

MINUTE ITEM

9. AMENDMENT OF GRAZING LEASE P.R.C. 2226.2, HERMAN OCHOTORENA, LASSEN COUNTY - W.O. 3564.

After consideration of Calendar Item 9 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. 2226.2, ISSUED TO HERMAN OCHOTORENA, AS FOLLOWS:

1. REDUCE THE LEASED ACREAGE, EFFECTIVE APRIL 29, 1960, TO 4,604.38 ACRES DESCRIBED AS FOLLOWS:

THE $W\frac{1}{2}$ AND LOTS 1, 2, 7 AND 8 OF SECTION 23; $W\frac{1}{2}$ AND LOTS 1, 2, 4, 5, 7 AND 8 OF SECTION 26; $SW\frac{1}{4}$ OF $NW\frac{1}{4}$ AND $SW\frac{1}{4}$ OF SECTION 27; SECTION 33; $E\frac{1}{2}$ OF SECTION 34; $W\frac{1}{2}$ OF SECTION 35, T. 27 N., R. 17 E.; $NE\frac{1}{4}$ OF SECTION 9, T. 28 N., R. 16 E.; SECTION 16, T. 29 N., R. 17 E.; SECTION 16 AND $N\frac{1}{2}$, $N\frac{1}{2}$ OF $SW\frac{1}{4}$ AND $N\frac{1}{2}$ OF $SE\frac{1}{4}$ OF SECTION 36, T. 31 N., R. 14 E., M.D.M.

2. REDUCE THE ANNUAL RENTAL FOR THE UNEXPIRED TERM OF THE LEASE, APRIL 29, 1960 THROUGH AUGUST 27, 1963, TO \$138.13.

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 9 (1 page)

CALENDAR ITEM

9.

AMENDMENT OF GRAZING LEASE P.R.C. 2226.2, HERMAN OCHOTORENA, LASSEN COUNTY - W.O. 3564.

Grazing Lease P.R.C. 2226.2, covering 5,084.38 acres in Lassen County, was issued for a period of five years, commencing August 28, 1958.

On April 28, 1960 (Minute Item 25, page 5891), the Commission authorized the sale of the $W\frac{1}{2}$ and $SE\frac{1}{4}$ of Section 9, T. 28 N., R. 16 E., M.D.M., containing 480 acres in Lassen County, to Harry S. Hooper and Warren A. Tinsley. Said land is a portion of the land embraced in Grazing Lease P.R.C. 2226.2, and the sale thereof reduces the acreage in the original lease to 4,604.38 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. 2226.2, ISSUED TO HERMAN OCHOTORENA, AS FOLLOWS:

1. REDUCE THE LEASED ACREAGE, EFFECTIVE APRIL 29, 1960, to 4,604.38 ACRES DESCRIBED AS FOLLOWS:

THE $W\frac{1}{2}$ AND LOTS 1, 2, 7 AND 8 OF SECTION 23; $W\frac{1}{2}$ AND LOTS 1, 2, 4, 5, 7 AND 8 OF SECTION 26; $SW\frac{1}{4}$ OF $NW\frac{1}{4}$ AND $SW\frac{1}{4}$ OF SECTION 27; SECTION 33; $E\frac{1}{2}$ OF SECTION 34; $W\frac{1}{2}$ OF SECTION 35, T. 27 N., R. 17 E.; $NE\frac{1}{4}$ OF SECTION 9, T. 28 N., R. 16 E.; SECTION 16, T. 29 N., R. 17 E.; SECTION 16 AND $N\frac{1}{2}$, $N\frac{1}{2}$ OF $SW\frac{1}{4}$ AND $N\frac{1}{2}$ OF $SE\frac{1}{4}$ OF SECTION 36, T. 31 N., R. 14 E., M.D.M.

2. REDUCE THE ANNUAL RENTAL FOR THE UNEXPIRED TERM OF THE LEASE, APRIL 29, 1960 THROUGH AUGUST 27, 1963, TO \$138.13.
3. APPLY THE PREPAID AND UNEARNED RENTAL RESULTING FROM THE REDUCTION IN THE LEASED AREA TO FUTURE RENTALS DUE UNDER THE AMENDED LEASE.