

**CALENDAR ITEM
C85**

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04/20/17

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J. Frey

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B. Johnson

**CONSIDER CESSION OF CONCURRENT CRIMINAL JURISDICTION
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 126
AT THE NATIONAL TRAINING CENTER AND FORT IRWIN,
SAN BERNARDINO COUNTY**

PARTY:

United States Department of the Army

AREA, LAND, TYPE, AND LOCATION:

National Training Center and Fort Irwin, San Bernardino County

PROPOSED ACTION:

Pursuant to Government Code section 126, the State Lands Commission is authorized on behalf of the State of California (State) to cede concurrent criminal legislative jurisdiction to the United States upon finding:

- A. The United States has requested such cession in writing.
- B. The federal lands are held or leased for the erection of forts, arsenals and other needful buildings within the purview of clause 17 of section 8 of article 1 of the U. S. Constitution or other federal purpose.
- C. The cession is in compliance with the laws of the United States.
- D. A notice of the proposed cession has been given to the clerk for the board of supervisors of the county in which the federal lands are located at least 15 days before the proposed cession.
- E. The proposed cession is in the best interests of the State.
- F. The United States has agreed to compensate the State for costs incurred in processing the cession request.

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Upon making these findings the State and the United States will equally share the State's criminal legislative jurisdiction over lands affected by the cession. The cession shall continue only so long as the lands are owned or leased by the United States and used for the purposes for which jurisdiction is ceded or for 10 years, whichever period is less. In ceding concurrent criminal jurisdiction, the Legislature and the State reserve their full jurisdiction over the land, water, and use of water with full power to control and regulate the acquisition, use, control, and distribution of water with respect to the land affected by the cession.

The United States presently has concurrent criminal legislative jurisdiction over the National Training Center and Fort Irwin in San Bernardino County. The State first ceded jurisdiction over the National Training Center and Fort Irwin on June 19, 1986, and renewed the cession for 5-year periods in 1991, 1996, 2002, 2007, and 2012. The most recent cession will expire on May 22, 2017.

By letter signed by Paul D. Cramer, Deputy Assistant Secretary of the Army, dated March 15, 2017, the United States has requested that the State of California again cede concurrent criminal legislative jurisdiction over these facilities for a 10-year period. The previous version of Government Code section 126 authorized the Commission to cede concurrent criminal jurisdiction for periods no greater than 5 years. Effective January 1, 2015, the Legislature amended Government Code section 126 to authorize the Commission to cede concurrent criminal jurisdiction for periods of up to 10 years.

The United States cooperates in law enforcement matters with the Sheriff of San Bernardino County under a 2005 Memorandum of Understanding between the District Attorney's Office, the Sheriff's Office, and Fort Irwin. The parties are currently working to update this Memorandum of Understanding and will provide Commission staff with a copy when the update is completed.

The lands comprising the National Training Center and Fort Irwin were acquired by purchase or condemnation or were withdrawn from the public domain and are all owned by the United States. A notice of the proposed cession has been given to the Clerk of the Board of Supervisors for San Bernardino County on March 20, 2017. The United States has agreed to compensate the Commission for costs incurred during processing of its request. Finally, the United States has indicated in its March 15, 2017 letter that it will accept the cession when made by the Commission.

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Commission staff believes that the cession of concurrent criminal legislative jurisdiction is in the best interests of the State in connection with the exercise of criminal jurisdiction over these facilities.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 3.1 of the Commission's Strategic Plan to "foster, improve, and enhance relationships, to engage the Legislature, public, local, state and federal agencies, legislative grantees, Commission lessees, potential applicants, non-governmental organizations, and the regulated community."
2. The staff recommends that the Commission find that the subject cession of jurisdiction does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject cession of jurisdiction is not subject to the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15060, subdivision (c)(3) because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378.

AUTHORIZATION:

1. Find that the following requirements of Government Code section 126 have been satisfied:
 - A. The United States has requested in writing that the State cede concurrent criminal legislative jurisdiction over the lands described

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in Exhibit A attached and by reference made a part hereof, said lands being within the State.

- B. The lands are held by the United States for the erection of forts, magazines, arsenals, dockyards, and other needful buildings within the purview of clause 17 of section 8 of article 1 of the U.S. Constitution, or for another federal purpose.
 - C. The cession is pursuant to and in compliance with federal law.
 - D. A notice of the proposed cession has been given to the clerk for the board of supervisors of San Bernardino County, in which the federal lands are located, at least 15 days before the proposed cession.
 - E. The proposed cession is in the best interests of the State.
 - F. The United States has agreed to compensate the State for its cost incurred in processing the cession.
- 2. Find that cession of concurrent criminal legislative jurisdiction over the lands described in Exhibit A attached hereto and by reference made a part hereof is in the best interests of the State because the United States will then have the authority to conduct investigations and prosecutions of criminal offenses at these facilities and will be able to assist local law enforcement.
 - 3. Cede concurrent criminal legislative jurisdiction to the United States over the National Training Center and Fort Irwin, San Bernardino County, for so long as the lands are owned or leased by the United States and used for the purposes for which jurisdiction is ceded, or for 10 years, whichever period is less.
 - 4. Authorize the Executive Officer to execute a Resolution of Cession of Concurrent Criminal Legislative Jurisdiction and have it recorded in the Official Records of San Bernardino County.

EXHIBIT A

15 February 2017

National Training Center and Fort Irwin Cession Land Description

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SOUTH PACIFIC DIVISION
LOS ANGELES DISTRICT, ASSET MANAGEMENT DIVISION
915 WILSHIRE BLVD., SUITE 930
LOS ANGELES, CALIFORNIA 90017

PERIMETER DESCRIPTION OF FORT IRWIN MILITARY RESERVATION, INCLUDING EASTERN AND WESTERN EXPANSION AREAS, FOR LEGISLATIVE JURISDICTION PURPOSES

The following abbreviations (alphabetically listed) may be used in this description: ac = acre(s); APN = Assessor Parcel Number; approx = approximately; BLM = Bureau of Land Management of US Dept of Interior, successor agency of General Land Office; cen-sec = center-of-section; cor = corner; E = East; e'ly = easterly; EO = Executive Order (Presidential); FR = Federal Register; Frac = Fractional; ft = foot, feet; GL = Government Lot; GLO = General Land Office, predecessor agency of BLM; ha = hectare(s); km = kilometer(s); KRGTC = Kern River Gas Transmission Company; m = meter(s); MDM = Mount Diablo Meridian; mi = mile(s); N = North; NE = Northeast; ne'ly = northeasterly; n'ly = northerly; NW = Northwest; nw'ly = northwesterly; Pg(s) = Page(s); PL = Public Law; PLO = Public Land Order (by Secretary of the Interior); Pt = Point; R = Range; Rng = Range; S = South; SBM = San Bernardino Meridian; SE = Southeast; sec(s) = section(s); se'ly = southeasterly; s'ly = southerly; sq km = square kilometer(s); sq mi = square mile(s); Stat = Statute; SW = Southwest; sw'ly = southwesterly; T = Township; thru = through; Twp = Township; W = West; w'ly = westerly.

