

MINUTE ITEM

5. APPLICATION FOR RIGHT-OF-ENTRY PERMIT TO CONSTRUCT AN ACCESS ROAD OVER STATE SCHOOL LANDS, SECTION 2, T. 5 S., R. 15 E., M.D.B. & M., MARIPOSA COUNTY; MERCED IRRIGATION DISTRICT - W.O. 5363, P.R.C. 3205.9.

After consideration of Calendar Item 11 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE MERCED IRRIGATION DISTRICT A RIGHT-OF-ENTRY PERMIT ACROSS STATE SCHOOL LANDS IN THE E $\frac{1}{2}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 2, T. 5 S., R. 15 E., M.D.B. & M., MARIPOSA COUNTY, IN THE FORM SET FORTH AS EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Attachment

Calendar Item 11 (3 pages)

CALENDAR ITEM

11.

APPLICATION FOR RIGHT-OF-ENTRY PERMIT TO CONSTRUCT AN ACCESS ROAD OVER STATE SCHOOL LANDS, SECTION 2, T. 5 S., R. 15 E., M.D.B.& M., MARIPOSA COUNTY; MERCED IRRIGATION DISTRICT - W.O. 5363.

An application dated October 8, 1964, has been received from the Merced Irrigation District for an access road right-of-way across State school lands in the E $\frac{1}{2}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 2, T. 5 S., R. 15 E., M.D.B.& M., Mariposa County (see Exhibit "A").

The parcel desired is 100 feet wide and 730 feet long, containing approximately 1.68 acres, and is needed as part of an access road to the existing Exchequer Dam and Reservoir, and to facilitate construction of a new reservoir.

In order to fulfill the trust conditions impressed upon the State lands, it is proposed that the Merced Irrigation District acquire the right-of-way by purchase.

The lands under application have been withdrawn from sale since May 24, 1960, and can not be offered for sale before January 1, 1965.

Because of the time required for purchase, the Merced Irrigation District has requested a right-of-entry permit for the interim in which to complete construction of an access road.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO THE MERCED IRRIGATION DISTRICT A RIGHT-OF-ENTRY PERMIT ACROSS STATE SCHOOL LANDS IN THE E $\frac{1}{2}$  OF SW $\frac{1}{4}$  OF SW $\frac{1}{4}$  OF SECTION 2, T. 5 S., R. 15 E., M.D.B.& M., MARIPOSA COUNTY, IN THE FORM SET FORTH AS EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

Attachment  
Exhibit "B"

EXHIBIT "B"

To: Mr. James A. Cobey, Special Counsel  
Merced Irrigation District  
800 West 20th Street  
Merced, California 95341

From: State Lands Commission

Permission is granted hereby to the Merced Irrigation District to enter upon the following parcel of land:

A strip of land 100 feet wide and approximately 730 feet long, situate in the East half of the Southwest quarter of the Southwest quarter of Section 2, Township 5 South, Range 15 East, M.D.B. & M., and particularly described as follows:

Lying parallel with and adjacent to the North line of said East half of the Southwest quarter of the Southwest quarter of Section 2, Township 5 South, Range 15 East, and extending from the westerly boundary to the easterly boundary of said property, containing 1.68 acres, more or less.

It is understood that the permit here granted is for the construction of an access road, and is not a waiver in any way of the right to compensation for such land or of any remedy authorized by law to secure payment therefor, or to retain access across State lands within said Section 2.

This permission is granted on the understanding that the Merced Irrigation District will hereafter without unnecessary delay negotiate to a

EXHIBIT "B" (CONTD.)

conclusion with the undersigned State Lands Commission, the date and terms of payment for the land hereinabove described.

STATE LANDS COMMISSION

By \_\_\_\_\_  
Executive Officer

RECOMMENDED FOR APPROVAL

By \_\_\_\_\_

By \_\_\_\_\_

ACCEPTED:

MERCED IRRIGATION DISTRICT

By \_\_\_\_\_