MINUTE ITEM This Calendar Item No. $\qquad$ was approved as Minute Item No. 56 by the State Lands Commission by a vote of 3 to _lat its $\qquad$ meeting.

## CALENDAR ITEM

A 10
$\because \quad 56$
S 7
REQUEST FOR AN EXEMPTION OF AN OIL AND GAS LEASE FROM COMPETITIVE BIDDING REQUIREMENTS

APPLICANT: East Bay Municipal Utility District Attention: Mr. William S. Tannenbaum Supervising Real Estate
Representative
P. O. Box 24055

Oakland, California 94623
AREA, TYPE OF LAND AND LOCATION:
45.5 acres of land owned in fee by the East Bay Municipal Utility District' adjacent to the Mokelumne Aqueduct pipelifines in Contra Costa County. The parcels compose a 100-foot wide strip of land bordering directly on the Mokelumne Aqueduct pipelines. The District intends to enter into an oil and gas lease with Quintan Petroleum Corporation. The District has requested that the Commission exempt the lease from the requirements of competitive public bidding as specified by Sections 7052 and 7053 of the P.R.C.

PERTINENT INFORMATION:
The parcels owned in fee by the East Bay Municipal Utility District and located in Contra Costa County, are surrounded on two sides by parcels Quintan Petroleum Corporation has under lease. The District parcels are small and irregular in shape, being a 100-foot wide strip of land bordering the Mokelumne Aqueduct pipelines. No surface drillsites are available on the parcels because of their irregular shape and the presence of the three aqueduct pipelines. Drainage from adjacent lands currently under lease to Quintana Petroleum Corporation and Pan Canadian


## CALENDAR ITEM NO. 56 (CON'T)

Petroleum Company is imminent. Therefore, the District parcels qualify for an exemption under the provisions of Section 7052 of the P.R.C.

Quintana Petroleum Corporation has offered to pay the District a rental of $\$ 30$ per acre per year and a one-sixth royalty share on all oil and gas production. Staff feels that the royalty offered the District is adequate.

In accordance with Section 7052 of the P.R.C.. the State Lands Commission may, in its discretion, exempt particular leases from the procedures of public bidding if it deems that such procedures are impractical by reason of the small size of the property or drainage from surrounding land.

AB 884: $\quad N / A$.
OTHER PERTINENT INFORMATION:
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 requiremerits of the CEQA because it is not a "project" as defined by CEQA and the State CEQA Guidelines.

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

EXHIBTTS: A1 \& A2. Lease Maps.
B. Legal Description.

## IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIUITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE IT IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. EXEMPT THÉ EAST BAY MUNICIPAL UTILITY DISTRICT FROM THE PROCEDURAL REQUIREMENTS OF P.R.C. SECTIONS 7052 AND 7053 IN THE PROPOSED LEASING OF THE DISTRICT'S ORWOOD TRACT PARCELS IN CONTRA COSTA COUNTY.

EXHIBIT AOÍY
STATE LANDS COMMISSION
EXEMPTION FROM COMPETITIVE BID
W 4O444
EAST BAY MUNICIPAL
UTILITY DISTRICT
JUNE 1988

## $4 z$




All those thirteen (13) parcels of land conveyed to East Bay Municipal Utilizy Districe, a public corporation, by mesne deeds of record lying in the County of Contra Costa, State of California, within Sections Thirteen (13) and Fcurteen (14). Township 1 Norch. Range 3 East, M.D.B. $6 M$. , and within Sections Seventeen (17) and Eighteen (18), Townshif 1 North. Range 4 East, M.D.B.6M., particularly described as follows:

PARCEL 1:
All that certain parcel ot land conveyed to East Bay Municipal Utilizy Distríćt, a public corporation, from The Toyon Duck Club, a Callfornia corporation, by deed dated February 8, 1926, recorded on February 13. 1926, in Book 20. Page 259. of official Recurds, County of Contra Costa, State of Callfornia, Eaid parcel of land more particularly described as follows:
bEGINNiNG at a point 200.00 feet south of the corner comin to Sections 10. 11, 14, and 15 of T. 1 N. R. 3 E., M.D.B.6M., and running thence N. $89^{\circ} 06^{\prime}$ E. parallel to and 200.00 feet south of the main tract of the Atchison, Topeka and Santajfe Railway Company to intersection with the Quarter Section line bisecting iections il and 14, in T. 1 N., R. 3 E., M.D.B.8M., being the point of beginaitis of the eract described herein; and running thence froa said point S. $00^{\circ} 39^{\prime}$. ${ }^{*}$ along the quarter Section Ifne 100.00 feet; thence N. $89^{\circ} 06^{\circ}$ E. parallel to vind 100.00 feet south of the south Right of Way line of the Atchison, Toidia and Santa Fe Railway, 378.53 feet to the outer toe of a levee; thence along the outer roe of said levee, N. $42^{\circ} 55^{\prime} \mathrm{W} .134 .6$ feet to a point on the south lifght of way line of said railvay; thence along said south Right of Hay line of said rallyay 288.00 feet to the point of beginning:

PARCEL 2:
All that certain pareel of land conveyed to East Bay Municipal Ueility District, a public corporatilon, from California Delta Farns Inc.. a California corpôrátion, by deed cated September 16, 1926, recorded on September 30, 1926, 1in Book 50, Page 365, of Offleital Records, County of Contra Costa, State of California. said parcel of land aore particularly described as follous:
$A$ strip of land 125 :00 feet in width, lecated in Section 14, T. 1 N. R. 3 E., M.D.B. 8 M., said serip of land being deseribei as follows:

BEGINSLSG at \& poini. 200 feet south of the corner cominn to Sections 10, 11, 14 and 15, T. 1 N. 1. 3 E.. M.D.B.SH., and running thence parallel to and 200 feet sóuth of the cénter line of the main tract of the A.T. \& S.F. Ratluay, s. $89^{\circ} 06^{\prime}$ E. 2932.00 ftet to the point of beginning of the parcei hereinafter described; and running thence from sald point of beginning parallel to and 200 feet south of the center line of the main tract of the A.T. \& S.F. Railway: alid line being the southerly rizht of uay line of ald railway, N. 89 ${ }^{\circ} 06^{\circ} \mathrm{E}$. 778.48 feet; thence $S^{\prime} 20^{\circ} 52^{\prime}$ E. 133.00 feet; thence South $89^{\circ} 06^{\circ}$ W. 711.28 feet; thence N. $42^{\circ}$ S5' W .168 .25 feet to the point of beginning.
parcel 3:
All chat certain parcel of land conveyed to East gay Municipaiz Utility District, a public corporation, from The Toyon Duck Club, a Callfornia corporation, by deed dated February 2, 1926, recorded on February 13, 1926, in Book 25, Page 116. of Official Records, County of Contra Costa, State of California, said parcel of land more particularly described as follows:

BEGINNING at the northeast corner of the 153.89 acre tract conjeyed to the Toyon Duck Club by deed dated August 24, 1925 and recorded Septesber 15. 2925 in Vol. 2 of Official Records, page 141, records of Contra Costa County; and running thence from said point along the south boundary of the right of way of the Atchison, Topeka and Santa Fe Railway, S. $89^{\circ} 06^{\prime} \mathrm{W} ., 2844.0$ feet to the northeast corner of a 2.28 acre tract previously conveyed by Horace L. Hill, Jr. and Jeanne Gallois Hill, his ulfe, to the Ioyon Duek Club, a corporation, by deed dated June 3, 1924 and recorded July 10, 1924 in Vol. 476 of Deeds. page 100; and continuing thence along the south boundary of the right of way of the Atchison, Topeka and Santa Fe Railway, S. $89^{\circ} 06^{\circ}$ West, 520.00 feet to the point of beginning and running thence from said poine of beginning along the south boundary of the right of way of the Atchison, Topeka and Sante Fe Railway 5. $89^{\circ} 06^{\circ} \mathrm{W} ., 68.00$ feet to the outer toe of the levee foraing the westerly boundary of the Orwood Tract; thence S. $20^{\circ} 52^{\circ}$ E., 133.00 feet along the outer toe af sald levee; thence $N .89^{\circ} 06^{\prime}$ E., 68.00 feet; chence N. $20^{\circ} 52^{\prime}$ W., 133.00 feet to the point of beginning.