DESCRIPTION

Two parcels of land, herewith designated Parcel 1 and Parcel 2, in the unincorporated area of the County of San Bernardino, State of California, more particularly described as follows:

PARCEL 1 (Original Military Reservation, Eastern & Western Expansion Areas)

Those certain lands in the unincorporated area of the County of San Bernardino, State of California, as described in EO 8450, dated 20 June 1940, and EO 8507, dated 8 August 1940, as amended by EO 9098, dated 14 March 1942, and as amended by EO 9526, dated 28 February 1945, and as described in PLO 3082, dated 14 May 1963 (FR Vol 28 Pg 5051), and as authorized in the *Fort Irwin Military Land Withdrawal Act of 2001*, PL 107-107, Title XXIX, 115 Stat 1335-1341, being more particularly described as follows, the basis of bearings being California State Plane Coordinate System, Zone 5, North American Datum of 1983:

BEGINNING at the SW cor of Sec 7, T14N, R1E of the SBM, being also a pt in the SBM, being also a pt in the boundary line established in said EO 8507, hereinafter called the "EO8507 Line";

THENCE the following one hundred seventy-three courses, numbered (1) thru (173) below:

- (1) N'ly along the EO8507 Line and W lines of Secs 7 and 6, and along said SBM, to the NW cor of said Sec 6 and NW cor of said T14N, R1E;
- (2) N'ly along the EO8507 Line and W lines of T15N, R1E and T16N, R1E and T17N, R1E and the W lines of Secs 31 and 30, T18N, R1E to the NW cor of said Sec 30;
- (3) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R1E, to the NE cor of said Sec 25;

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- (4) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R2E, to the NE cor of said Sec 25;
- (5) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R3E, to the NE cor of said Sec 25;
- (6) E'ly along the EO8507 Line and N lines of Secs 30, 29, 28, 27, 26 and 25, T18N, R4E, to the NE cor of said Sec 25;
- (7) S'ly along the EO8507 Line and E lines of Secs 25 and 36, T18N, R4E, to the SE cor of said Sec 36;
- (8) S'ly along the EO8507 Line and E lines of Secs 1 and 12, T17N, R4E, to the SE cor of said Sec 12;
- (9) E'ly along the EO8507 Line and N lines of Secs 18, 17, 16, 15, 14 and 13, T17N, R5E, to the NW cor of said Sec 13;
- (10) S'ly along the EO8507 Line and E line of said Sec 13 to the SE cor thereof;
- (11) E'ly along the EO8507 Line and N lines of Secs 19, 20 and 21, T17N, R6E, to the NE cor of said Sec 21;
- (12) S'ly along the EO8507 Line and E lines of Secs 21, 28 and 33, said T17N, R6E, to the SE cor of said Sec 33;
- (13) E'ly along the EO8507 Line and N line of Sec 3, T16N, R6E, to the NE cor thereof;
- (14) S'ly along the EO8507 Line and E lines of Secs 3, 10, 15, 22, 27 and 34, said T16N, R6E, to the SE cor of said Sec 34 and SW cor of Sec 35, said Twp and Rng, being also a point in the Third Standard Parallel North, also being a point in the N line of Sec 2, T 15N, R6E;
- (15) leaving said EO8507 Line, e'ly along said Third Standard Parallel North and the N lines of Secs 2 and 1, T15N, R6E, and Sec 6, T15N, R7E, and the S lines of Secs 35 and 36, T16N, R6E, to a found GLO/BLM monument marking the SE cor of said Sec 36 and SW cor of Sec 31, T16N, R7E, as shown in the BLM retracement of the south boundary of said T16N, R7E, executed by David H. Haller, Cadastral Surveyor, begun 17 August 2004 and completed 19 August 2004, pursuant to Special Instructions of 1 October 2004 for Group No. 1426-California, hereinafter referred to as "per said BLM retracement", the lotting and areas thereon being as shown on the official plat of survey approved 5 December 1856;
- (16) e'ly along said Third Standard Parallel North and the N line of Sec 6, T15N, R7E, and the S line of said Sec 31, T16N, R7E, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 31, T16N, R7E, per said BLM retracement;
- (17) e'ly along said Third Standard Parallel North and the N lines of Secs 6 and 5, T15N, R7E, and the S line of said Sec 31, T16N, R7E, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 31 and SW cor of Sec 32, T16N, R7E, per said BLM retracement;
- (18) e'ly along said Third Standard Parallel North and the N line of Sec 5, T15N, R7E, and the S line of said Sec 32, **S 86° 04' 30" E, 2,646.27 ft (806.583 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 32, per said BLM retracement;
- (19) e'ly along said Third Standard Parallel North and the N lines of Secs 5 and 4, T15N, R7E, and the S line of

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said Sec 32, **S 85° 59' 40" E, 2,637.77 ft (803.992 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 32 and SW cor of Sec 33, T16N, R7E, per said BLM retracement;

(20) e'ly along said Third Standard Parallel North and the N line of Sec 4, T15N, R7E, and the S line of said Sec 33, **S 86° 07' 10" E, 2,651.09 ft (808.052 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 33, per said BLM retracement;

(21) e'ly along said Third Standard Parallel North and the N lines of Secs 4 and 3, T15N, R7E, and the S line of said Sec 33, **S 86° 01' 40" E, 2,640.58 ft (804.849 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 33 and SW cor of Sec 34, T16N, R7E, per said BLM retracement;

(22) e'ly along said Third Standard Parallel North and the N line of Sec 3, T15N, R7E, and the S line of said Sec 34, **S 89° 20'30" E, 2,644.59 ft (806.071 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 34, per said BLM retracement;

(23) e'ly along said Third Standard Parallel North and the N lines of Secs 3 and 2, T15N, R7E, and the S line of said Sec 34, **S 89° 02' 00" E, 2,625.51 ft (800.255 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 34 and SW cor of Sec 35, T16N, R7E, per said BLM retracement;

(24) e'ly along said Third Standard Parallel North and the N line of Sec 2, T15N, R7E, and the S line of said Sec 35, **S 89° 25' 50" E, 2,629.59 ft (801.499 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 35, per said BLM retracement;

(25) e'ly along said Third Standard Parallel North and the N lines of Secs 2 and 1, T15N, R7E, and the S line of said Sec 35, **S 89° 23' 10" E, 2,634.01 ft (802.846 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 35 and SW cor of Sec 36, T16N, R7E, per said BLM retracement;

(26) e'ly along said Third Standard Parallel North and the N line of Sec 1, T15N, R7E, and the S line of said Sec 36, **S 89° 24' 40" E, 2,632.97 ft (802.529 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 36, per said BLM retracement;

(27) e'ly along said Third Standard Parallel North and the N line of Sec 1, T15N, R7E, and the N line of Sec 6, T15N, R8E, and the S line of said Sec 36, T16N, R7E, **S 89° 51' 00" E, 2,634.25 ft (802.919 m)**, to a found GLO/BLM monument marking the SE cor of said Sec 36, T16N, R7E, and SW cor of Sec 31, T16N, R8E, per said BLM retracement;

(28) e'ly along said Third Standard Parallel North and the S line of Sec 31, T16N, R8E, and the N line of Sec 6, T15N, R8E, **S 89° 28' 10" E, 2,635.08 ft (803.172 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 31, T16N, R8E, per said BLM retracement;

