly Line, **S 01° 15' 23" E, 101 ft (30.8 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;

(63) sw'ly along said SE'ly Line, **S 17° 13' 40" W, 766 ft (233.5 m)**, more or less, to an angle point therein lying in the NW ¼ SW ¼ of said Sec 5;

(64) sw'ly along said SE'ly Line, **S 21° 34' 01" W, 172 ft (52.4 m)**, more or less, to an angle point therein lying in the NW ¼ SW ¼ of said Sec 5;

(65) sw'ly along said SE'ly Line, **S 28° 49' 58" W, 1,054 ft (321.3 m)**, more or less, to an intersection with the w'ly line of said Sec 5 in the SW ¼ SW ¼ thereof, said intersection being also a point in the EO8507 Line;

(66) leaving said SE'ly Line, s'ly along the EO8507 Line and W line of said Sec 5, **1,160 ft (353.6 m)**, more or less, to the SW cor of said Sec 5 and SE cor of Sec 6;

(67) w'ly along the EO8507 Line and S line of said Sec 6 and N line of Sec 7, **680 ft (207.3 m)**, more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from the aforesaid KRGTC Old Line and Loop Line;

(68) leaving the EO8507 Line, sw'ly along said SE'ly Line, **S 28° 55' 35" W, 4114 ft (1258.9 m)**, more or less, to an angle point therein in GL1 in the SW ¼ of said Sec 7;

(69) sw'ly along said SE'ly Line, **S 36° 23' 27" W, 100 ft (30.5 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of Sec 7;

(70) sw'ly along said SE'ly Line, **S 28° 57' 46" W, 473 ft (144.2 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of said Sec 7;

(71) sw'ly along said SE'ly Line, **S 23° 21' 51" W, 147 ft (44.82 m)**, more or less, to an angle point therein in GL1 in the SW ¼ of said Sec 7;

(72) sw'ly along said SE'ly Line, **S 28° 51' 20" W, 441 ft (134.4 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of said Sec 7;

(73) sw'ly along said SE'ly Line, **S 30° 36' 42" W, 102 ft (31.1 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of Sec 7;

(74) sw'ly along said SE'ly Line, **S 32° 15' 59" W, 1218 ft (371.2 m)**, more or less, to an angle point therein in GL1 in the NW ¼ of Sec 18, last-said Twp and Rng;

(75) sw'ly along said SE'ly Line, **S 35° 18' 04" W, 102 ft (31.1 m)**, more or less, to an angle point therein in the N ½ of GL2 in the NW ¼ of said Sec 18;

(76) sw'ly along said SE'ly Line, **S 40° 57' 25" W, 688 ft (209.7 m),** more or less, to an angle point therein in the N ½ of GL2 in the NW ¼ of said Sec 18;

(77) sw'ly along said SE'ly Line, **S 42° 12' 40" W, 422 ft (128.6 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;

(78) sw'ly along said SE'ly Line, **S 36° 02' 18" W, 196 ft (59.7 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;

(79) sw'ly along said SE'ly Line, **S 34° 36' 38" W, 557 ft (169.8 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;

(80) sw'ly along said SE'ly Line, **S 22° 23' 25" W, 802 ft (244.4 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of Sec 13, T 13 N, R 5 E;

(81) sw'ly along said SE'ly Line, **S 27° 14' 12" W, 672 ft (204.8 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 13;

(82) sw'ly along said SE'ly Line, **S 33° 16' 40" W, 8,750 ft (2,667.0 m)**, more or less, to an angle point therein in the s'ly line of Sec 24 and n'ly line of Sec 25, last-said Twp and Rng;

(83) w'ly along said n'ly sec line, **96 ft (29.3 m)**, more or less, to the SW cor of said Sec 24 and NE cor of Sec 26, being also a point in the EO8507 Line;

(84) s'ly along the EO8507 Line and E line of said Sec 26, **145 ft (44.3 m)**, more or less to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from the aforesaid KRGTC Old Line and Loop Line;

(85) leaving the EO8507 Line, sw'ly along said SE'ly Line, **S 33° 17' 40" W, 2838 ft (865.0 m)**, more or less, to an angle point therein in the SE ¼ NE ¼ of said Sec 26;

(86) sw'ly along said SE'ly Line, **S 35° 15' 54" W, 161 ft (49.10 m)**, more or less, to an angle point therein in the NW ¼ SE ¼ of said Sec 26;

(87) sw'ly along said SE'ly Line, thru Secs 26, 34 and 35, T13N, R5E, SBM, **S 39° 51' 58" W, 6,954 ft (2,119.6 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 34;

(88) sw'ly along said SE'ly Line, thru Sec 34, T13N, R5E, and thru Sec 3, T12N, R5E, SBM, **S 35° 21' 08" W, 3,828 ft (1,166.8 m)**, more or less, to an angle point therein in GL1 in the NW ¼ of said Sec 3;

