

MINUTE ITEM

1/24/67

12. APPLICATION FOR PERMIT TO CONSTRUCT FISH HATCHERY ON SOVEREIGN LAND OF FEATHER RIVER AT OROVILLE, BUTTE COUNTY; STATE DEPARTMENT OF WATER RESOURCES - W.O. 6202, P.R.C. 3703.9

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 ISSUE TO THE DEPARTMENT OF WATER RESOURCES, IN CONSIDERATION OF THE PUBLIC INTEREST AND BENEFIT, A 49-YEAR PERMIT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A FISH HATCHERY ON LAND IN BUTTE COUNTY DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 6 (4 pages)

6.

APPLICATION FOR PERMIT TO CONSTRUCT FISH HATCHERY ON SOVEREIGN LAND OF FEATHER RIVER AT OROVILLE, BUTTE COUNTY; STATE DEPARTMENT OF WATER RESOURCES - W.O. 6202.

The Department of Water Resources has requested a permit to occupy three parcels of sovereign land in Feather River at Oroville (see Exhibit "A" for location) for construction, operation, and maintenance of the State facility known as the Feather River Fish Hatchery. The adjoining uplands are owned by the State and under jurisdiction of the Department of Water Resources.

The hatchery is scheduled for completion in the fall of 1967, and will cost approximately \$3,000,000. Upon completion, the Department of Water Resources will transfer operational responsibility to the Department of Fish and Game, but will retain financial jurisdiction and control over the facility and underlying land.

The U. S. Army Corps of Engineers does not exercise navigational jurisdiction in the area.

The consideration for issuance of a 49-year permit will be the State-wide public interest and benefit.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE DEPARTMENT OF WATER RESOURCES, IN CONSIDERATION OF THE PUBLIC INTEREST AND BENEFIT, A 49-YEAR PERMIT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A FISH HATCHERY ON LAND IN BUTTE COUNTY DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment  
Exhibit "A"

EXHIBIT "A"PARCEL A

A portion of Section Eight (8), Township Nineteen (19) North, Range Four (4) East, M.D.M., said portion lying between the meander lines of the Feather River and being more particularly described as follows:

BEGINNING at a point, being the intersection of the Westerly right of way line of the Oroville-Chico Highway and the Southerly line of Lot 9 of the Fernandez Rancho, as said Lot is described in the Decree of Partition issued out of the District Court of the Fifteenth (15th) Judicial District in and for the County of Butte, State of California, in that certain action entitled "Pacificus Ord, Plaintiff vs. Robert B. Moore and James L. Henshaw, Defendants", on November 22, 1859, a certified copy of which was recorded in the Office of the Recorder of Butte County, California, May 9, 1914, in Book 140 of Deeds, at page 299, from which point the Northwest Corner of said Section 8 bears North  $43^{\circ} 28' 30''$  West 3,435.97 feet, also from which point the Most Westerly Corner of Lot 15, according to the Official Map of Riverview Terrace, Unit No. 1, recorded September 10, 1937, in Book 4 of Maps, at pages 66 and 67, records of said county, bears North  $32^{\circ} 21' 29''$  West 458.36 feet; THENCE from said point of beginning, along said Rancho line North  $69^{\circ} 11' 45''$  East 62.67 feet to a point on the Easterly right of way line of said Oroville-Chico Highway; thence leaving said Rancho line and along said Easterly right of way line South  $05^{\circ} 30' 30''$  East 200 feet, more or less, to the right bank of the Feather River; thence Westerly along said right bank to a point on said Westerly right of way line, from which the point of beginning bears North  $05^{\circ} 30' 30''$  West; thence North  $05^{\circ} 30' 30''$  West 150 feet, more or less, to the point of beginning.

Containing an area of 0.24 acre, more or less.

Bearings and distances in the above description are based on the California Coordinate System, Zone II, and the Zone II Coordinates for the point of beginning are Y=674,794.62 and X=2,127,140.02.