(29) e'ly along said Third Standard Parallel North and the S line of Sec 31, T16N, R8E, and the N line of Sec 6, T15N, R8E, **S 89° 09' 40" E, 1,329.42 ft (405.207 m)**, to a set BLM monument marking the NE cor of said Sec 6, T15N, R8E, per said BLM retracement;

(30) leaving said Third Standard Parallel North, s'ly along the E line of said Sec 6, T15N, R8E, **S 00° 59' 10" W, 3,148.87 ft (959.776 m)**, to a found GLO/BLM monument marking the E ¼ cor of said Sec 6, as shown on BLM dependent resurvey of a portion of the W boundary and the subdivisional line of said T15N, R8E, executed by David H. Haller, Cadastral Surveyor, beginning 2 August 2004 and completed 14 September 2004, pursuant to the aforesaid Special Instructions, hereinafter referred to as "per said BLM resurvey";

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- (31) s'ly along the E line of said Sec 6, **S 00° 24' 40" E, 2,631.34 ft (802.032 m)**, to a set BLM monument marking the SE cor of said Sec 6 and NE cor of Sec 7, T15N, R8E, per said BLM resurvey;
- (32) s'ly along the E line of said Sec 7, **S 00° 38' 50" W, 2,631.44 ft (802.063 m)**, to a set BLM monument marking the E ¼ cor of said Sec 7, per said BLM resurvey;
- (33) s'ly along the E line of said Sec 7, **S 00° 38' 50" W, 2,631.45 ft (802.066 m)**, to a set BLM monument marking the SE cor of said Sec 7 and NE cor of Sec 18, T15N, R8E, per said BLM resurvey;
- (34) s'ly along the E line of said Sec 18, **S 00° 11' 10" W, 2,631.29 ft (802.017 m)**, to a set BLM monument marking the E ¼ cor of said Sec 18, per said BLM resurvey;
- (35) s'ly along the E line of said Sec 18, **S 00° 11' 10" W, 2,631.29 ft (802.017 m)**, to a set BLM monument marking the SE cor of said Sec 18 and NE cor of Sec 19, T15N, R8E, per said BLM resurvey;
- (36) s'ly along the E line of said Sec 19, **S 01° 12' 10" E, 2,631.85 ft (802.188 m)**, to a set BLM monument marking the E ¼ cor of said Sec 19, per said BLM resurvey;
- (37) s'ly along the E line of said Sec 19, **S 01° 12' 10" E, 1,776 ft (541.3 m)**, more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from, the previously existing 36-inch (0.91 m) diameter pipeline (known as the "Old Line") or the more recently-constructed 36-inch (0.91 m) diameter pipeline (known as the "Loop Line"), both operated by Kern River Gas Transmission Company (KRGTC), and said Old Line and Loop Line pipelines being the most nw'ly utility structures in the vicinity of Utility Planning Corridor "D" established by the BLM's California Desert Conservation Area Plan of 1980 as amended;
- (38) sw'ly along said SE'ly Line, **S 71° 41' 16" W, 2,136 ft (651.1 m)**, more or less, to an angle point therein, lying in the SW ¼ SE ¼ of said Sec 19;
- (39) sw'ly along said SE'ly Line, passing thru the SW ¼ SE ¼ said Sec 19, the N ½ of Sec 30, T 15 N, R 8 E, Sec 25, the NW ¼ NW ¼ of Sec 36, Sec 35 and SE ¼ SE ¼ of Sec 34, T15N, R7E, **S 53° 42' 26" W, 20,118 ft (6132.0 m)**, more or less, to an angle point therein, lying in the W ½ of GL2 in the NE ¼ of Sec 3, T14N, R7E;
- (40) sw'ly along said SE'ly Line, **S 61° 37' 23" W, 100 ft (30.5 m)**, more or less, to an angle point therein, lying in said W ½ of GL2 in the NE ¼ of Sec 3, T14N, R7E;
- (41) sw'ly along said SE'ly Line, **S 53° 39' 19" W, 451 ft (137.5 m)**, more or less, to an angle point therein, lying in the E ½ of GL2 in the NW ¼ of said Sec 3;
- (42)) sw'ly along said SE'ly Line, passing thru Secs 3 and 9, **S 40° 46' 06" W, 11,848 ft (3611.3 m)**, more or less, to an angle point therein, lying in the NE ¼ NE ¼ Sec 17, T14N, R7E;
- (43) sw'ly along said SE'ly Line, passing thru Secs 17 and 20, **S 32° 16' 49" W, 9,305 ft (2836.2 m)**, more or less, to an angle point therein, lying in the SE ¼ of Sec 19;
- (44) sw'ly along said SE'ly Line, **S 42° 15' 48" W, 102 ft (31.1 m)**, more or less, to an angle point therein, lying in the said SE ¼ of Sec 19;

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- (45) sw'ly along said SE'ly Line, **S 52° 14' 47" W, 1,926 ft (587.0 m)**, to an angle point therein, lying in the said SE ¼ of Sec 19;
- (46) sw'ly along said SE'ly Line, **S 49° 29' 33" W, 2,134 ft (650.4 m)**, more or less, to an angle point therein, lying in GL1 in the NW ¼ of said Sec 30;
- (47) sw'ly along said SE'ly Line, **S 52° 05' 15" W, 1,460 ft (445.0 m)**, to an angle point therein, lying in the S ½ of GL2 in the NW ¼ of said Sec 30;
- (48) sw'ly along said SE'ly Line, **S 52° 57' 29" W, 887 ft (270.4 m)**, more or less, to an angle point therein, lying in the N ½ (UNSURVEYED) of Sec 25, T 14 N, R 6 E;
- (49) sw'ly along said SE'ly Line, **S 50° 54' 05" W, 1,066 ft (325.0 m)**, more or less, to an angle point therein lying in the SW ¼ of said Sec 25, said angle point lying **100 ft (30.480 m)** nw'ly of said Old Line, and at which angle point said Old Line and Loop Line begin trending s'ly, sw'ly and nw'ly, by various courses and distances, into said Utility Planning Corridor "D", and at some points lying beneath structures of the Intermountain Power Authority (IPA);
- (50) sw'ly and independently of distances from the KRGTC Lines, **S 64° 30'26" W, 6,343 ft (1,933.5 m)**, more or less, in a direct line thru said Sec 25 and the SE ¼ SE ¼ SE ¼ of Sec 26 to a point in the NW ¼ NE ¼ of Sec 35, last-said Twp and Rng, lying **100 ft (30.480 m)** nw'ly of said KRGTC Lines, where said lines are again the most nw'ly utility structures at or near said Utility Planning Corridor "D";
- (51) sw'ly along said SE'ly Line, passing thru said Sec 35 and Sec 34, **S 71° 05' 03" W, 12,825 ft (3,912.2 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of Sec 33;
- (52) sw'ly along said SE'ly Line, **S 60° 18' 16" W, 451 ft (137.5 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of said Sec 33;
- (53) sw'ly along said SE'ly Line, **S 67° 09' 53" W, 102 ft (31.1 m)**, more or less, to an angle point therein lying in the SE ¼ SW ¼ of said Sec 33 T 14 N, R 6 E, SBM;
- (54) sw'ly along said SE'ly Line, **S 74° 19' 22" W, 1612 ft (491.3 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NW ¼ of Sec 4, T 13 N, R 6 E;
- (55) sw'ly along said SE'ly Line, **S 71° 19' 12" W, 619 ft (188.7 m)**, more or less, to an angle point therein lying in the E ½ of GL2 in the NE ¼ of Sec 5, last-said Twp and Rng;
- (56) sw'ly along said SE'ly Line, **S 77° 23' 11" W, 1,049 ft (319.7 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;
- (57) w'ly along said SE'ly Line, **N 89° 47' 36" W, 102 ft (31.1 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;
- (58) nw'ly along said SE'ly Line, **N 74° 19' 12" W, 919 ft (280.1 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NE ¼ of said Sec 5;
- (59) sw'ly along said SE'ly Line, **S 79° 03' 45" W, 1,858 ft (566.3 m)**, more or less, to an angle point therein lying in the W ½ of GL2 in the NW ¼ of said Sec 5;