(89) sw'ly along said SE'ly Line, **S 11° 18' 54" W, 433 ft (132.0 m)**, more or less, to an angle point therein in said GL1 in the NW ¼ of said Sec 3;

(90) sw'ly along said SE'ly Line, thru Secs 3 and 4, last-said Twp and Rng, **S 35° 55' 57" W, 1900 ft (579.1 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 4;

(91) sw'ly along said SE'ly Line, **S 38° 23' 16" W, 310 ft (94.5 m)**, more or less, to an angle point therein in the SE ¼ SE ¼ of said Sec 4;

(92) sw'ly along said SE'ly Line, **S 36° 12' 46" E, 1560 ft (475.5 m),** more or less to an angle point therein in the NE ¼ NE ¼ of Sec 9, last-said Twp and Rng, being also an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **10 ft (3.048 m)** from the most nw'ly structures of said KRGTC

pipelines;

(93) sw'ly along said SE'ly Line, thru said Sec 9, **S 68° 49' 18" W, 603 ft (183.8 m)**, more or less, to an angle point therein in the NW ¼ NE ¼ of said Sec 9;

(94) sw'ly along said SE'ly Line, **S 70° 56' 57" W, 514 ft (56.7 m)**, more or less, to an angle point therein in the NW

¼ NE ¼ of said Sec 9;

(95) sw'ly along said SE'ly Line, **S 61° 58' 58" W, 749 ft (228.3 m)**, more or less, to an angle point therein in the NE ¼ NW ¼ of said Sec 9;

(96) sw'ly along said SE'ly Line, **S 45° 42' 18" W, 734 ft (223.7 m)**, more or less, to an angle point therein in the SE ¼ NW ¼ of said Sec 9;

(97) sw'ly along said SE'ly Line, **S 15° 57' 41" W, 3409 ft (1039.1 m)**, more or less, to an angle point therein in the SW¼ SW ¼ of said Sec 9;

(98) sw'ly along said SE'ly Line, **S 21° 09' 33" W, 100 ft (30.5 m)**, more or less, to an angle point therein in the SW¼ SW ¼ of said Sec 9;

(99) sw'ly along said SE'ly Line, **S 26° 25' 09" W, 609 ft (185.6 m)**, more or less, to an intersection with the s'ly line of said Sec 9 and n'ly line of Sec 16, last-said Twp and Rng

(100) leaving said SE'ly Line, w'ly along said s'ly sec line, **514 ft (156.7 m)**, more or less, to the SW cor of said Sec 9 and NE cor of Sec 17, being also a point in said EO8507 Line;

(101) leaving said EO8507 line, s'ly along the E line of said Sec 17, **939 ft (286.2 m)**, more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **10 ft (3.048 m)** from the aforesaid KRGTC Old Line and Loop Line;

(102) leaving said E sec line, sw'ly along said SE'ly Line, **S 43° 34' 35" W, 2899 ft (883.6 m)**, more or less, to an angle point therein;

(103) sw'ly along said SE'ly Line, **S 43° 58' 42" W, 569 ft (173.4 m)**, more or less, to an angle point therein;

(104) sw'ly along said SE'ly Line, **S 49° 49' 49" W, 2796 ft (852.2 m)**, more or less, to an intersection with the S line of said Sec 17;

(105) leaving said SE'ly Line, w'ly along said S sec line, **695 ft (211.8 m)**, more or less, to the SW cor of said Sec 17 and SE cor of Sec 18, being also a point in said EO8507 Line;

(106) w'ly along the EO8507 Line and S line of said Sec 18 to the SW cor thereof;

(107) w'ly along the EO8507 Line and the S lines of Secs 13, 14, 15, 16, 17 and 18, T12N, R4E, to the SW cor of said Sec 18;

(108) w'ly along the EO8507 Line and S lines of Secs 13, 14, 15, 16, 17 and 18, T12N, R3E, to the SW cor of said

Sec 18;

(109) n'ly along the EO8507 Line and W line of said Sec 18 to the NW cor thereof;

(110) w'ly along the EO807 Line and S lines of Secs 12 and 11, T12N, R2E, to the SW cor of said Sec 11;

(111) n'ly along the EO8507 Line and W line of said Sec 11 to the NW cor thereof;

(112) w'ly along the EO8507 Line and S lines of Secs 3 and 4, said T12N, R2E, to the SW cor of said Sec 4;

(113) s'ly along the EO8507 Line and E line of Sec 8, said T12N, R2E, to the SE cor thereof;

(114) w'ly along the EO8507 Line and S line of said Sec 8 to the SW cor thereof;

(115) n'ly along the EO8507 Line and W lines of Secs 8 and 5, said T12N, R2E, to the NW cor of said Sec 5;

