

**MINUTE ITEM**

This Calendar Item No. 45  
was approved as Minute Item  
No. 45 by the State Lands  
Commission by a vote of 3  
to 0 at its 3/26/87  
meeting.

**CALENDAR ITEM**

A 33

**45**

03/26/87

W 40518

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**EXEMPTION OF OIL AND GAS LEASE FROM  
COMPETITIVE PUBLIC BEDDING REQUIREMENTS,  
CALIFORNIA PUBLIC RESOURCES CODE, CITY OF MARICOPA**

**APPLICANT:** City of Maricopa  
c/o City of Bakersfield  
Office of the City Attorney  
Attn: Robert M. Sherfy,  
Deputy City Attorney  
1501 Truxtun Avenue  
Bakersfield, California 93301

**AREA, TYPE LAND AND LOCATION:**  
Approximately 1.5 acres, more or less, of  
publicly held land, owned in fee, by the  
City of Maricopa, County of Kern.

**BACKGROUND INFORMATION:**  
The City of Maricopa entered into an oil and  
gas Lease for 1.5 acre, with A. A. Carrey on  
September 1, 1976. This lease was later  
assigned to Ronald Bracken on August 1, 1978.  
The land covered under this lease is owned in  
fee by the City of Maricopa.

Under the proposed agreement between the City  
of Maricopa and Mr. Ronald Bracken the City  
will grant fee title to Mr. Bracken to a parcel  
within his present lease holdings. In return,  
Mr. Bracken will quitclaim back to the City all  
the interest he has in the original oil and  
gas lease. In this way, the City will be able  
to use the surface for other uses.

CALENDAR ITEM NO. 45 (CONT'D)

Mr. Bracken will lease the mineral rights from the City and use the surface of the parcel owned in fee which is approximately 0.3 acres in size, from which he will explore for and develop any and all hydrocarbons. This will be done with a negotiated subsurface oil and gas lease between Mr. Bracken and the City of Maricopa for the remaining 1.2 acres.

Ronald Bracken has offered to pay the City an annual rental of one hundred and fifty dollars (\$150.00), a ten year lease term and a royalty share of one-eighth (1/8) for oil and gas produced from this lease.

The City of Maricopa has requested an exemption from the competitive bidding requirements of Sections 7052 and 7053 of the P.R.C. for this proposed lease.

The State Lands Commission may in its discretion exempt particular leases or operating agreements from the competitive bidding procedures required by these sections "where by reason of the small size of the property or drainage, actual or imminent, such procedure would in the judgement of the State Lands Commission in the particular case be impractical."

Staff has reviewed the request by the City of Maricopa and has determined that it would be impractical for the City to follow the competitive public bidding requirements as outlined in Sections 7052 and 7053 of the California Public Resources Code because the parcel is small in size and no other drillsites are available.

Staff has reviewed the lease terms negotiated by the City of Maricopa and has determined that the lease terms are fair and beneficial to the City.

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.

EXHIBIT: A. 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. APPROVE THE REQUEST BY THE CITY OF MARICOPA FOR AN EXEMPTION FROM THE FORMAL BIDDING REQUIREMENTS AS OUTLINED IN P.R.C. SECTIONS 7052 AND 7053 FOR AN OIL AND GAS LEASE BETWEEN THE CITY AND MR. RONALD BRACKEN.

**EXHIBIT A**

**STATE LANDS COMMISSION**

**W40518**

**Exemption of oil and gas lease  
from Competitive Public Bidding.**

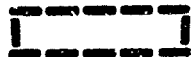
**City of Maricopa**

**N.T.R.**

**2-2-1967**



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**Proposed Oil and Gas Lease**



**Parcel to which Mr. Braken will receive Fee Title.**

**MARICOPA TOWN SITE**