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- (60) sw'ly along said SE'ly Line, **S 30° 49' 04" W, 1,041 ft (317.3 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;
- (61) se'ly along said SE'ly Line, **S 14° 32' 11" E, 982 ft (299.3 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;
- (62) se'ly along said SE'ly Line, **S 01° 15' 23" E, 101 ft (30.8 m)**, more or less, to an angle point therein lying in GL1 in the NW ¼ of said Sec 5;
- (63) sw'ly along said SE'ly Line, **S 17° 13' 40" W, 766 ft (233.5 m)**, more or less, to an angle point therein lying in the NW ¼ SW ¼ of said Sec 5;
- (64) sw'ly along said SE'ly Line, **S 21° 34' 01" W, 172 ft (52.4 m)**, more or less, to an angle point therein lying in the NW ¼ SW ¼ of said Sec 5;
- (65) sw'ly along said SE'ly Line, **S 28° 49' 58" W, 1,054 ft (321.3 m)**, more or less, to an intersection with the w'ly line of said Sec 5 in the SW ¼ SW ¼ thereof, said intersection being also a point in the EO8507 Line;
- (66) leaving said SE'ly Line, s'ly along the EO8507 Line and W line of said Sec 5, **1,160 ft (353.6 m)**, more or less, to the SW cor of said Sec 5 and SE cor of Sec 6;
- (67) w'ly along the EO8507 Line and S line of said Sec 6 and N line of Sec 7, **680 ft (207.3 m)**, more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from the aforesaid KRGTC Old Line and Loop Line;
- (68) leaving the EO8507 Line, sw'ly along said SE'ly Line, **S 28° 55' 35" W, 4114 ft (1258.9 m)**, more or less, to an angle point therein in GL1 in the SW ¼ of said Sec 7;
- (69) sw'ly along said SE'ly Line, **S 36° 23' 27" W, 100 ft (30.5 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of Sec 7;
- (70) sw'ly along said SE'ly Line, **S 28° 57' 46" W, 473 ft (144.2 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of said Sec 7;
- (71) sw'ly along said SE'ly Line, **S 23° 21' 51" W, 147 ft (44.82 m)**, more or less, to an angle point therein in GL1 in the SW ¼ of said Sec 7;
- (72) sw'ly along said SE'ly Line, **S 28° 51' 20" W, 441 ft (134.4 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of said Sec 7;
- (73) sw'ly along said SE'ly Line, **S 30° 36' 42" W, 102 ft (31.1 m)**, more or less, to an angle point therein in said GL1 in the SW ¼ of Sec 7;
- (74) sw'ly along said SE'ly Line, **S 32° 15' 59" W, 1218 ft (371.2 m)**, more or less, to an angle point therein in GL1 in the NW ¼ of Sec 18, last-said Twp and Rng;
- (75) sw'ly along said SE'ly Line, **S 35° 18' 04" W, 102 ft (31.1 m)**, more or less, to an angle point therein in the N ½ of GL2 in the NW ¼ of said Sec 18;
- (76) sw'ly along said SE'ly Line, **S 40° 57' 25" W, 688 ft (209.7 m)**, more or less, to an angle point therein in the N ½ of GL2 in the NW ¼ of said Sec 18;

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- (77) sw'ly along said SE'ly Line, **S 42° 12' 40" W, 422 ft (128.6 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;
- (78) sw'ly along said SE'ly Line, **S 36° 02' 18" W, 196 ft (59.7 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;
- (79) sw'ly along said SE'ly Line, **S 34° 36' 38" W, 557 ft (169.8 m)**, more or less, to an angle point therein in the S ½ of GL2 in the NW ¼ of said Sec 18;
- (80) sw'ly along said SE'ly Line, **S 22° 23' 25" W, 802 ft (244.4 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of Sec 13, T 13 N, R 5 E;
- (81) sw'ly along said SE'ly Line, **S 27° 14' 12" W, 672 ft (204.8 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 13;
- (82) sw'ly along said SE'ly Line, **S 33° 16' 40" W, 8,750 ft (2,667.0 m)**, more or less, to an angle point therein in the s'ly line of Sec 24 and n'ly line of Sec 25, last-said Twp and Rng;
- (83) w'ly along said n'ly sec line, **96 ft (29.3 m)**, more or less, to the SW cor of said Sec 24 and NE cor of Sec 26, being also a point in the EO8507 Line;
- (84) s'ly along the EO8507 Line and E line of said Sec 26, **145 ft (44.3 m)**, more or less to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **100 ft (30.48 m)** from the aforesaid KRGTC Old Line and Loop Line;
- (85) leaving the EO8507 Line, sw'ly along said SE'ly Line, **S 33° 17' 40" W, 2838 ft (865.0 m)**, more or less, to an angle point therein in the SE ¼ NE ¼ of said Sec 26;
- (86) sw'ly along said SE'ly Line, **S 35° 15' 54" W, 161 ft (49.10 m)**, more or less, to an angle point therein in the NW ¼ SE ¼ of said Sec 26;
- (87) sw'ly along said SE'ly Line, thru Secs 26, 34 and 35, T13N, R5E, SBM, **S 39° 51' 58" W, 6,954 ft (2,119.6 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 34;
- (88) sw'ly along said SE'ly Line, thru Sec 34, T13N, R5E, and thru Sec 3, T12N, R5E, SBM, **S 35° 21' 08" W, 3,828 ft (1,166.8 m)**, more or less, to an angle point therein in GL1 in the NW ¼ of said Sec 3;
- (89) sw'ly along said SE'ly Line, **S 11° 18' 54" W, 433 ft (132.0 m)**, more or less, to an angle point therein in said GL1 in the NW ¼ of said Sec 3;
- (90) sw'ly along said SE'ly Line, thru Secs 3 and 4, last-said Twp and Rng, **S 35° 55' 57" W, 1900 ft (579.1 m)**, more or less, to an angle point therein in the NE ¼ SE ¼ of said Sec 4;
- (91) sw'ly along said SE'ly Line, **S 38° 23' 16" W, 310 ft (94.5 m)**, more or less, to an angle point therein in the SE ¼ SE ¼ of said Sec 4;
- (92) sw'ly along said SE'ly Line, **S 36° 12' 46" E, 1560 ft (475.5 m)**, more or less to an angle point therein in the NE ¼ NE ¼ of Sec 9, last-said Twp and Rng, being also an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **10 ft (3.048 m)** from the most nw'ly structures of said KRGTC

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pipelines;

(93) sw'ly along said SE'ly Line, thru said Sec 9, **S 68° 49' 18" W, 603 ft (183.8 m)**, more or less, to an angle point therein in the NW ¼ NE ¼ of said Sec 9;