(116) w'ly along the EO8507 Line and S line of Sec 31, T13N, R2E, to a found GLO/BLM monument marking the SW cor of said Sec 31 and NE cor of GL1 of Sec 1, T12N, R1E, SBM, as shown in the BLM dependent retracement of a portion of the W boundary, the dependent resurvey of a portion of the N and E boundaries, and a portion of the subdivisional line, and the subdivision of Secs 1 and 2 of said T12N, R1E, SBM, executed by David H. Haller, Cadastral Surveyor, begun 4 October 2004 and completed 28 October 2004, pursuant to the aforesaid Special Instructions dated 1 October 2004, for Group No. 1426-California, hereinafter referred to as "per said BLM retracement and resurvey";

(117) leaving the EO8507 Line, s'ly along the E line of said GL1, **S 00° 01' W, 1,499.41 ft (457.020 m)**, to a set BLM monument marking the SE cor thereof, per said BLM retracement and resurvey;

(118) w'ly along the S lines of GL1 and GL2**, S 89° 48' 50" W, 2,638.61 ft (804.218 m)** to a set BLM monument marking the SW cor of said GL2 and NE cor of the S ½ NW ¼ of said Sec 1, per said BLM retracement and resurvey;

(119) s'ly along the E line of said S ½ NW ¼**, S 00° 03' W, 1,322.83 ft (403.199 m)** to a set BLM monument marking the SE cor thereof, per said BLM retracement and resurvey;

(120) w'ly along the S line of said S ½ NW ¼**, S 89° 44' 50" W, 2,641.20 ft (805.038 m)** to a found GLO/ BLM monument marking the SW cor thereof, being also the W quarter cor of said Sec 1, being also a point in the E line of GL6 of said Sec 2, per said BLM retracement and resurvey;

(121) s'ly along the E line of said Sec 2 and of said GL6**, S 00° 10' E, 1,319.33 ft (402.132 m)** to a set BLM monument marking the SE cor of said GL6, per said BLM retracement and resurvey;

(122) w'ly along the S line of said GL6 and S line of the NW ¼ SE ¼ of said Sec 2, **S 89° 49' 20" W, 2590.63 ft (789.624 m)** to a set BLM monument marking the SW cor of said NW ¼ SE ¼ and NE cor of GL8 of said Sec 2, per said BLM retracement and resurvey;

(123) s'ly along the E line of said GL8**, S 02° 17' W, 1,506.04 ft (459.041 m)** to a found GLO/BLM monument marking the SE cor thereof, being also a point in the S line of said Sec 2, per said BLM retracement and resurvey;

(124) w'ly along the S line of said Sec 2 and S lines of GL8 and GL7**, S 89° 59' 40" W, 2,639.14 ft (804.410 m)** to a found GLO/BLM monument marking the SW cor of said GL7 and of said Sec 2, being also a point in the E line of

Sec 10, per said BLM retracement and resurvey;

(125) n'ly along the E line of said Sec 10, **N 00° 04' 38" W, 164.84 ft (50.243 m)**, to a found GLO/BLM monument marking the SE cor of Sec 3, per said BLM retracement and resurvey;

(126) w'ly along the S line of *said* Sec 3**, N 89° 36'10" W, 2,650.48 ft (807.866 m)** to a found GLO/BLM monument marking the S ¼ cor of said Sec 3, per said BLM retracement and resurvey;

(127) w'ly along the S line of said Sec 3, **N 89° 36' 10" W, 2,650.46 ft (807.860 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 3 and SE cor of Sec 4, per said BLM retracement and resurvey;

(128) w'ly along the S line of said Sec 4, **N 89° 15' 50" W, 2,652.54 ft (808.494 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 4, per said BLM retracement and resurvey;

(129) w'ly along the S line of said Sec 4, **N 89° 15' 50" W, 2,652.54 ft (808.494 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 4 and SE cor of Sec 5, per said BLM retracement and resurvey;

(130) w'ly along the S line of said Sec 5, **N 86° 30' 52" W, 2,734.44 ft (833.457 m)**, to a set BLM monument marking the S ¼ cor of said Sec 5, per said BLM retracement and resurvey;

(131) w'ly along the S line of said Sec 5, **N 85° 53' 00" W, 2,734.43 ft (833.454 m)**, to a set BLM monument marking the SW cor of said Sec 5 and SE cor of Sec 6, per said BLM retracement and resurvey;

(132) w'ly along the S line of said Sec 6, **N 89° 59'55" W, 2,730.89 ft (832.375 m)**, to a set BLM monument marking the S ¼ cor of said Sec 6, per said BLM retracement and resurvey;

(133) w'ly along the S line of said Sec 6, **N 89° 29' 20" W, 2,799.20 ft (853.196 m)**, to a found GLO/ BLM monument marking the SW cor of said Sec 6, T12N, R1E, SBM, being also a point in the San Bernardino Meridian (SBM), per said BLM retracement and resurvey;

(134) n'ly along said SBM and along the W line of said Sec 6, **N 01° 04' 40" W, 2,685.87 ft (818.653 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 6, per said BLM retracement and resurvey;