PARCEL B

All those portions of Sections Seven (7) and Eight (8), Township Nineteen (19) North, Range Four (4) East, M.D.M., said portions lying between the meander lines of the Feather River and being more particularly described as follows:

BEGINNING at a point, being the intersection of the Westerly right of way line of the Oroville-Chico Highway and the Southerly line of Lot 9 of the Fernandez Rancho, as said Lot is described in the Decree of Partition issued out of the District Court of the Fifteenth (15th) Judicial District in and for the County of Butte, State of California, in that certain action entitled "Pacificus Ord, Plaintiff vs. Robert B. Moore and James L. Henshaw, Defendants", on November 22, 1859, a

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certified copy of which was recorded in the Office of the Recorder of Butte County, California, May 9, 1914, in Book 140 of Deeds, at page 299, from which point the Northwest Corner of said Section 8 bears North 43° 28' 30" West 3,435.97 feet, also from which point the Most Westerly Corner of Lot 15, according to the Official Map of Riverview Terrace, Unit No. 1, recorded September 10, 1937, in Book 4 of Maps, at pages 66 and 67, records of said county, bears North 32° 21' 29" West 458.36 feet; THENCE from said point of beginning, leaving said Rancho line and along said Westerly right of way line South 05° 30' 30" East 150 feet, more or less, to the right bank of the Feather River; thence Westerly along said right bank 4,050 feet, more or less, to a point on the Southerly prolongation of the Westerly line of Parcel 1A (FRH-7) of that certain Lis Pendens recorded January 3, 1962, in Book 1157, Official Records of said County, at page 59, also from which point a 1½-inch iron pipe with brass cap marked FRH-2 bears North 13° 09' 57" West along said Southerly prolongation; thence leaving said right bank North 13° 09' 57" West 500 feet, more or less, to the Southwest Corner of said Parcel 1A and the Southerly line of Lot 8 described in said Decree of Partition of the Fernandez Rancho; thence leaving said Westerly line and along said Southerly line and the Southerly line of said Lot 9 Easterly to the point of beginning.

Containing an area of 34.0 acres, more or less.

Bearings and distances in the above description are based on the California Coordinate System, Zone II, and the Zone II Coordinates for the point of beginning are Y=674,794.62 and X=2,127,140.02.

PARCEL C

A portion of Section Eight (8), Township Nineteen (19) North, Range Four (4) East, M.D.M., said portion lying between the meander lines of the Feather River and being more particularly described as follows:

COMMENCING at a point, being the intersection of the Westerly right of way line of the Oroville-Chico Highway and the Southerly line of Lot 9 of the Fernandez Rancho, as said Lot is described in the Decree of Partition issued out of the District Court of the Fifteenth (15th) Judicial District in and for the County of Butte, State of California, in that certain action entitled "Pacificus Ord, Plaintiff vs. Robert B. Moore and James L. Henshaw, Defendants", on November 22, 1859, a certified copy of which was recorded in the Office of the Recorder of Butte County, California, May 9, 1914, in Book 140 of Deeds, at page 299, from which point the Northwest Corner of said Section 8 bears North 43° 28' 30" West 3,435.97 feet, also from which point the Most Westerly Corner of Lot 15, according to the Official Map of Riverview Terrace, Unit No. 1, recorded September 10, 1937, in Book 4 of Maps, at pages 66 and 67, records of said county, bears North 32° 21' 29" West 458.36 feet; thence from said point of commencement along said Rancho line North 69° 11' 45" East 62.67 feet to a point on the Easterly right of

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way line of said Oroville-Chico Highway and the TRUE POINT OF BEGINNING; THENCE from said true point of beginning and continuing along said Rancho line the following courses:

North 69° 11' 45" East 137.61 feet;

North 38° 40' 43" East 396.32 feet;

North 32° 41' 09" East 430.07 feet to the Southerly boundary of that certain parcel of land conveyed to W.P. Hammon by Deed recorded March 7, 1924, in Book 206 of Deeds, at page 61, Records of Butte County, California; thence continuing along said Rancho line North 32° 41' 09" East 110 feet, more or less, to the right bank of the Feather River; thence Southerly and Westerly along said right bank 1,320 feet, more or less, to a point on the Easterly right of way line of said Oroville-Chico Highway from which point the true point of beginning bears North 05° 30' 30" West; thence leaving said right bank and along said Easterly right of way line, North 05° 30' 30" West 200 feet, more or less, to the true point of beginning.

Containing an area of 4.85 acres, more or less.

Bearings and distances in the above description are based on the California Coordinate System, Zone II, and the Zone II Coordinates for the point of commencement are  $Y = 674,794.62$  and  $X = 2,127,140.02$ .