(94) sw'ly along said SE'ly Line, **S 70° 56' 57" W, 514 ft (56.7 m)**, more or less, to an angle point therein in the NW

¼ NE ¼ of said Sec 9;

(95) sw'ly along said SE'ly Line, **S 61° 58' 58" W, 749 ft (228.3 m)**, more or less, to an angle point therein in the NE ¼ NW ¼ of said Sec 9;

(96) sw'ly along said SE'ly Line, **S 45° 42' 18" W, 734 ft (223.7 m)**, more or less, to an angle point therein in the SE ¼ NW ¼ of said Sec 9;

(97) sw'ly along said SE'ly Line, **S 15° 57' 41" W, 3409 ft (1039.1 m)**, more or less, to an angle point therein in the SW¼ SW ¼ of said Sec 9;

(98) sw'ly along said SE'ly Line, **S 21° 09' 33" W, 100 ft (30.5 m)**, more or less, to an angle point therein in the SW¼ SW ¼ of said Sec 9;

(99) sw'ly along said SE'ly Line, **S 26° 25' 09" W, 609 ft (185.6 m)**, more or less, to an intersection with the s'ly line of said Sec 9 and n'ly line of Sec 16, last-said Twp and Rng

(100) leaving said SE'ly Line, w'ly along said s'ly sec line, **514 ft (156.7 m)**, more or less, to the SW cor of said Sec 9 and NE cor of Sec 17, being also a point in said EO8507 Line;

(101) leaving said EO8507 line, s'ly along the E line of said Sec 17, **939 ft (286.2 m)**, more or less, to an intersection with a line (hereinafter "SE'ly Line") lying northwesterly of, and at no point closer than **10 ft (3.048 m)** from the aforesaid KRGTC Old Line and Loop Line;

(102) leaving said E sec line, sw'ly along said SE'ly Line, **S 43° 34' 35" W, 2899 ft (883.6 m)**, more or less, to an angle point therein;

(103) sw'ly along said SE'ly Line, **S 43° 58' 42" W, 569 ft (173.4 m)**, more or less, to an angle point therein;

(104) sw'ly along said SE'ly Line, **S 49° 49' 49" W, 2796 ft (852.2 m)**, more or less, to an intersection with the S line of said Sec 17;

(105) leaving said SE'ly Line, w'ly along said S sec line, **695 ft (211.8 m)**, more or less, to the SW cor of said Sec 17 and SE cor of Sec 18, being also a point in said EO8507 Line;

(106) w'ly along the EO8507 Line and S line of said Sec 18 to the SW cor thereof;

(107) w'ly along the EO8507 Line and the S lines of Secs 13, 14, 15, 16, 17 and 18, T12N, R4E, to the SW cor of said Sec 18;

(108) w'ly along the EO8507 Line and S lines of Secs 13, 14, 15, 16, 17 and 18, T12N, R3E, to the SW cor of said

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Sec 18;

(109) n'ly along the EO8507 Line and W line of said Sec 18 to the NW cor thereof;

(110) w'ly along the EO807 Line and S lines of Secs 12 and 11, T12N, R2E, to the SW cor of said Sec 11;

(111) n'ly along the EO8507 Line and W line of said Sec 11 to the NW cor thereof;

(112) w'ly along the EO8507 Line and S lines of Secs 3 and 4, said T12N, R2E, to the SW cor of said Sec 4;

(113) s'ly along the EO8507 Line and E line of Sec 8, said T12N, R2E, to the SE cor thereof;

(114) w'ly along the EO8507 Line and S line of said Sec 8 to the SW cor thereof;

(115) n'ly along the EO8507 Line and W lines of Secs 8 and 5, said T12N, R2E, to the NW cor of said Sec 5;

(116) w'ly along the EO8507 Line and S line of Sec 31, T13N, R2E, to a found GLO/BLM monument marking the SW cor of said Sec 31 and NE cor of GL1 of Sec 1, T12N, R1E, SBM, as shown in the BLM dependent retracement of a portion of the W boundary, the dependent resurvey of a portion of the N and E boundaries, and a portion of the subdivisional line, and the subdivision of Secs 1 and 2 of said T12N, R1E, SBM, executed by David H. Haller, Cadastral Surveyor, begun 4 October 2004 and completed 28 October 2004, pursuant to the aforesaid Special Instructions dated 1 October 2004, for Group No. 1426-California, hereinafter referred to as "per said BLM retracement and resurvey";

(117) leaving the EO8507 Line, s'ly along the E line of said GL1, **S 00° 01' W, 1,499.41 ft (457.020 m)**, to a set BLM monument marking the SE cor thereof, per said BLM retracement and resurvey;

(118) w'ly along the S lines of GL1 and GL2, **S 89° 48' 50" W, 2,638.61 ft (804.218 m)** to a set BLM monument marking the SW cor of said GL2 and NE cor of the S ½ NW ¼ of said Sec 1, per said BLM retracement and resurvey;

(119) s'ly along the E line of said S ½ NW ¼, **S 00° 03' W, 1,322.83 ft (403.199 m)** to a set BLM monument marking the SE cor thereof, per said BLM retracement and resurvey;

(120) w'ly along the S line of said S ½ NW ¼, **S 89° 44' 50" W, 2,641.20 ft (805.038 m)** to a found GLO/BLM monument marking the SW cor thereof, being also the W quarter cor of said Sec 1, being also a point in the E line of GL6 of said Sec 2, per said BLM retracement and resurvey;

(121) s'ly along the E line of said Sec 2 and of said GL6, **S 00° 10' E, 1,319.33 ft (402.132 m)** to a set BLM monument marking the SE cor of said GL6, per said BLM retracement and resurvey;

(122) w'ly along the S line of said GL6 and S line of the NW ¼ SE ¼ of said Sec 2, **S 89° 49' 20" W, 2,590.63 ft (789.624 m)** to a set BLM monument marking the SW cor of said NW ¼ SE ¼ and NE cor of GL8 of said Sec 2, per said BLM retracement and resurvey;

(123) s'ly along the E line of said GL8, **S 02° 17' W, 1,506.04 ft (459.041 m)** to a found GLO/BLM monument marking the SE cor thereof, being also a point in the S line of said Sec 2, per said BLM retracement and resurvey;

(124) w'ly along the S line of said Sec 2 and S lines of GL8 and GL7, **S 89° 59' 40" W, 2,639.14 ft (804.410 m)** to a found GLO/BLM monument marking the SW cor of said GL7 and of said Sec 2, being also a point in the E line of

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Sec 10, per said BLM retracement and resurvey;

(125) n'ly along the E line of said Sec 10, **N 00° 04' 38" W, 164.84 ft (50.243 m)**, to a found GLO/BLM monument marking the SE cor of Sec 3, per said BLM retracement and resurvey;

(126) w'ly along the S line of said Sec 3, **N 89° 36' 10" W, 2,650.48 ft (807.866 m)** to a found GLO/BLM monument marking the S ¼ cor of said Sec 3, per said BLM retracement and resurvey;

(127) w'ly along the S line of said Sec 3, **N 89° 36' 10" W, 2,650.46 ft (807.860 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 3 and SE cor of Sec 4, per said BLM retracement and resurvey;