(135) n'ly along said SBM and along the W line of said Sec 6, **N 00° 03' 00" E, 1717.59 ft (523.521 m)**, to a found GLO/BLM monument marking the SE cor of GL7 of Fractional (Frac) Sec 3, T32S, R47E, Mount Diablo Meridian (MDM), as shown on retracement and survey of a portion of the N and E boundaries, a portion of the subdivisional line, and the subdivision of said Frac Section 3, executed by David H. Haller, Cadastral Surveyor, begun 23 September 2004, and completed 30 September 2004, pursuant to the aforesaid Special Instructions, and to Supplemental Special Instructions No. 1, dated 8 November 2004, under Group No. 1426-California, hereinafter referred to as " per said BLM retracement and survey";

(136) w'ly along the S line of said Frac Sec 3 and of said GL7, **N 89° 45' 10" W, 1,579.625 ft (481.4697 m)**, to a found GLO/BLM monument marking the SW cor of said GL7, and S ¼ cor of said Frac Sec 3, per said BLM retracement and survey;

(137) w'ly along the S line of the SW ¼ of said Frac Sec 3, **S 89° 59' 40" W, 2,670.03 ft (813.825 m),** to a found GLO/BLM monument marking the SW cor thereof, as shown in a retracement executed by Ludwig Engineering, a private contractor, begun 1 May 2002 and completed 15 August 2002, hereinafter referred to as "per said Ludwig retracement";

(138) n'ly along the W line of said SW ¼, **N 00° 04' 00" W, 2,640.66 ft (804.873 m)**, per said Ludwig retracement, to a found GLO/BLM monument marking the NW cor of said SW ¼ and SW cor of the SW ¼ NW ¼ of said Frac Sec 3, as said monument is shown on said BLM retracement and resurvey,;

(139) n'ly along the W line of said SW ¼ NW ¼, **N 00° 03' 40" W, 1,320.00 ft (402.336 m)**, to the NW cor thereof and SW cor of GL3 of Frac Sec 3, per GLO/BLM survey plat thereof approved April 23, 1913, and to a set BLM monument at said cor as shown on said BLM retracement and survey;

(140) n'ly along the W line of said GL3, **N 00° 03'40" W, 1,885.28 ft (574.634 m)**, to the NW cor thereof and NW cor of said Frac Sec 3, T32S, R47E, being also an intersection with the S line of Frac Sec 34, T31 S, R47E, said intersection lying **S 00° 03' 40" E, 0.132 ft (0.0402 m)** from a found GLO/BLM monument per said BLM retracement and resurvey;

(141) w'ly along the S line of said Frac Sec 34, **S 89° 53' 10" W, 90.354 ft (27.530 m)**, to a found GLO/BLM monument marking the SW cor thereof and SE cor of Sec 33, T31S, R47E, MDM, being a point lying **N 31° 02' 00" W, 2,743.55 ft (836.235 m)** from U. S. Coast & Geodetic Survey (USC&GS) Monument "Goldstone 1964", per said BLM retracement and resurvey;

(142) w'ly along the S line of said Sec 33, **S 89° 59' 20" W, 2,638.900 ft (804.3367 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 33, as shown in the BLM subdivision survey of said Section 33, executed by David H. Haller, Cadastral Surveyor, begun 21 September 2004 and completed 22 September 2004, pursuant to aforesaid Special Instructions, hereinafter referred to as "per said BLM/Haller survey";

(143) w'ly along the S line of the SW ¼ of said Sec 33 to the SW corner thereof, per GLO/BLM survey plat thereof approved April 23, 1913;

(144) n'ly along the W line of the SW ¼ of said Sec 33, per GLO/BLM survey plat thereof approved April 23, 1913, to a found GLO/BLM monument marking the NW corner thereof, and SW corner of the NW ¼ of said Sec 33, per said BLM/Haller survey;

(145) n'ly along the W line of said NW ¼ , **N 00° 05' 50" W, 2,644.72 ft (806.111 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 33, the SW cor of Sec 28, and the SE cor of Sec 29, T31s, R47E, MDM, per said BLM/Haller survey;

(146) w'ly along the S line of said Sec 29, **S 89° 56' 10" W, 2,640.98 ft (804.971 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 29, as shown in a retracement of the S line of said T31S, R47E, executed by Ludwig Engineering, a private contractor, begun 1 May 2002 and completed 15 August 2002, hereinafter referred to as "per said Ludwig retracement";

(147) continuing w'ly along the S line of said Sec 29, **S 89° 59' 30" W, 2,637.10 ft (803.788 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 29 and SE cor of Sec 30, per said Ludwig retracement ;

(148) w'ly along the S line of said Sec 30, **S 89° 43' 40" W, 2,645.01 ft (806.199 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 30, per said Ludwig retracement ;

