

MINUTE ITEM

21. AMENDMENT OF GRAZING LEASE P.R.C. 2064.2, FRED TWISSELMANN, SAN BERNARDINO COUNTY - W.O. 3472, P.R.C. 2064.2.

After consideration of Calendar Item 6 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO AMEND THE TERMS OF GRAZING LEASE P.R.C. 2064.2, ISSUED TO NYSWONGER BROS. AND SUBSEQUENTLY ASSIGNED TO FRED TWISSELMANN, AS FOLLOWS:

1. REDUCE THE LEASED ACREAGE, EFFECTIVE DECEMBER 18, 1959, TO 9,272.29 ACRES AS SET FORTH IN THE ACCOMPANYING SCHEDULE ATTACHED AND HEREBY MADE A PART HEREOF.
2. REDUCE THE ANNUAL RENTAL FOR THE UNEXPIRED TERM OF THE LEASE, DECEMBER 18, 1959 THROUGH FEBRUARY 3, 1963, TO \$92.72.
3. APPLY THE PREPAID AND UNEARNED RENTAL RESULTING FROM THE REDUCTION IN THE LEASED AREA TO FUTURE RENTALS DUE UNDER THE AMENDED LEASE.

Attachment

Calendar Item 6 (2 pages)

CALENDAR ITEM

6.

AMENDMENT OF GRAZING LEASE P.R.C. 2064.2, FRED TWISSELMANN, SAN BERNARDINO COUNTY - W.O. 3472.

Grazing Lease P.R.C. 2064.2, covering 9,872.29 acres in San Bernardino County, was issued to Nyswonger Bros. for a period of five years commencing February 4, 1958. This lease was subsequently assigned to Fred Twisselmann.

On December 17, 1959 (Minute Item 19, page 5491), the Commission authorized the sale of  $W\frac{1}{2}$ ,  $SW\frac{1}{4}$  of  $NE\frac{1}{4}$ ,  $E\frac{1}{2}$  of  $NE\frac{1}{4}$ , and  $SE\frac{1}{4}$  of Section 16, T. 16 N., R. 12 E., S.B.M., containing 600 acres in San Bernardino County, to Robert A. Ellsworth and Harold E. Ensley. Said land is a portion of the land embraced in Grazing Lease P.R.C. 2064.2, and the sale thereof reduces the acreage in the original lease to 9,272.29 acres.

Section 6505.5 of the Public Resources Code provides that the lease shall terminate as to that portion of the leased land sold, as of the date that such sale is approved by the Commission. As to the portion of the leased lands not sold, the lessee has the option to have the lease terminated or to have it continued in force for the remaining area for the unexpired term at the same annual rental per acre. The lessee has indicated a desire to continue the lease on the remaining acreage.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO AMEND THE TERMS OF GRAZING LEASE P.R.C. 2064.2, ISSUED TO NYSWONGER BROS. AND SUBSEQUENTLY ASSIGNED TO FRED TWISSELMANN, AS FOLLOWS:

1. REDUCE THE LEASED ACREAGE, EFFECTIVE DECEMBER 18, 1959, TO 9,272.29 ACRES AS SET FORTH IN THE ACCOMPANYING SCHEDULE ATTACHED AND HEREBY MADE A PART HEREOF.
2. REDUCE THE ANNUAL RENTAL FOR THE UNEXPIRED TERM OF THE LEASE, DECEMBER 18, 1959 THROUGH FEBRUARY 3, 1963, TO \$92.72.
3. APPLY THE PREPAID AND UNEARNED RENTAL RESULTING FROM THE REDUCTION IN THE LEASED AREA TO FUTURE RENTALS DUE UNDER THE AMENDED LEASE.

Attachment  
Exhibit "A"

EXHIBIT "A"

		<u>Acres</u>
E $\frac{1}{2}$ of Section 16	T. 15 N., R. 9 E., S.B.M.	320
Section 36	T. 15 N., R. 9 E., S.B.M.	640
Section 16	T. 15 N., R. 10 E., S.B.M.	640
Tract 37, according to plat of 12-16-1941 (being Section 36 according to plat of 5-6-1857)	T. 16 N., R. 11 E., S.B.M.	640
Fractional Section 16 (as shown on plat of 5-20-1942)	T. 16 N., R. 13 E., S.B.M.	632.29
Section 16	T. 16 N., R. 14 E., S.B.M.	640
Section 16	T. 17 N., R. 9 E., S.B.M.	640
W $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 36	T. 17 N., R. 9 E., S.B.M.	480
W $\frac{1}{2}$ of Section 16	T. 17 N., R. 10 E., S.B.M.	320
Section 36	T. 17 N., R. 11 E., S.B.M.	640
Section 16	T. 17 N., R. 14 E., S.B.M.	640
Section 16	T. 18 N., R. 9 E., S.B.M.	640
W $\frac{1}{2}$ of Section 36	T. 18 N., R. 9 E., S.B.M.	320
Section 16	T. 18 N., R. 10 E., S.B.M.	640
E $\frac{1}{2}$ of Section 16	T. 18 N., R. 11 E., S.B.M.	320
Section 36	T. 18 N., R. 11 E., S.B.M.	640
W $\frac{1}{2}$ of Section 16	T. 18 N., R. 12 E., S.B.M.	320
SW $\frac{1}{4}$ of Section 36	T. 18 N., R. 12 E., S.B.M.	<u>160</u>
	Total	9,272.29