PARCEL 4:
All that certain parcel of land conveyed to East Day Hunicipal Utility Diatrict, a public corporation, froz the Toyon Duck Club, a California corporation, by deed daced February 8, 1926, recorded on February 13. 1926, In Book 21, Pege 287. of Official Records, County of Contra Costa, State of California, sald parcel of land aure parricularly described as follous:
begiknisg at a point 200.00 fect south of the corner comor to Sections 10,11, 14. and 15, in T. 1 H., R. 3 E., M.D.B.8M., thence H. $89^{\circ} 06^{\circ}$ E. parallel to and 200.00 feet south of the center line of the wain tracke of the Atchison, Iopeka and Santa Fe Rallway, 3776.00 fect to the point of beginning of the tracs of land described herein; and running thenes from said point S. $20^{\circ} 52^{\circ}$ E. 133.00 feet; thence N. $89^{\circ} 06^{\prime}$ E. $409.06 \mathrm{fect} ;$ thence $N .26^{\circ} 46^{\prime}$ E. 141.14 feet to a point on the south boundary of the right of way of the Atchison. Topeka and Santa Fe Ralluay; thence along the south boundary of the right of way of ald rallway S. $89^{\circ} 06^{\circ} \mathrm{W}$. 520.00 feet to the poine of beginning.

## PARCEL 5:

All that certain parcel of land conveyed to East Bay Municipal Utility Diatrict, a public corporation, from Marion E. Gregory, a single man, by deed dared April 1. 1926, recorded on April 12, 1926, in Book 32, Page 161 of official Records. County of Contra Costa, State of California, aaid parcel of land more particularly described as follous:

DEGINSING at a point 200.00 feet south of the corner coman ro Sections 10, 11 , 14 and 15 , of T. 1 N., R. 3 E., M.D.B. 8 M., and running thence $14.89^{\circ} 06^{\prime}$ eant parallel to and 200.00 feet south of the center lins of the Atchison. Topaka and Santa Fe Railway, Righe of Way, 4296.00 feet co the point of beginning of the cract of land dúscribed herein; thence continuing N. $89^{\circ} 06^{\circ}$ E. 252.00 feet to the center 11 ne of a 4 foot ditch; thance $5.12^{\circ} 3^{\prime \prime} 3^{\prime}$. 127.19 feet along the center ilne of said ditch; thence S. 89 $06^{\circ} \%$. 341.04 feet; thence H. $25^{\circ}$ $46^{\circ}$ E. 141.14 feet to the point of beginning.

## PARCEL 6:

All that certain parcel of land conveyed to East Bay Municipal Utility Diatrict, a public corporarion, frou The Toyon Duck Club, a California corporarion, by deed dated February 8, 1926, recorded on Fehruary 13, 1926, In Book 22, Page 439 of official Records. County of Contra Costa, State of California, said parcel of land more particularly described as follows:
BEGINBING at the northeast corner of the 153.89 acre cract conveyed to the Ioyon Duck Club, by deed dated August 24, 1925, and recorded September 15, 1925 in Vol. 2 of Official Records, page 141. Records of Contra Costa County, California, and running chence from said point of beginning, along the south boundary of the right of way of the Atchison. Topeka and Santa Fe Pailway S. $89^{\circ} 06^{\circ}$ W. 2592.00 feet to the center of a four foot ditch; thence along the center line of said ditch, S. $11^{\circ} 33^{\prime}$ E. 127.19 feet; thence North $89^{\circ} 06^{\circ}$ E. 2553.88 feet to the center line of a drainage canal; thence N. $05^{*} 46^{\circ} \mathrm{E} .125 .85$ feat along the center line of aidd drainage canal to the point of taginning.