(149) continuing w'ly along the S line of said Sec 30, **S 89° 44' 10" W, 2,707.33 ft (825.194 m)**, to a set BLM monument marking the SW cor of said Sec 30, T31S, R47E, MDM, and the SE cor of Sec 25, T31S, R46E, MDM, as shown on a retracement of a portion of the subdivisional line of said T31S, R46E executed by Ludwig Engineering, a private contractor, begun 1 August 2002 and completed 21 September 2002, and as shown on a dependent resurvey of a portion of the subdivisional line of said T31S, R46E executed by David H. Haller,

Cadastral Surveyor, begun 14 September 2004 and completed 21 September 2004, pursuant to the aforesaid Special Instructions, hereinafter referred to as “per said Ludwig retracement and BLM/Haller resurvey”;

(150) w’ly along the S line of said Sec 25, T31S, R46E, MDM, **N 89° 38’ 00” W, 2,642.84 ft (805.538 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 25, per said Ludwig retracement and BLM/Haller resurvey;

(151) continuing w’ly along the S line of said Sec 25, **N 89° 42’ 30” W, 2,646.65 ft (806.699 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 25 and SE cor of Sec 26, per said Ludwig retracement and BLM/Haller resurvey;

(152) w’ly along the S line of said Sec 26, **N 88° 21’ 20” W, 2,636.51 ft (803.608 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 26, per said Ludwig retracement and BLM/Haller resurvey;

(153) continuing w’ly along the S line of said Sec 26, **N 88° 09’ 10” W, 2,637.79 ft (803.998 m)**, to a set BLM monument marking the SW cor of said Sec 26 and SE cor of Sec 27, per said Ludwig retracement and BLM/Haller resurvey;

(154) w’ly along the S line of said Sec 27, **S 87° 05’ 10” W, 2,642.43 ft (805.413 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 27, per said Ludwig retracement and BLM/Haller resurvey;

(155) continuing w’ly along the S line of said Sec 27, **S 87° 04’ 30” W, 2,639.78 ft (804.605 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 27 and SE cor of Sec 28, per said Ludwig retracement and BLM/Haller resurvey;

(156) w’ly along the S line of said Sec 28, N **89° 19’ 20” W, 2,650.67 ft (807.924 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 28, per said Ludwig retracement and BLM/Haller resurvey;

(157) continuing w’ly along the S line of said Sec 28, N **89° 19’ 10” W, 2,654.50 ft (809.092 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 28 and SE cor of Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(158) w’ly along the S line of said Sec 29, N **87° 48’ 40” W, 2,658.59 ft (810.338 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(159) continuing w’ly along the S line of said Sec 29, N **87° 49’ 20” W, 2,660.64 ft (810.963 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 29, SE cor of Sec 30, NE cor of Sec 31 and NW cor of Sec 32, T31S, R46E, MDM, per said Ludwig retracement and BLM/Haller resurvey, and said monument having Latitude 35° 11’ 59.187” N, and Longitude 117° 04’ 57.015” W (NAD 1983, CORS 2004.0), per said BLM/Haller resurvey;

(160) n’ly along the W line of said Sec 29, **N 00° 56’ 30” W, 2,647.29 ft (806.894 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(161) continuing n’ly along the W line of said Sec 29, **N 00° 56’ 10” W, 2,648.01 ft (807.113 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 29 and SW cor of Sec 20, per said Ludwig retracement and BLM/Haller resurvey;

(162) n’ly along the W line of said Sec 20, **N 00° 40’ 30” E, 2,647.02 ft (806.812 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 20, per said Ludwig retracement and BLM/Haller resurvey;

(163) continuing n'ly along the W line of said Sec 20, **N 00° 42' 00" E, 2,648.14 ft (807.153 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 20 and SW cor of Sec 17, per said Ludwig retracement and BLM/Haller resurvey;

(164) n'ly along the W line of said Sec 17, **N 01° 21' 50" E, 2,654.61 ft (809.125 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 17, per said Ludwig retracement and BLM/Haller resurvey;

(165) continuing n'ly along the W line of said Sec 17, **N 01° 06' 20" E, 2,638.44 ft (804.197 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 17 and SW cor of Sec 8, per said Ludwig retracement and BLM/Haller resurvey;

(166) n'ly along the W line of said Sec 8, **N 02° 20' 30" W, 2,649.60 ft (807.598 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 8, per said Ludwig retracement and BLM/Haller resurvey;

(167) continuing n'ly along the W line of said Sec 8, **N 00° 21' 00" W, 2,650.63 ft (807.912 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 8 and SW cor of Sec 5, per said Ludwig retracement and BLM/Haller resurvey;

(168) n'ly along the W line of said Sec 5, **N 00° 37' 30" W, 2,648.58 ft (807.287 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 5, per said Ludwig retracement and BLM/Haller resurvey;

(169) continuing n'ly along the W line of said Sec 5, **N 00° 37' 30" W, 2,648.58 ft (807.287 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 5, T31S, R46E, MDM, per said Ludwig retracement and BLM/Haller resurvey;

