

MINUTE ITEM

26. IMPERIAL IRRIGATION DISTRICT, EL CENTRO, IMPERIAL COUNTY - PROPOSED PURCHASE OF STATE SCHOOL LANDS UNDERLYING SALTON SEA - S.W.O. 7656.

Following presentation of Calendar Item 45 attached, Mr. Reginald L. Knox, Jr., Counsel for the Imperial Irrigation District, appeared and stated that the Imperial Irrigation District is a political subdivision of the State of California, and carries out public functions, namely, distributing water and providing drainage for lands in the Imperial Valley. He stated that the Salton Sea is a necessary sump for disposal of drainage waters from the irrigated lands in the Imperial Valley, that the District now owns approximately 150,000 acres underlying the Salton Sea, that most of the remaining land is owned by the United States and has been withdrawn from sale, and that the Imperial Irrigation District does cooperate with the State and with various Federal agencies which wish to lease any of the lands in the Salton Sea area. In response to a question by the Chairman, Mr. Knox indicated that it has been the policy of the District not to sell any of its lands, and further that all qualified persons living within the District can vote, regardless of whether or not they own land. The Executive Officer pointed out that the recommended consideration of sale of lands to this District would be in the public interest and would consolidate the administration of lands in the area in one political subdivision.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE SALE IS AUTHORIZED OF THE NE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF SECTION 16, T. 8 S., R. 10 E., N $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 16, T. 9 S., R. 11 E., SECTION 16, T. 10 S., R. 12 E., AND THE E $\frac{1}{2}$  OF NE $\frac{1}{4}$  OF SECTION 16, T. 11 S., R. 13 E., S.B.M., CONTAINING 840 ACRES, TO THE IMPERIAL IRRIGATION DISTRICT AT THE MARKET VALUE ESTABLISHED BY STAFF APPRAISAL FOLLOWING THE FILING OF THE STANDARD PURCHASE APPLICATION, OR APPLICATIONS, WITHOUT ADVERTISING FOR COMPETITIVE BIDS. FURTHER, THE LANDS EMBRACED IN LEASE TO THE UNITED STATES OF AMERICA (P.R.C. 509) DESCRIBED AS SECTION 16, T. 10 S., R. 11 E., AND THE W $\frac{1}{2}$  OF W $\frac{1}{2}$ , E $\frac{1}{2}$  OF SW $\frac{1}{4}$  AND SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SECTION 16, T. 11 S., R. 11 E., S.B.M., CONTAINING 920 ACRES, ARE NOT TO BE SOLD DURING THE TERM OF SAID LEASE OR ANY RENEWAL THEREOF, AND AT SUCH TIME AS SAID LANDS ARE NO LONGER LEASED BY THE UNITED STATES, THE IMPERIAL IRRIGATION DISTRICT IS TO BE PERMITTED TO PURCHASE SAID LANDS IN ACCORDANCE WITH THE ABOVE-RECOMMENDED PROCEDURE.

Attachment

Calendar Item 45 (2 pages)

CALENDAR ITEM

45.

IMPERIAL IRRIGATION DISTRICT, EL CENTRO, IMPERIAL COUNTY - PROPOSED PURCHASE OF STATE SCHOOL LANDS UNDERLYING SALTON SEA - S.W.O. 7656.

The State Lands Commission has under its jurisdiction the following described lands, which presently underlie the waters of Salton Sea in Imperial and Riverside Counties.

<u>Description</u>	<u>Acreage</u>	<u>Remarks</u>
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16, T. 8 S., R. 10 E., S.B.M.	40	
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 16, T. 9 S., R. 11 E., S.B.M.	80	
Section 16, T. 10 S., R. 11 E., S.B.M.	640	Leased to the United States of America under P.R.C. 509.
Section 16, T. 10 S., R. 12 E., S.B.M.	640	
W $\frac{1}{2}$ of W $\frac{1}{2}$ , E $\frac{1}{2}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16, T. 11 S., R. 11 E., S.B.M.	280	Leased to the United States of America under P.R.C. 509.
E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 16, T. 11 S., R. 13 E., S.B.M.	80	

All of the above described lands are on the listing of lands available for sale, except for the lands in those two sections noted as being embraced in lease to the United States of America under P.R.C. 509.

During the past few months discussions have been held by the State Lands Division and the Imperial Irrigation District, in which the District has sought to develop procedures whereby the lands involved might be purchased outright from the Commission or exchanged for other lands owned by the District. The District has also suggested the withdrawal of these lands from public sale for an extended period of time.

The District's desire to acquire title to these lands is brought about by the fact that if title passes into private ownership, the District fears it may be subject to litigation by reason of any substantial changes in the water level of Salton Sea which could be attributed to the District's operations.

Except for exchanges with the United States, there does not appear to be any authority of law for the exchange of school lands with private individuals or public agencies. The proposal that the lands be withdrawn from public sale for a substantial period in order to preclude the passage of title to the lands into private ownership does not appear desirable in view of the

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the trust provisions in the grant of these lands to the State. Under the trust, it is felt that the Commission, in administering these lands, is obligated and required to obtain the greatest revenue possible from either the sale or lease thereof. Withdrawal from public sale would, therefore, provide no return whatever to the State.

It is suggested that possibly the simplest solution to the District's problem would be the purchase of the lands by the District in accordance with the existing regulations governing the sale of such land. However, the District, being a public entity, objects to the purchase of these lands under the competitive bidding procedure. Therefore the District has requested that consideration of the matter of sale of these lands at current market value without competitive bidding be submitted to the Commission for a determination prior to the filing of any purchase applications by the District.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE SALE OF THE NE $\frac{1}{4}$  OF NW $\frac{1}{4}$  OF SECTION 16, T. 8 S., R. 10 E., N $\frac{1}{2}$  OF SW $\frac{1}{4}$  OF SECTION 16, T. 9 S., R. 11 E., SECTION 16, T. 10 S., R. 12 E., AND THE E $\frac{1}{2}$  OF NE $\frac{1}{4}$  OF SECTION 16, T. 11 S., R. 13 E., S.B.M., CONTAINING 840 ACRES, TO THE IMPERIAL IRRIGATION DISTRICT AT THE MARKET VALUE ESTABLISHED BY STAFF APPRAISAL FOLLOWING THE FILING OF THE STANDARD PURCHASE APPLICATION, OR APPLICATIONS, WITHOUT ADVERTISING FOR COMPETITIVE BIDS. IT IS FURTHER RECOMMENDED THAT THE LANDS EMBRACED IN LEASE TO THE UNITED STATES OF AMERICA (P.R.C. 509) DESCRIBED AS SECTION 16, T. 10 S., R. 11 E., AND THE W $\frac{1}{2}$  OF W $\frac{1}{2}$ , E $\frac{1}{2}$  OF SW $\frac{1}{4}$  AND SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SECTION 16, T. 11 S., R. 11 E., S.B.M., CONTAINING 920 ACRES, NOT BE SOLD DURING THE TERM OF SAID LEASE OR ANY RENEWAL THEREOF, AND AT SUCH TIME AS SAID LANDS ARE NO LONGER LEASED BY THE UNITED STATES THAT THE IMPERIAL IRRIGATION DISTRICT BE PERMITTED TO PURCHASE SAID LANDS IN ACCORDANCE WITH THE ABOVE RECOMMENDED PROCEDURE.