

File # 37  
W.S. # 37  
Comm. # 3  
to 2 4/30/77 CALENDAR ITEM  
meeting. 37.

6/77  
W20693.1  
LFW

AUTHORIZATION FOR LITIGATION TO QUIET THE  
STATE'S TITLE WITHIN THE DAVIS LAKE AREA,  
COLORADO RIVER

In July, 1973, the State Lands Division was authorized by the Legislature to begin an ownership determination program in selected key areas throughout the State. The first location was an eleven-mile stretch in the Davis Lake Area along the Colorado River. Since that time, State Lands Division staff has mapped the boundaries between lands owned by the State of California, the federal government, the State of Arizona, and privately owned uplands in the Davis Lake area. During the course of the mapping, staff attempted to advise affected parties of the work being done and to gain input from them. In addition to individual meetings with such parties, a public meeting during March, 1974, was held in Blythe where California and Arizona State Lands officials outlined the title problems along the Colorado River generally and specifically discussed the Davis Lake area.

The State Lands Commission approved the completed Davis Lake Area Project report and Administrative Maps at the October 23, 1976, commission meeting. In November, 1976, another public meeting was held in Blythe where copies of the Davis Lake Report and maps were presented.

In March, 1977, a meeting was held in Phoenix, Arizona, where an attempt was made to devise a procedure to obtain an agreement on the respective ownership interests of California, Arizona, and the federal government in the Davis Lake Area.

In addition to the foregoing public meetings, numerous meetings have been held with representatives of the State of Arizona and the federal government in an attempt to resolve these title and boundary problems by agreement. To date, no progress has been made in reaching such an agreement, primarily because of lack of funds on the part of Arizona and procedural impediment on the part of the federal government.

After consideration of the various alternatives, it appears to State Lands Division staff and the Attorney General's office that the most feasible procedure for resolving the title and boundary problems in the Davis Lake area will be by appropriate litigation.

In addition to such litigation, Congressional authorization should be sought to fund a tri-lateral commission (California, Arizona, and the United States) for the study and expeditious resolution of title and boundary problems along the entire river portion of the State.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE ATTORNEY GENERAL TO FILE AN APPROPRIATE LEGAL PROCEEDING TO QUIET THE STATE'S TITLE TO LANDS WITHIN THE AREA OF THE DAVIS LAKE AREA PROJECT.

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2. AUTHORIZE STATE LANDS DIVISION STAFF AND THE ATTORNEY GENERAL TO WORK WITH THE STATE OF ARIZONA IN PURSUING THE FEASIBILITY OF OBTAINING CONGRESSIONAL AUTHORIZATION TO FUND A TRI-LATERAL COMMISSION FOR THE STUDY AND RESOLUTION OF TITLE AND BOUNDARY PROBLEMS ALONG THE COLORADO RIVER.
3. AUTHORIZE STATE LANDS DIVISION STAFF AND THE ATTORNEY GENERAL STAFF TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE FOREGOING.

EXHIBIT: A. Site Map.