(170) leaving said Ludwig retracement and BLM/Haller resurvey, e'ly along the N lines of Secs 5, 4, 3, 2 and 1 to the NE cor of said Sec 1, T31S, R46E, MDM, per GLO/BLM survey plat thereof approved February 29, 1856, and NW cor of Sec 6, T31S, R47E, MDM, *p*er GLO/BLM survey plat thereof approved April 23, 1913;

(171) e'ly along the N lines of Secs 6, 5, 4 and 3 to the NE cor of said Frac Sec 3, T31S, R47E, MDM, per GLO/BLM survey plat thereof approved April 23, 1913, being also a pt in the W line of Sec 31, T14N, R1E, SBM, and a pt in the SBM;

(172) n'ly along the SBM and said W line to the NW cor of said Sec 31;

(173) n'ly along the SBM and along the W lines of Secs 30, 19 and 18, T14N, R1E, SBM, to the NW cor of said Sec 18 and SW cor of Sec 7, being the **POINT OF BEGINNING**, and containing **753,469 ac (304,929 ha)** of land, more or less, or **1,177 sq mi** of land, more or less.

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(174) **EXCEPTING** therefrom the following lands listed in the table below, said lands being properties planned for acquisition within the Fort Irwin Expansion Project, but which, as of the date of this description, have not yet had conveyance to the United States of America completed and recorded; and the legal descriptions and acreages of said lands being taken from County Assessor records and maps::

TWP	RNG	SEC(S)	DESCRIPTION	APN	OWNER OF RECORD	ACRES	HA
T13N	R1E	03-10	Mines: Julian #1, Pekin, Reward #1 & #2 MS 6182	0519-051-08	GRAHAM, SCOTT & SUZANNE A	80.33	32.51
T13N	R1E	10-11	Mines: Catherine #1 & #2, MS 6297, Pat #1117396	0519-051-02	CROSSLAND, WINFORD D & JEAN M A / DOYLE, ORVILLE K	41.32	16.72
T13N	R1E	10	Possessory interest in 200' x 200' microwave site in Graham's MS 6182	0519-051-09	WESTERN UNION TELEGRAPH CO	0	0
T13N	R1E	16	SE ¼ SW ¼ NW ¼	0519-031-16	DO, OANH Q/ NGOC-CAM T HOANG	10.00	4.05
T13N	R1E	16	NW ¼ NW ¼ & N ½ SW ¼ NW ¼	0519-031-18	RUPERT DAVID	60.00	24.28
T14N	R1E	36	S ½ SW ¼	0519-241-12	TOWNSLEY, ALEXANDER JR & STEWART, JON SR	80.00	32.38
T14N	R1E	36	N ½ NW ¼	0519-241-15	PHI, JACQUELINE	80.00	32.38
T14N	R1E	36	S ½ SW ¼	0519-241-16	PHI, JACQUELINE	80.00	32.38
T31S	R46E	01	W ¼ W ½ GL2 in NW ¼	0507-074-01	TELLEZ, CECILIA & SOPHRONIA	10.18	4.12
T31S	R46E	01	W ½ GL1 in NW ¼	0507-074-13	BATES, IRENE & SVENSSON, ELLEN C, HEIRS OF	40.00	16.19
T31S	R46E	03	S ¼ S ½ E ½ GL 1 & 2 in NE ¼	0507-072-14	FAMILY NURSERY CO INC	10.00	4.05
T31S	R46E	03	E ½ NW ¼ SW ¼	0507-072-20	DOGGETT, MARVIN H & DEOTTA R	20.00	8.09
T31S	R46E	03	N1/2NE1/4NE1/4NW1/4	0507-072-29	BRANCOLINO, LIDIA & PIA I	5.00	2.02
T31S	R46E	03	N ½ NW ¼ SE ¼ NW ¼	0507-072-31	BURTON, ROBERT	5.00	2.02
T31S	R46E	03	S ½ SE ¼ SE ¼ NW ¼	0507-072-34	BURTON, ROBERT	5.00	2.02
T31S	R46E	03	N ½ SE ¼ SE ¼ NW ¼	0507-072-35	BURTON, FANNY	5.00	2.02
T31S	R46E	03	W ½ S ½ NW ¼ NE ¼ NW ¼	0507-072-37	LOPEZ, TONY & MARIA C	2.50	1.01
T31S	R46E	03	S ½ SW ¼ SE ¼ NW ¼	0507-072-39	BURTON, MICHAEL	5.00	2.02
T31S	R46E	05	W ½ NW ¼ SE ¼	0507-081-04	SMITH, OLLIE I/TR	20.00	8.09
T31S	R46E	05	W ½ SE ¼ SE ¼	0507-081-23	NEWELL, ALAN & REYNOLDS, DAVID K	20.00	8.09

