

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 3
to 0 at its 5/7/84
meeting.

CALENDAR ITEM

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C11 4.

05/07/84

PRC 6072

Bjornsen

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ASSIGNMENT OF A PORTION OF LEASE PRC 6072.2

The State Lands Commission authorized issuance to Charles A. Mitchell, Jr., of a ten-year Grazing Lease, running from January 1, 1981, at its meeting of October 30, 1981 (Minute Item 13). The lease involved a total of 41 parcels containing 23,083.20 acres, more or less, of State school land located in San Bernardino County and Inyo County, for a total rental of \$1,144.60 per annum, with the State reserving the right to fix a different rental on the fifth anniversary of the lease.

The school lands in the Mitchell grazing lease are located within and adjoining the Bureau of Land Management (BLM) grazing allotment boundaries: Valley Wells Allotment and Horseshief Springs allotment. Mr. Mitchell acquired the grazing rights on 374,676, more or less, acres of federal lands in these two allotments.

In 1982 the lease of the 14,456.38 acres of school lands within the Valley Wells allotment was assigned to Art and Lowella Parker.

By letter received January 5, 1984, Mr. Gary Overson advised Commission staff he was in the process of buying from Art Parker the grazing rights on BLM's Valley Wells Allotment. Staff has secured appropriately executed and notarized assignment documents covering the State lands within this allotment.

ASSIGNMENT OF GRAZING LEASE A PORTION OF LEASE PRC 6072.2

ASSIGNOR: Art and Lowella Parker
P. O. Box 965
Twentynine Palms, California 92277

CALENDAR ITEM NO. C 1 1. (CON'D)

ASSIGNEE: Gary L. and Linda D. Overson
P. O. Box 6
Cima, California 92323

AREA, TYPE LAND AND LOCATION:
14,456.38 acres, more or less, of State school
land located north of Halloran Summit and
Interstate 15, all in San Bernardino County, as
described in Exhibit "A" attached.

LAND USE: Cattle grazing.

TERMS OF ORIGINAL LEASE TO MITCHELL:

Initial period: Ten years from January 1,
1981.

Consideration: \$1,144.60 per annum; subject
to five-year rent review.

TERMS OF ASSIGNED PORTION OF LEASE - MITCHELL TO PARKERS:

August 26, 1982; \$703.28 per annum,
beginning January 1, 1983; subject to a
five-year rent review per original lease
term.

Approval and consent are made upon the
express condition that the assignment does
not and shall not release or relieve the
Assignor from any obligation to the State
under the terms of said lease; and that the
State may hold the Assignor liable for the
faithful performance of any and all
obligation of the Lessee under said lease;
and further, that the Assignees shall be
bound by the terms of said lease to the
same extent as if such Assignees were the
original lessee; any condition in the
assignment agreement to the contrary
notwithstanding.

TERMS OF PROPOSED ASSIGNMENT OF PORTION OF LEASE - PARKERS TO
OVERSONS:

Effective Date: May 07, 1984.

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CONSIDERATION: \$703.28 per annum, beginning January 1, 1985; subject to a five-year rent review per original lease term.

Approval and consent are made upon the express condition as described above in assigned portion of lease - Mitchell to Parkers.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

A \$25 filing fee and a \$300 processing fee have been received. The annual rental of \$703.28 for the period of January 1, 1984 through December 31, 1984 has been paid.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. The original lessee, Charles A. Mitchell, Jr., continues under the original Lease PRC 6072.2, dated

CALENDAR ITEM NO. 11 (CON'D)

November 6, 1981, to lease and use for livestock grazing 16 parcels of unassigned land containing 8,626.82 acres, more or less, of school land located in the Counties of San Bernardino and Inyo, at a rental of \$441.32 per annum; these school lands are situated within and adjoining the boundaries of the BLM's Horsethief Springs Allotment.

4. The estimated number of animal unit months (AUMs) the assigned school land will support is 298. The existing lease grazing fee rate is \$2.36 per AUM; this results in a rental of \$703.28 per annum.
5. A copy of the proposed assignment of a portion of Lease PRC 6072.2 is on file in the office of the Commission.

EXHIBITS:

- A. Land Description of Assigned State School Lands
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE THE APPROVAL OF AN ASSIGNMENT OF A 14,456.38-ACRE PORTION OF LEASE PRC 6072.2, A GRAZING LEASE, BETWEEN ART AND LOWELLA PARKER, ASSIGNORS; AND GARY L. AND LINDA D. OVERSON, ASSIGNEES, EFFECTIVE MAY 07, 1984, WITH THE FIRST ANNUAL RENTAL PAYMENT OF \$703.28 BEGINNING JANUARY 1, 1985, OF THE SCHOOL LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
LAND DESCRIPTION

Twenty-five (25) parcels of California State school lands situated in San Bernardino County, California, said parcels are described as follows:

Section 36, T15N, R9E; Section 16, T15N, R10E;
Section 36, T16N, R9E; Sections 16 & 36, T16N, R10E;
Section 16 and Tract 37, T16N, R11E; Tract 39 and
NW-1/4 NE-1/4, Lot 1, portion of Lot 2, portion of
SW-1/4 NE-1/4 lying northerly of Interstate 15
right of way Section 16, T16N, R13E; Section 36, T17N,
R9E; Sections 16 & 36, T17N, R10E; Sections 16 & 36,
T17N, R11E; Section 36, T17N, R12E; Section 36, T17N,
R12-1/2E; Section 36, T18N, R9E; Sections 16 and 36,
T18N, R10E; Sections 16 & 36, T18N, R11E; Section 16,
T18N, R12E; W-1/2 of Section 36, T19N, R9E;
Section 36, T19N, R10E; Section 36, T19N, R11E; all
San Bernardino Base and Meridian, containing 14,456.38
acres more or less.

END OF DESCRIPTION

