

MINUTE ITEM

21. APPLICATION FOR RIGHT-OF-WAY EASEMENTS BY TRUSTEES OF DEEP SPRINGS COLLEGE FOR TRANSPORT OF WATER ACROSS PORTIONS OF STATE SCHOOL LANDS, SECTION 36, T. 6 S., R. 36 E., M.D.B.& M., INYO COUNTY - W.O. 3544, P.R.C. 2685.2.

Mr. David Boller, Attorney for the Trustees of Deep Springs College, appeared in connection with presentation of Calendar item 18 attached, and reported that his clients were in agreement with the staff recommendation.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO TRUSTEES OF DEEP SPRINGS, ADMINISTRATORS FOR DEEP SPRINGS COLLEGE, FOR A PERIOD NOT TO EXCEED 49 YEARS, AT A TOTAL RENTAL OF \$388.57, RIGHT-OF-WAY EASEMENTS AS SET FORTH BELOW:

OPEN-DITCH EASEMENT

AN EASEMENT AND RIGHT-OF-WAY FOR AN OPEN DITCH FOR THE TRANSPORTATION OF WATER IN, ON AND OVER THAT CERTAIN STRIP OF LAND SIX FEET IN WIDTH LYING THREE FEET ON EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF THE NW $\frac{1}{4}$ OF SECTION 36, T. 6 S., R. 36 E., M.D.B.& M., COUNTY OF INYO, STATE OF CALIFORNIA, WHICH BEARS S. 89° 29' 36" E. 1156.91 FEET FROM THE WEST $\frac{1}{4}$ CORNER OF SECTION 36; THENCE N. 01° 32' 30" E. 970.14 FEET AND N. 06° 12' 37" W., 1733.38 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF SECTION 36, WHICH BEARS S. 89° 23' 07" E. 1047.83 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 36, 35, 26 AND 25, CONTAINING .37 ACRE, MORE OR LESS.

SECONDARY OPEN-DITCH EASEMENT NO. 1

AN EASEMENT 32 FEET IN WIDTH, FOR THE PURPOSE OF INSPECTION, MAINTENANCE AND REPAIR OF THE AFOREMENTIONED OPEN DITCH, SAID SECONDARY EASEMENT NO. 1 BEING PARALLEL TO THE CENTERLINE OF THE AFOREMENTIONED 6-FOOT OPEN-DITCH EASEMENT AND WHOSE EASTERLY BOUNDARY LINE COINCIDES WITH THE WESTERLY BOUNDARY LINE OF THE SAME AFOREMENTIONED 6-FOOT OPEN-DITCH EASEMENT, CONTAINING 1.99 ACRES, MORE OR LESS.

SECONDARY OPEN-DITCH EASEMENT NO. 2

AN EASEMENT SEVEN FEET IN WIDTH, FOR THE PURPOSE OF INSPECTION, MAINTENANCE AND REPAIR OF THE AFOREMENTIONED OPEN DITCH, SAID SECONDARY EASEMENT NO. 2 BEING PARALLEL TO THE CENTERLINE OF THE AFOREMENTIONED 6-FOOT OPEN-DITCH EASEMENT AND WHOSE WESTERLY BOUNDARY LINE COINCIDES WITH THE EASTERLY BOUNDARY LINE OF THE SAME AFOREMENTIONED 6-FOOT OPEN-DITCH EASEMENT, CONTAINING .43 ACRE, MORE OR LESS.

PIPE LINE EASEMENT

AN EASEMENT AND RIGHT-OF-WAY FOR A PIPE LINE FOR THE TRANSPORTATION OF WATER IN, ON AND OVER THAT CERTAIN STRIP OF LAND SIX FEET IN WIDTH LYING THREE FEET ON EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

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Attachment

Calendar Item 18 (2 pages)

CALENDAR ITEM

18.

APPLICATION FOR RIGHT-OF-WAY EASEMENTS BY TRUSTEES OF DEEP SPRINGS FOR TRANSPORT OF WATER ACROSS PORTIONS OF STATE SCHOOL LANDS, SECTION 36, T. 6 S., R. 36 E., M.D.B. & M., INYO COUNTY - W.O. 3544.

On April 7, 1960, Trustees of Deep Springs, Administrators for Deep Springs College, applied for easements for water transmission by open ditch and pipe line, with right of ingress and egress for purposes of inspection, repair, replacement thereof, etc., across the NW portion of Section 36, T. 6 S., R. 36 E., M.D.B. & M., Inyo County.

Deep Springs College, a nonprofit educational institution, has reported that the NW $\frac{1}{4}$ of Section 36 has been used for the diversion of water from Wyman Creek to Deep Springs Ranch continuously since prior to 1873. The applicant is dependent upon these facilities to transport most of its water for domestic and irrigation purposes.

The expense deposit and the statutory filing fee have been paid. No bond is required. Based on present use, the land is estimated to be worth \$15 per acre; hence, the total rental for a 49-year easement would be \$388.57 for the 5.58 acres in the parcel.

An application to purchase all of the subject NW $\frac{1}{4}$ and the E $\frac{1}{2}$ of Section 36, T. 6 S., R. 36 E., M.D.B. & M., containing 480 acres in Inyo County, had been received on October 5, 1959. The applicant-to-purchase has waived any rights of priority resulting from earlier filing.

The proposed draft of the easement has been approved, as to form, by the office of the Attorney General.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO TRUSTEES OF DEEP SPRINGS, ADMINISTRATORS FOR DEEP SPRINGS COLLEGE, FOR A PERIOD NOT TO EXCEED 49 YEARS, AT A TOTAL RENTAL OF \$388.57, RIGHT-OF-WAY EASEMENTS AS SET FORTH BELOW:

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CALENDAR ITEM 18. (CONTD.)

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