(128) w'ly along the S line of said Sec 4, **N 89° 15' 50" W, 2,652.54 ft (808.494 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 4, per said BLM retracement and resurvey;

(129) w'ly along the S line of said Sec 4, **N 89° 15' 50" W, 2,652.54 ft (808.494 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 4 and SE cor of Sec 5, per said BLM retracement and resurvey;

(130) w'ly along the S line of said Sec 5, **N 86° 30' 52" W, 2,734.44 ft (833.457 m)**, to a set BLM monument marking the S ¼ cor of said Sec 5, per said BLM retracement and resurvey;

(131) w'ly along the S line of said Sec 5, **N 85° 53' 00" W, 2,734.43 ft (833.454 m)**, to a set BLM monument marking the SW cor of said Sec 5 and SE cor of Sec 6, per said BLM retracement and resurvey;

(132) w'ly along the S line of said Sec 6, **N 89° 59' 55" W, 2,730.89 ft (832.375 m)**, to a set BLM monument marking the S ¼ cor of said Sec 6, per said BLM retracement and resurvey;

(133) w'ly along the S line of said Sec 6, **N 89° 29' 20" W, 2,799.20 ft (853.196 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 6, T12N, R1E, SBM, being also a point in the San Bernardino Meridian (SBM), per said BLM retracement and resurvey;

(134) n'ly along said SBM and along the W line of said Sec 6, **N 01° 04' 40" W, 2,685.87 ft (818.653 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 6, per said BLM retracement and resurvey;

(135) n'ly along said SBM and along the W line of said Sec 6, **N 00° 03' 00" E, 1717.59 ft (523.521 m)**, to a found GLO/BLM monument marking the SE cor of GL7 of Fractional (Frac) Sec 3, T32S, R47E, Mount Diablo Meridian (MDM), as shown on retracement and survey of a portion of the N and E boundaries, a portion of the subdivisional line, and the subdivision of said Frac Section 3, executed by David H. Haller, Cadastral Surveyor, begun 23 September 2004, and completed 30 September 2004, pursuant to the aforesaid Special Instructions, and to Supplemental Special Instructions No. 1, dated 8 November 2004, under Group No. 1426-California, hereinafter referred to as "per said BLM retracement and survey";

(136) w'ly along the S line of said Frac Sec 3 and of said GL7, **N 89° 45' 10" W, 1,579.625 ft (481.4697 m)**, to a found GLO/BLM monument marking the SW cor of said GL7, and S ¼ cor of said Frac Sec 3, per said BLM retracement and survey;

(137) w'ly along the S line of the SW ¼ of said Frac Sec 3, **S 89° 59' 40" W, 2,670.03 ft (813.825 m)**, to a found GLO/BLM monument marking the SW cor thereof, as shown in a retracement executed by Ludwig Engineering, a private contractor, begun 1 May 2002 and completed 15 August 2002, hereinafter referred to as "per said Ludwig retracement";

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(138) n'ly along the W line of said SW ¼, **N 00° 04' 00" W, 2,640.66 ft (804.873 m)**, per said Ludwig retracement, to a found GLO/BLM monument marking the NW cor of said SW ¼ and SW cor of the SW ¼ NW ¼ of said Frac Sec 3, as said monument is shown on said BLM retracement and resurvey,;

(139) n'ly along the W line of said SW ¼ NW ¼, **N 00° 03' 40" W, 1,320.00 ft (402.336 m)**, to the NW cor thereof and SW cor of GL3 of Frac Sec 3, per GLO/BLM survey plat thereof approved April 23, 1913, and to a set BLM monument at said cor as shown on said BLM retracement and survey;

(140) n'ly along the W line of said GL3, **N 00° 03'40" W, 1,885.28 ft (574.634 m)**, to the NW cor thereof and NW cor of said Frac Sec 3, T32S, R47E, being also an intersection with the S line of Frac Sec 34, T31 S, R47E, said intersection lying **S 00° 03' 40" E, 0.132 ft (0.0402 m)** from a found GLO/BLM monument per said BLM retracement and resurvey;

(141) w'ly along the S line of said Frac Sec 34, **S 89° 53' 10" W, 90.354 ft (27.530 m)**, to a found GLO/BLM monument marking the SW cor thereof and SE cor of Sec 33, T31S, R47E, MDM, being a point lying **N 31° 02' 00" W, 2,743.55 ft (836.235 m)** from U. S. Coast & Geodetic Survey (USC&GS) Monument "Goldstone 1964", per said BLM retracement and resurvey;

(142) w'ly along the S line of said Sec 33, **S 89° 59' 20" W, 2,638.900 ft (804.3367 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 33, as shown in the BLM subdivision survey of said Section 33, executed by David H. Haller, Cadastral Surveyor, begun 21 September 2004 and completed 22 September 2004, pursuant to aforesaid Special Instructions, hereinafter referred to as "per said BLM/Haller survey";

(143) w'ly along the S line of the SW ¼ of said Sec 33 to the SW corner thereof, per GLO/BLM survey plat thereof approved April 23, 1913;

(144) n'ly along the W line of the SW ¼ of said Sec 33, per GLO/BLM survey plat thereof approved April 23, 1913, to a found GLO/BLM monument marking the NW corner thereof, and SW corner of the NW ¼ of said Sec 33, per said BLM/Haller survey;

(145) n'ly along the W line of said NW ¼, **N 00° 05' 50" W, 2,644.72 ft (806.111 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 33, the SW cor of Sec 28, and the SE cor of Sec 29, T31s, R47E, MDM, per said BLM/Haller survey;

(146) w'ly along the S line of said Sec 29, **S 89° 56' 10" W, 2,640.98 ft (804.971 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 29, as shown in a retracement of the S line of said T31S, R47E, executed by Ludwig Engineering, a private contractor, begun 1 May 2002 and completed 15 August 2002, hereinafter referred to as "per said Ludwig retracement";

(147) continuing w'ly along the S line of said Sec 29, **S 89° 59' 30" W, 2,637.10 ft (803.788 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 29 and SE cor of Sec 30, per said Ludwig retracement ;

(148) w'ly along the S line of said Sec 30, **S 89° 43' 40" W, 2,645.01 ft (806.199 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 30, per said Ludwig retracement ;

(149) continuing w'ly along the S line of said Sec 30, **S 89° 44' 10" W, 2,707.33 ft (825.194 m)**, to a set BLM monument marking the SW cor of said Sec 30, T31S, R47E, MDM, and the SE cor of Sec 25, T31S, R46E, MDM, as shown on a retracement of a portion of the subdivisional line of said T31S, R46E executed by Ludwig Engineering, a private contractor, begun 1 August 2002 and completed 21 September 2002, and as shown on a dependent resurvey of a portion of the subdivisional line of said T31S, R46E executed by David H. Haller,

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Cadastral Surveyor, begun 14 September 2004 and completed 21 September 2004, pursuant to the aforesaid Special Instructions, hereinafter referred to as “per said Ludwig retracement and BLM/Haller resurvey”;

(150) w'ly along the S line of said Sec 25, T31S, R46E, MDM, **N 89° 38' 00" W, 2,642.84 ft (805.538 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 25, per said Ludwig retracement and BLM/Haller resurvey;