PARCEL 7:
All that certaln parcel of land conveyed to East Bay, Kunicipal Ueility District, a publle corporation, from California Delta Faras. Inc.. a California corporation, by deed dated Sepeexber 16. 1926. reciorded on September 30, 1926, in Dook 49. Page 53 of Offlcial Records, County of Contra Costa, State of Callfornia, aaid parcel of land more particularly described as followa:

COMAENCISG at a point 200.00 feet south of the corner comeon to Sections 10,11 . 14 and 15, T. 1 S., R. 3 E., M.D.B. 8 M., and running thence parallei to and 200.00 feet south of the cencer line of the main eract of the A.T. a S.F. Ralluay N. $89^{\circ}$ $06^{\circ}$ E. 7140.6 fect to the intersection with the center line of a drainage canal running southerly, the point of beginning of the parcel hereinafter described and running thence frow said point of beginning parallel to and 200.00 feet south of the center line of the aain track of the A.T. s S.F. Railway, sajd iine boing the southerly rlght of way line of the said A.T. \& S.F. Ralluay, N. 89 ${ }^{\circ} 06^{\circ}$ E. 2078.35 feet to an intersection uith the aast bank of alough; thence along the easterly and southerly bank of said slough, S. $50^{\circ} 41^{\prime} \mathrm{W} .100 .00$ feet; R. $88^{\circ}$ 21. W. 220.00 feet; N. $61^{\circ} 49^{\prime} \mathrm{W} .80 .00$ feer; S. $87^{\circ} 02^{\prime} \mathrm{W} .200 .00$ feet; S. $76^{\circ}$ $36^{\circ}$ W. 87.00 feet; $S . ~ 14^{\circ} 02^{\prime}$ K. 88.53 feet; chence leaving sald slough S. $89^{\circ}$ $06^{\circ}$ W. 1427.39 feet to the intersection uith the center line of aaid drainage
canal; thence along the center llae of said drainage canal, N. $05^{\circ} 46^{\circ}$ E. 125.85 feet to tile point of beginning.

PIRCEL 8:
All that certain parcel of land conveyed to East Bay Kunlcipal Utility Diatrict, a publfe corporation, froa Californla Delta Faras, Inc., a California sorporacion. and E.E. Long and As.na Lonk, his wife, by deed dated Septeaber 18, 1926, recorded on Octoher 1, 1926, In Book 50, Page 372 of Official Records, County of Contra Costa, State of California, said parcel of land more particularly described as follous:
bEGINSING at a poinc 200.00 feet south of the corner common to Sections 10, 11, 14 and 15, T. 1 N., R. 3 E., M.D.B. 8 M., and running thence parallel to and 200.00 cet souch of the center line of the main track of the A.T. \& S.F. Rallway North 89 degress 06 minutes East $10,875.00$ feet to the intersection with the center line of drainage canal running southerly, the point of beginning of the tract hereinaftas described; thence from saidipoint of beginning along the center line of said ansinage canal. South 00 degrees 58 minutes East, 125.00 feer; thence leaving kaild drainage canal South 89 degrees 06 minutes West 2334.96 feet to an ntersection with the east bank of a slough; thence along the easteriy and southerly bank of said slough North 14 degrees 02 minutes East 88.53 feet; thence North 76 degrees 36 ainutes East 87.00 fect; thence North 87 degrees 02 minutes East 200.00 feet; thence South 61 dagrees 49 minutes East 80.00 feet; thence South 88 degrees 21 ainutes East 220.00 feet; thence North 50 degrees 41 minutes East 100.00 feet to a point on the southerly right of way line of the said A.T. $\delta$ S.F. Rallway; thence legving said slough and following said southeriy right of way line, North 89 degrees 06 ainutes East 1652.42 feet to the point of beginning.

PARCEL 9:
All that certain parcel of land conveyed to East Bay Municipal Utility District, a public corporation, from California Deita Farms, Inc.. a California corporation, by deed dated Septe=ber 16, 1926, recorded on September 30, 1926, in Book 52, Page 249, of Official Records, County of Contra Costa, State of California, sald parcel of land zore parcicularly described as follows:
BEGINNINC at a point 200.00 feet south of the corner common to Sections 10,11 , 14 and 15, T. 1 K., R. 3 E., M.D.B.8M., and running thence parallel to and 200.00, feet souch of the center line of the main track of the A.T. \& S.F. Railuay, North 89 degrees 06 minutes East $10,875.00$ feet to the 1ntersection with the center line of a drainage canal running southerly, the point of beginning of the tract hereinafter described; thence'from said point of beginning North 89 degrees 06 minutes East 992.00 feet ro the intersection with the center line of aifour foot ditch running southerly; thence along the center line of said four foot ditch South 00 degrecs 57 minutes East 125.00 feet; thence leaving arid four foint ditch, South 89 degrees 06 atnutes West 992.00 feet to the intersection with th/i center line of sald drainage canal; thence along the center line of aid drainigo canal North 00 degrees 58 minutes Hest 125.00 feet to the point of beginning.

