

MINUTE ITEM

7/6/72
NJK

25. SELECTION OF VACANT FEDERAL LAND, AND CANCELLATION OF APPLICATION NO. 5096, ALBERT H. NEWTON, SACRAMENTO LAND DISTRICT, SISKIYOU COUNTY - SA 5096.

After consideration of Calendar Item 23 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND DESCRIBED AS LOTS 25, 26, 29, AND 40 OF SECTION 21, T. 45 N., R. 7 W., M.D.M., CONTAINING 11.12 ACRES, AS SHOWN ON THE OFFICIAL U. S. SUPPLEMENTAL PLAT ACCEPTED AUGUST 13, 1968, IN SISKIYOU COUNTY.
2. FINDS THAT SUFFICIENT EVIDENCE EXISTS INDICATING THE MINERAL POTENTIAL OF THE ABOVE-DESCRIBED LAND TO WARRANT RETENTION BY THE STATE.
3. CANCELS APPLICATION TO PURCHASE LIEU LANDS NO. 5096, SACRAMENTO LAND DISTRICT, OF ALBERT H. NEWTON FOR LOTS 25, 29, AND 40 OF SECTION 21, T. 45 N., R. 7 W., M.D.M., CONTAINING 10.98 ACRES IN SISKIYOU COUNTY.
4. AUTHORIZES REFUND OF ALL DEPOSITS, INCLUDING OTHER CHARGES IN CONNECTION WITH PROCESSING APPLICATION TO PURCHASE LIEU LANDS NO. 5096, TO THE APPLICANT.

Attachment:

Calendar Item 23 (2 pages)

SELECTION OF VACANT FEDERAL LAND AND CANCELLATION OF
APPLICATION NO. 5096 SACRAMENTO LAND DISTRICT, SISKIYOU COUNTY

On January 5, 1955, the State Lands Division filed State Indemnity Selection No. 5096 with the U. S. Bureau of Land Management. The selection application embraced vacant federal land described as that portion of the Hahn Placer Mine, unsurveyed and unpatented, lying in the NE $\frac{1}{4}$ of Section 21, T. 45 N., R. 7 W., M.D.M., containing approximately 11 acres, in Siskiyou County. The indemnity selection was initiated on behalf of Albert H. Newton upon his December 14, 1954, filing of an application to purchase lieu lands. State Indemnity Selection No. 5096 was amended on April 17, 1963, and again on November 20, 1968. The latter amendment embraced Lots 25, 26, 29, and 40 of Section 21, T. 45 N., R. 7 W., M.D.M., containing 11.12 acres per supplemental plat accepted August 13, 1968. Described Lots 25, 29, and 40, containing 10.98 acres, more or less, embraced all the land applied for by Mr. Newton. Said Lot 26 containing 0.13 acre was classified by the Bureau as suitable for State Indemnity Selection; it was so acquired on behalf of the State.

Title to the above-described land located approximately one mile west of the City of Yreka passed to the State by Clear List No. 342, approved July 13, 1971. On March 30, 1972, the Extractive Development Section, State Lands Division, prepared a report on the mineral potential of the subject 11.12 acres of land. A complete copy of the report referred to is on file in the office of the State Lands Commission and by reference made a part hereof. It has been concluded that sufficient potential for subsurface exploitation exists to recommend retention of the parcel by the State. Any future extraction operations would involve consideration of the environmental impact on the adjoining encroaching residential area.

OTHER PERTINENT INFORMATION:

The applicant, Mr. Newton, has maintained his application in good standing since date of filing, some 17 $\frac{1}{2}$ years ago. During this entire time, a total of \$160.00 has been on deposit to cover the State filing fee of \$5.00, expense deposit of \$100.00 and the minimum initial deposit of \$5.00 per acre for the land, or \$55.00. In accordance with Section 7'01(b) of Article 6 of the rules and regulations of the State Lands Commission in effect at the time of filing, the applicant was required to furnish a money order payable to the Treasurer of the United States in the amount of \$2.00 for 11 acres applied for.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Division 6, Part 3, Chapters 1 and 2, Section 7301.
- b. Administrative Code: Title 2, Division 3, Sections 2400-2402.

EXHIBITS:

- A. Location Map.
- B. Mineral Potential Report.

CALENDAR ITEM NO. 23. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND DESCRIBED AS LOTS 25, 26, 29, AND 40 OF SECTION 21, T. 45 N., R. 7 W., M.D.M., CONTAINING 11.12 ACRES, AS SHOWN ON THE OFFICIAL U.S. SUPPLEMENTAL PLAT ACCEPTED AUGUST 13, 1968, IN SISKIYOU COUNTY.
2. FIND THAT SUFFICIENT EVIDENCE EXISTS INDICATING THE MINERAL POTENTIAL OF THE ABOVE-DESCRIBED LAND TO WARRANT RETENTION BY THE STATE.
3. CANCEL APPLICATION TO PURCHASE LIEU LANDS NO. 5096, SACRAMENTO LAND DISTRICT, OF ALBERT H. NEWTON FOR LOTS 25, 29, AND 40 OF SECTION 21, T. 45 N., R. 7 W., M.D.M., CONTAINING 10.98 ACRES, IN SISKIYOU COUNTY.
4. AUTHORIZE REFUND OF ALL DEPOSITS, INCLUDING OTHER CHARGES IN CONNECTION WITH PROCESSING APPLICATION TO PURCHASE LIEU LANDS NO. 5096, TO THE APPLICANT.