(151) continuing w'ly along the S line of said Sec 25, **N 89° 42' 30" W, 2,646.65 ft (806.699 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 25 and SE cor of Sec 26, per said Ludwig retracement and BLM/Haller resurvey;

(152) w'ly along the S line of said Sec 26, **N 88° 21' 20" W, 2,636.51 ft (803.608 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 26, per said Ludwig retracement and BLM/Haller resurvey;

(153) continuing w'ly along the S line of said Sec 26, **N 88° 09' 10" W, 2,637.79 ft (803.998 m)**, to a set BLM monument marking the SW cor of said Sec 26 and SE cor of Sec 27, per said Ludwig retracement and BLM/Haller resurvey;

(154) w'ly along the S line of said Sec 27, **S 87° 05' 10" W, 2,642.43 ft (805.413 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 27, per said Ludwig retracement and BLM/Haller resurvey;

(155) continuing w'ly along the S line of said Sec 27, **S 87° 04' 30" W, 2,639.78 ft (804.605 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 27 and SE cor of Sec 28, per said Ludwig retracement and BLM/Haller resurvey;

(156) w'ly along the S line of said Sec 28, **N 89° 19' 20" W, 2,650.67 ft (807.924 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 28, per said Ludwig retracement and BLM/Haller resurvey;

(157) continuing w'ly along the S line of said Sec 28, **N 89° 19' 10" W, 2,654.50 ft (809.092 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 28 and SE cor of Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(158) w'ly along the S line of said Sec 29, **N 87° 48' 40" W, 2,658.59 ft (810.338 m)**, to a found GLO/BLM monument marking the S ¼ cor of said Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(159) continuing w'ly along the S line of said Sec 29, **N 87° 49' 20" W, 2,660.64 ft (810.963 m)**, to a found GLO/BLM monument marking the SW cor of said Sec 29, SE cor of Sec 30, NE cor of Sec 31 and NW cor of Sec 32, T31S, R46E, MDM, per said Ludwig retracement and BLM/Haller resurvey, and said monument having Latitude 35° 11' 59.187" N, and Longitude 117° 04' 57.015" W (NAD 1983, CORS 2004.0), per said BLM/Haller resurvey;

(160) n'ly along the W line of said Sec 29, **N 00° 56' 30" W, 2,647.29 ft (806.894 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 29, per said Ludwig retracement and BLM/Haller resurvey;

(161) continuing n'ly along the W line of said Sec 29, **N 00° 56' 10" W, 2,648.01 ft (807.113 m)**, to a found GLO/BLM monument marking the NW cor or said Sec 29 and SW cor of Sec 20, per said Ludwig retracement and BLM/Haller resurvey;

(162) n'ly along the W line of said Sec 20, **N 00° 40' 30" E, 2,647.02 ft (806.812 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 20, per said Ludwig retracement and BLM/Haller resurvey;

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(163) continuing n'ly along the W line of said Sec 20, **N 00° 42' 00" E, 2,648.14 ft (807.153 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 20 and SW cor of Sec 17, per said Ludwig retracement and BLM/Haller resurvey;

(164) n'ly along the W line of said Sec 17, **N 01° 21' 50" E, 2,654.61 ft (809.125 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 17, per said Ludwig retracement and BLM/Haller resurvey;

(165) continuing n'ly along the W line of said Sec 17, **N 01° 06' 20" E, 2,638.44 ft (804.197 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 17 and SW cor of Sec 8, per said Ludwig retracement and BLM/Haller resurvey;

(166) n'ly along the W line of said Sec 8, **N 02° 20' 30" W, 2,649.60 ft (807.598 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 8, per said Ludwig retracement and BLM/Haller resurvey;

(167) continuing n'ly along the W line of said Sec 8, **N 00° 21' 00" W, 2,650.63 ft (807.912 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 8 and SW cor of Sec 5, per said Ludwig retracement and BLM/Haller resurvey;

(168) n'ly along the W line of said Sec 5, **N 00° 37' 30" W, 2,648.58 ft (807.287 m)**, to a found GLO/BLM monument marking the W ¼ cor of said Sec 5, per said Ludwig retracement and BLM/Haller resurvey;

(169) continuing n'ly along the W line of said Sec 5, **N 00° 37' 30" W, 2,648.58 ft (807.287 m)**, to a found GLO/BLM monument marking the NW cor of said Sec 5, T31S, R46E, MDM, per said Ludwig retracement and BLM/Haller resurvey;

(170) leaving said Ludwig retracement and BLM/Haller resurvey, e'ly along the N lines of Secs 5, 4, 3, 2 and 1 to the NE cor of said Sec 1, T31S, R46E, MDM, per GLO/BLM survey plat thereof approved February 29, 1856, and NW cor of Sec 6, T31S, R47E, MDM, per GLO/BLM survey plat thereof approved April 23, 1913;

(171) e'ly along the N lines of Secs 6, 5, 4 and 3 to the NE cor of said Frac Sec 3, T31S, R47E, MDM, per GLO/BLM survey plat thereof approved April 23, 1913, being also a pt in the W line of Sec 31, T14N, R1E, SBM, and a pt in the SBM;

(172) n'ly along the SBM and said W line to the NW cor of said Sec 31;

(173) n'ly along the SBM and along the W lines of Secs 30, 19 and 18, T14N, R1E, SBM, to the NW cor of said Sec 18 and SW cor of Sec 7, being the **POINT OF BEGINNING**, and containing **753,469 ac (304,929 ha)** of land, more or less, or **1,177 sq mi** of land, more or less.

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EXHIBIT A

(174) **EXCEPTING** therefrom the following lands listed in the table below, said lands being properties planned for acquisition within the Fort Irwin Expansion Project, but which, as of the date of this description, have not yet had conveyance to the United States of America completed and recorded; and the legal descriptions and acreages of said lands being taken from County Assessor records and maps::

TWP	RNG	SEC(S)	DESCRIPTION	APN	OWNER OF RECORD	ACRES	HA
T13N	R1E	03-10	Mines: Julian #1, Pekin, Reward #1 & #2 MS 6182	0519-051-08	GRAHAM, SCOTT & SUZANNE A	80.33	32.51
T17N	R2E	21	MINE SURVEY #5073	0520-101-20	DOTTERRER, FRED/ LEACH LAKES	41.32	16.7
T17N	R2E	22	MINE SURVEY #5072	0520-101-19	GABRYCH FAMILY TRUST/LEACH LAKES	21.93	8.8
T13N	R1E	16	N1/2 OF NE1/4	0519-031-03	LEONARD LUNING TRUST	80.00	32.38
T14N	R1E	36	N ½ NW ¼	0519-241-15	PHI, JACQUELINE	80.00	32.38
T14N	R1E	36	S ½ SW ¼	0519-241-16	PHI, JACQUELINE	80.00	32.38
T31S	R46E	01	W ½ GL1 in NW ¼	0507-074-13	BATES, IRENE & SVENSSON, ELLEN C, HEIRS OF	40.00	16.19
T31S	R46E	05	W ½ NW ¼ SE ¼	0507-081-04	SMITH, OLLIE I/TR	20.00	8.09
T31S	R46E	16	SE ¼	0507-091-18	DAVIDSON, JAMES F & FRED J, ET AL	160.00	64.75
T31S	R46E	20	SW ¼ SW ¼	0507-101-03	GORDON, ALBERT M JR & ROBINSON, RICHARD W	40.00	16.19
T31S	R46E	20	SW ¼ NW ¼	0507-101-24	MEDVIN, ROBIN B, DESCENDANTS	40.00	16.19
T31S	R46E	22	T31S	0507-061-52	SANCHEZ, MODESTO	20.00	8.09

Total non-federal (non-BLM) land in Segment 3, Mount Diablo and San Bernardino Meridians, is 9,515.49 ± ac, or 3,850.92± ha, or 15.37± sq mi.

