

MINUTE ITEM

This Calendar item No. 39
was approved as Minute Item
No. 39 by the State Lands
Commission by a vote of 2
to 0 at its 8/25/77
meeting.

8/77
W 287.77
Reese

CALENDAR ITEM

39.

AUTHORIZATION FOR SUIT FOR EJECTMENT
AND COLLECTION OF BACK RENTALS

APPLICANT: Roy Rook
Terwer Trailer Park
Star Route, Box 260
Klamath, California 95548

TYPE AND LOCATION: A parcel of submerged land in the Klamath
River near Klamath Glen, Del Norte County.

LAND USE: Trespass

BACKGROUND: The Division received State of California
Resources Agency, Department of Fish and
Game, notification of removal of materials
and/or alteration of lake, river, or streambed
bottom, or margin, notification No. 1033,
dated June 16, 1976, relative to placement
of docks in the Klamath River.

After review by the Division's title and
engineering units, existing work order
W 287.77, opened in 1967, was found to
be identical to the proposed work described
in the application to Department of Fish
and Game.

Therefore, on August 18, 1976, Mr. Roy
Rook was advised that it would be necessary
for him to secure a lease from the State
Lands Commission.

By letters, dated October 8, 1976, January 14,
1977, and August 9, 1977, Mr. Rook was
advised that erection or maintenance of
structures on State-owned land under the
jurisdiction of the State Lands Commission
without written authorization is in violation
of the Public Resources Code.

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CALENDAR ITEM NO. 39. (CONTD)

Since 1967, Mr. Rook has not responded to the communications of the State Lands Division. His pattern of conduct suggests that without firm action he will remain a trespasser.

EXHIBIT:

A. Location Map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO ELIMINATE THE CONTINUING TRESPASS IN T13N, R1E, S13 FROM STATE-OWNED SUBMERGED LAND IN THE KLAMATH RIVER, DEL NORTE COUNTY AND TO COLLECT JUST COMPENSATION FOR ANY PRIOR UNAUTHORIZED USE.