PARCEL 10:
All that certain parcel of land conveyed to East Bay Hunicipal Utility District, a public corporation, from B.F. Walker and Ethel R. Halker, his wife, by deed dated July 19, 1926, recorded on July 29, 1926, In Book 45, Page 384. of Official Records, County of Contra Costa, State of Californfa, said parcel of land more pareicularly described as follous:
BEGINSING at a point 200 feet south of the corner, coman to Sec:ions 10, 11,14 and 15, T. 1 S., R. 3 E., M.D.B. $84 .$. and running thence parallel to and 200 feet south of the center line of the gain track of the A.T. S S.F. Rallway, N. $89^{\circ}$ 06' E. 11,867 feet to the intersection uith the center line of a four foot ditch running southerly, the point of beginning of the percel hereinafter described; thence from sald point of beginning N. $89^{\circ} 06^{\circ} \mathrm{F} .1584 .37$ feet; thence S . $60^{\circ}$ $57^{\prime}$ E. 89.92 feet; thence S. $78^{\circ} 15^{\circ}$ E. 1665.82 feet; thence due south 36.10 feet to the interscction wish the center line of a secpage ditch ruining parallel to the levee forming the north boundary of the 0.wood Tract; thence along the center line of sald zeepage ditch $5.87^{\circ} 29^{\prime} \mathrm{W} .262 .34$ feet; thence leaving sald seepage ditch, : $\mathrm{s} .78^{\circ} 15^{\circ} \mathrm{W} .1612 .97$ feet; thence $5.89^{\circ} 06^{\circ} \mathrm{W} .1373 .10$ feet to the intarsection with the center line of said four foot ditch; thence aleag the center line of said four foor ditch. N. $00^{\circ} 57^{\circ} \mathrm{W} .125 .00$ feet to the point of beginning.

PARCEL 11:
All that $=e r e a i n$ parcel of land conveyed to East Bay Hunicipal Utility Districe a public cornoration. from B.F. Walker and Ethel R. Walker, his wifé, by deed dated July 19, 1926, recorded July 29, 1926, In Book 48, Page 174, of officisi Records, County of Conera Costa, State of California, said parcel of land more parcicularly described as follows:
bEGINNING at a point 200 feet south of the corner comion to Sections 10, 11, 14 and 15, T. 1 S.. R. 3 E., M.D.B.GH., and running thence parallel to and 200 feet south of the center line of the maln track of the A.T. \& S.F. Rallway, North- $89^{\circ}$ $06^{\circ}$ E., 14,648 feet to a point in the center line produced of a four foot ditch running southerly; thence along the center line of sald ditch. S. $00^{\circ} 36^{\circ} \mathrm{W} .483$ feet to the intersection with the center line of a seepage ditch paraileling the levee forming the north boundarymof Orwood Tract; thence along the center line of said ditch $3.87^{\circ} 29^{\circ}$ E. $444^{\prime}$ fect to the point of beginning of the hereinafter described parcel; thence from said point of beginning, leaving said aeepage ditch due north 36.10 feet; thence $S .78^{\circ} 15^{\circ}$ E. 134.05 fect; thence S. $02^{\circ} 30^{\prime}$ E. 3.02 feet to an intersection uith the center line of said sespage ditch; thence along the center line of aidd seepage diech $S$. $87^{\circ} 29^{\circ} \mathrm{W}$. 131.5 feet to the point of'beginning.