(175) **AND FOR PURPOSES OF LEGISLATIVE JURISDICTION**, the said perimeter, less the exception noted in Call No. 174 above, contains a net area of **743,953 acres (301,078 ha)(1,162 sq mi)** of land, more or less.

EXHIBIT A

PARCEL 2 (Water Supply Withdrawal)

Those certain lands in the unincorporated area of the County of San Bernardino, State of California, separated from and non-contiguous with Parcel 1 described above, as described in PLO 2940, dated 15 February 1963 (formerly acquired by recordation on BLM Public Land Records, Serial No. LA-0164624, dated 1 July 1951), said PLO 2940 titled "*Withdrawal for Protection of Fort Irwin Water Supply*" (FR Vol 28 Pg 1634), more particularly described as follows:

Secs 30 and 31, T12N, R2E, SBM, containing **1,248.38 ac (505.22 ha)** of land, more or less.

//////////////////////////////////////END OF DESCRIPTION//////////////////////////////////////

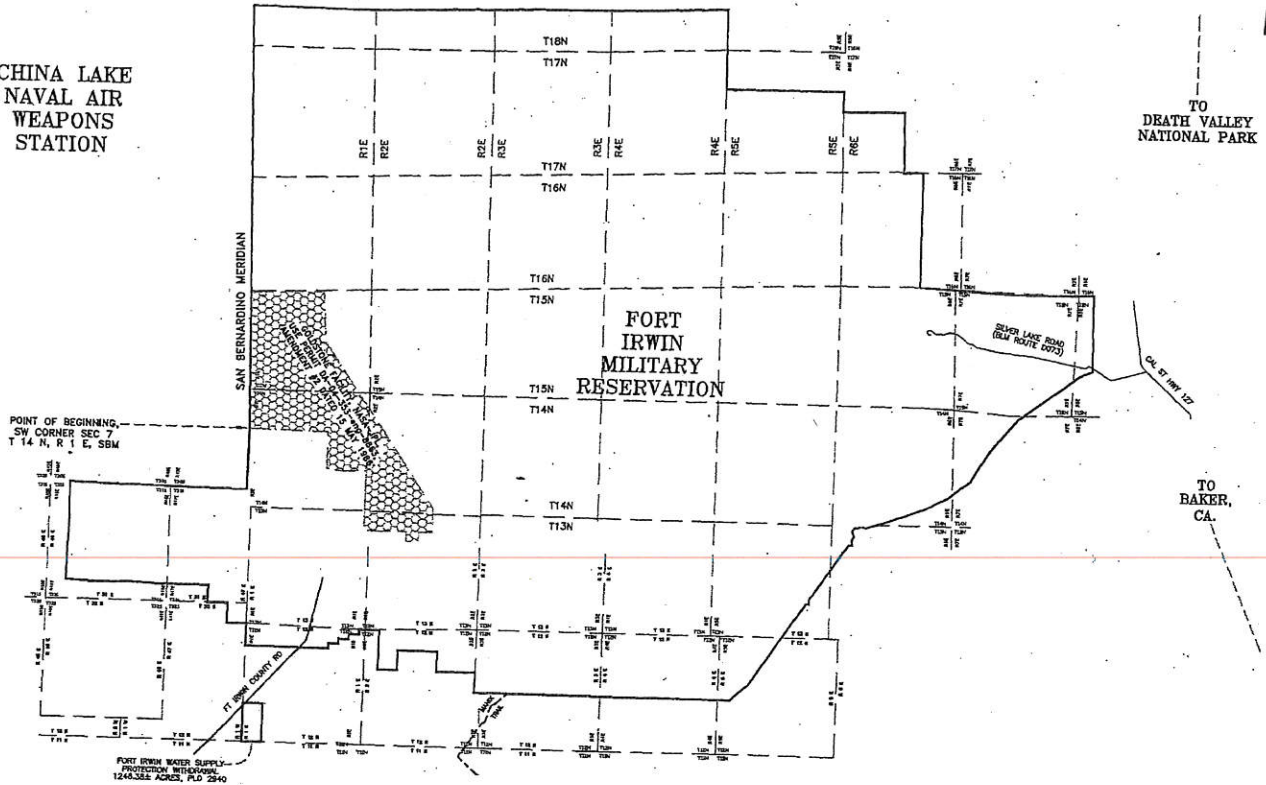
NOTE: Department of the Army Engineer Circular No. 405-1-12, dated 30 Dec 2003, Chapter 3 "MAPPING", Section XII "LEGAL DESCRIPTIONS", Paragraph 3-42d, requires all Corps of Engineers **legal descriptions** to include parenthetical Systeme Internationale (metric) equivalents for all foot-pound expressions of distance and/or area. However, to avoid cluttering and confusion, the same circular's Section V "PROJECT MAP DETAILS", Paragraph 3-24y, recommends against such dual dimensioning on **maps**.

Scrivener: S. ROY PLS 15 February 2017
Office Tel: (213) 452-3137

NO SCALE

SITE

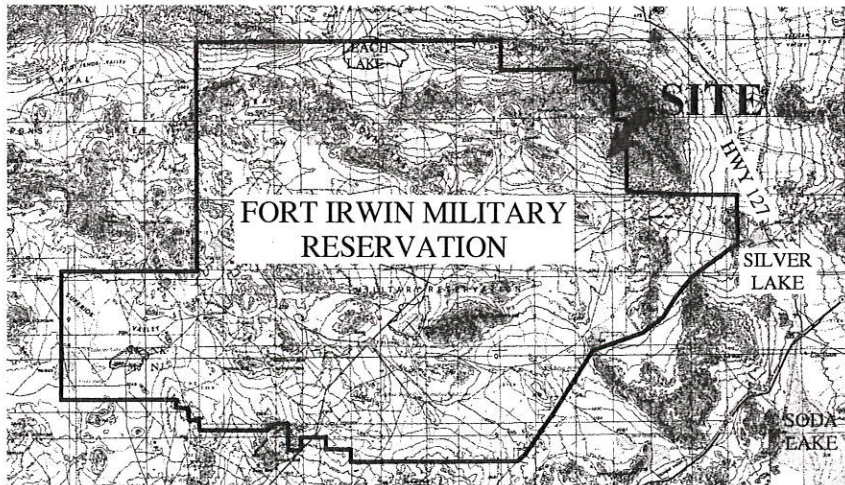
CHINA LAKE
NAVAL AIR
WEAPONS
STATION



FORT IRWIN U.S. ARMY, SAN BERNARDINO COUNTY, CA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B
 W 23751
 FORT IRWIN U.S. ARMY
 CESSION OF
 CONCURRENT CRIMINAL
 JURISDICTION
 SAN BERNARDINO
 COUNTY



This Exhibit is solely for purposes of generally defining the premises, is based on unverified information provided by the U.S. Army and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.