T31S	R46E	05	N ½ SW ¼ SE ¼	0507-081-25	CRIPE, CECIL D	20.00	8.09
T31S	R46E	16	SE ¼	0507-091-18	DAVIDSON, JAMES F & FRED J, ET AL	160.00	64.75
T31S	R46E	20	SW ¼ SW ¼	0507-101-03	GORDON, ALBERT M JR & ROBINSON, RICHARD W	40.00	16.19
T31S	R46E	20	W ½ NE ¼ NE ¼	0507-101-09	ECKWORTZEL, PIA F	20.00	8.09
T31S	R46E	20	E ½ NE ¼ SE ¼	0507-101-12	SOVICH, EDWARD S, TR	20.00	8.09
T31S	R46E	20	W ½ SE ¼ SE ¼	0507-101-14	HASEKIAN, KATHERINE	20.00	8.09
T31S	R46E	20	NW ¼ SE ¼ SW ¼	0507-101-19	JULY, ELIZABETH W & MARVEL L	10.00	4.05
T31S	R46E	20	SW ¼ NW ¼	0507-101-24	MEDVIN, ROBIN B, DESCENDANTS	40.00	16.19
T31S	R46E	21	W1/2	0507-091-07	SALYER LAND CO	320.00	**129.50**
T31S	R46E	22	W ½ W ½ W ½ NW ¼	0507-061-52	SANCHEZ, MODESTO	20.00	8.09
T31S	R46E	22	W ½ W ½ W ½ NW ¼	0507-061-53	N R L L, INC	20.00	8.09
T31S	R46E	23	E ½ NE ¼	0507-061-18	YOUNG, TIMOTHY W & CORA B	80.00	32.38
T31S	R46E	24	S ½ S ½ N ½ NW ¼	0507-061-34	MAIER, LEO & MARY M	20.00	8.09
T31S	R46E	24	W ½ W ½ N ½ N ½ NE ¼	0507-061-60	HANSON, STEPHEN E	10.00	4.05
T31S	R46E	28	E ½ NE ¼	0507-111-11	SILVESTRE, ALFREDO Z. & MARIA LUISA	79.38	32.12
T31S	R47E	04	SW ¼	0507-021-01	SALYER LAND CO	160.00	64.75
T31S	R47E	05	S ½ S ½	0507-031-05	SALYER LAND CO	160.00	64.75
T31S	R47E	07	N ½ SW ¼ & SW ¼ SW ¼	0507-031-10	ECKWORTZEL, PIA F	131.56	53.24
T31S	R47E	08	SE ¼ NE ¼	0507-031-21	TRIEU, KELLY	40.00	16.19

Total non-federal (non-**BLM) land in** Segment 3, **Mount Diablo and San Bernardino Meridians, is 9,515.49 ± ac, or 3,850.92± ha, or 15.37± sq mi.**

(175) **AND FOR PURPOSES OF LEGISLATIVE JURISDICTION**, the said perimeter, less the exception noted in Call No. 174 above, contains a net area of **743,953 acres (301,078 ha)(1,162 sq mi)** of land, more or less.

PARCEL 2 (Water Supply Withdrawal)

Those certain lands in the unincorporated area of the County of San Bernardino, State of California, separated from and non-contiguous with Parcel 1 described above, as described in PLO 2940, dated 15 February 1963 (formerly acquired by recordation on BLM Public Land Records, Serial No. LA-0164624, dated 1 July 1951), said PLO 2940 titled "*Withdrawal for Protection of Fort Irwin Water Supply"* (FR Vol 28 Pg 1634), more particularly described as follows:

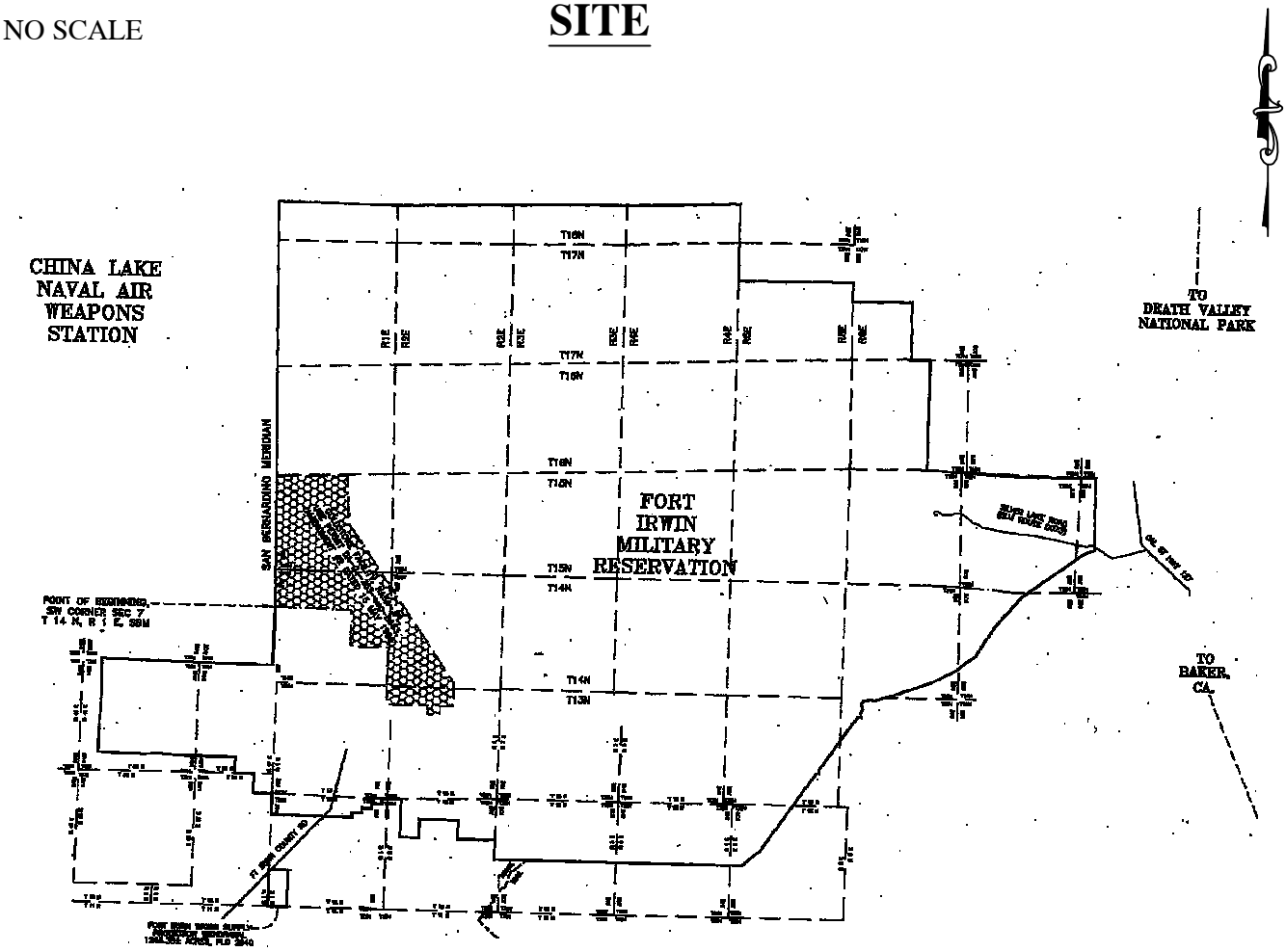
Secs 30 and 31, T12N, R2E, SBM, containing **1,248.38 ac (505.22 ha)** of land, more or less.
//END OF DESCRIPTION//

NOTE*: Department of the Army Engineer Circular No. 405-1-12, dated 30 Dec 2003, Chapter 3 "MAPPING", Section XII "LEGAL DESCRIPTIONS", Paragraph 3-42d, requires all Corps of Engineers* ***legal descriptions*** *to include parenthetical Systeme Internationale (metric) equivalents for all foot-pound expressions of distance and/or area. However, to avoid cluttering and confusion, the same circular's Section V "PROJECT MAP DETAILS", Paragraph 3-24y, recommends against such dual dimensioning on* ***maps.***

Scrivener: R.W. Nagle, 3 February 2012
Office Tel: (213) 452-3137

NO SCALE

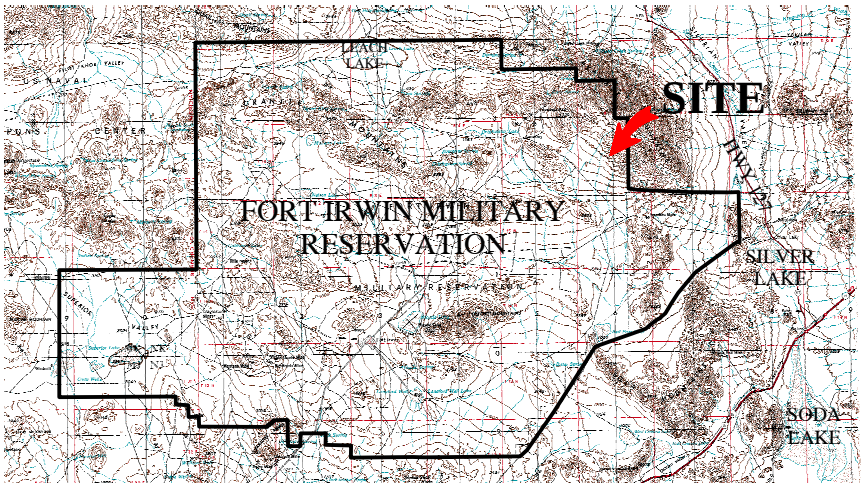
SITE



FORT IRWIN U.S. ARMY, SAN BERNARDINO COUNTY, CA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the premises, is based on unverified information provided by the U.S. Army and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

W 23751
FORT IRWIN U.S. ARMY
CESSION OF
CONCURRENT CRIMINAL
JURISDICTION
SAN BERNARDINO
COUNTY

TS 03/06/12