## PARCEL '12:

All that certain parcel of land conveyed to East Bay Municipal Utility Diserict, public corporation, from Callfornia Delta Faras, Inc.. a California corporation by deed dared September 10, 1926, recorded on September 30, 1926, in Book 53. page 199, of Official Records, County of Contra Costa, State of California, ald parcel of land core particularly described as follous:
bEGImisis at a point 200.00 fect south of the corncr comen to Sections 10,11, 14 and 15, T. 1 S., R. 3 E., M.D.B. $8 \%$.; and running thence parallel to and 200.00 feet south of the cencer line of the main track of the A.T. $\delta$ S.F. Railway. N. $89^{\circ} 06^{\prime}$ E. 14.648 feet to a point in the center line produced of a four foot ditch; rinning Southerly; thence along said center line produced S. $00^{\circ} 36^{\circ} \mathrm{W}$. 483.00 feet to the intersection with the center line of a seepege ditch paralielIng the levee forming the north boundary of Orwood Tract; thence along the canter line of sald seepage ditch. $\mathrm{K} .87^{\circ} 29^{\prime}$ E. 186.92 feet to the point of beginning of the parcel hercinafter descaibed; thence from the ald point of beginning along the center'lise of said aeepage ditch, K. $87^{\circ} 29^{\circ}$ E. 393.84 teet; thence leaving said seepage dirch, $N .02^{\circ} 30^{\circ} \mathrm{W} .3 .02$ feet; rhence $S .78^{\circ} 15^{\circ}$ E. 12.24 feet to the intersection with the center line of said seapage ditch; thence along the center line of said seepage ditch. N. $87^{\circ} 29^{\prime}$ E. 2075.76 feat to the Low Water Line on the Hest shore of Old River; thence along said Low Waier Line, $S$. $01^{\circ} 32^{\prime}$ E. 225.64 feet, and S. $10^{\circ} 00^{\prime} \mathrm{W} .76 .57$ feet; thence leaving said Low Water ZIne, S. $88^{\circ} 22^{\prime} \mathrm{U} .143 .28$ feet; thence N. $87^{\circ} 29^{\prime} \mathrm{W} .89 .14$ feet; thence N. $02^{\circ} 31^{\prime}$ E. 25.00 feet; thence N. $87^{\circ} 29^{\prime}$ W. 1824.72 feet; thence N. $78^{\circ} 15^{\circ} \mathrm{H}$ 426.64 feet to the point of beginning.

## PARCEL 13:

Al2 that certain parcel of land conveyed to Eanz Bey Municipal Utility District, a public corporation, from W.H. Sutliff and Jean P. Sutiliff, his wife, by deed dated April 4. 1966, and recorded in 8ook 5178, Page 384, of 0fticiall Records. Councy of Contra Costa, State of Callfornia, ald parcel of land more particularly described as follows:

PORTIOR of that eertain parcel of land described in the Deed of Trust Erom K.M. Sutliff to Union Securicics Corporation, dated Hay 22. 1959 and recorded June 1. 1959 in Volupe 3384 of Official Records, at Page 157. Contra Costa County Records, "́ore pareicularly described as follous:
BEGINNING at the northeast corner of that cereain 9.911 acre parcel of land described in the Deed from Callfornia Delea Farms, Inc., et al, to East Bay Municipal Utility District dated September 10, 1926 and recorded September 30. 1926 in Book 53 of Official Records, at Page 199, Contra Costa County Records, and from which point the north line of last said parcel of land bears South $8^{\circ}$ 29' Kest; thence along the direct extension easterly of last said northern line. North $87^{\circ} 29^{\prime}$ East ro the intersection thereof with the eastern inine of aid parcel of land aboje referred co ( 3384 OR 157); thence slong said eastern linét South $3^{\circ} 00^{\prime}$ West, to the intersection thereof with the direct easterly production of the southern ).ine of said 9.911 acre parcel of land above referred to ( 53 OR 199): thence along said easterly production, South $88^{\circ} 22^{\prime}$ West 125 feet to the southease corner of sald parcel of land above referred to ( 53 OR 199); thence
CALE:'.. ... GE
MINUTE FAGE
along the eastern line of said 9.911 acre parcel of land. North $10^{\circ} 00^{\prime}$ East, 76.55 feet, and North $2^{\circ} 32^{\prime}$ West, 225.64 feet to the Point of Beginning.

