

MINUTE ITEM

9/26/66

9. APPLICATION FOR PERMIT TO INSTALL LIVESTOCK FENCE ALONG AN AREA OF ABANDONED BED OF THE COLORADO RIVER, SAN BERNARDINO COUNTY; U. S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION - P.R.C. 3335.9, W.O. 6156.

After consideration of Calendar Item 3 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A PERMIT TO THE U. S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, FOR THE INSTALLATION OF A 4-WIRE FENCE, WITH ACCESS GATES AT ONE-QUARTER-MILE INTERVALS, ALONG THE BOUNDARY LINE OF STATE SOVEREIGN LAND AND PARALLEL WITH THE RIGHT-OF-WAY EASEMENT DESCRIBED IN LEASE P.R.C. 3335.9 AND AS SHOWN ON BUREAU OF RECLAMATION DRAWING 423-306-1246, WHICH IS FILED WITH BUT NOT A PART OF THE AFOREMENTIONED LEASE; PROVIDED THAT:

1. THE PERMIT SHALL BE REVOCABLE BY THE STATE LANDS COMMISSION AT WILL;
2. THE STATE MAY REQUIRE MODIFICATION OF THE FENCE AT ANY TIME;
3. NO PROPERTY RIGHT, EXCEPT THAT OF REASONABLE RIGHT OF ENTRY FOR INSTALLATION OF THE FENCE AND MAINTENANCE OF THE DITCH AND FENCE, SHALL BE CONVEYED BY THE PERMIT;
4. THE RIGHT OF PUBLIC ACCESS TO THE AREA OF STATE SOVEREIGN LAND SHALL NOT BE DENIED.

Attachment
Calendar Item 3 (1 page)

3.

APPLICATION FOR PERMIT TO INSTALL LIVESTOCK FENCE ALONG AN AREA OF ABANDONED BED OF THE COLORADO RIVER, SAN BERNARDINO COUNTY; U. S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION - P.R.C. 3335.9, W.O. 6156.

Lease P.R.C. 3335.9, covering an easement for a ditch in the abandoned bed of the Colorado River near Needles in San Bernardino County, was issued to the Bureau of Reclamation, U. S. Department of the Interior, on August 13, 1965, in the public interest for a term of 49 years. The ditch is designed to convey water for enhancing fish and wildlife habitat, and to regulate the level of Topock Marsh. (See Exhibit "A" for location.)

The Bureau of Reclamation now requests authority to protect the banks of the unlined ditch from cave-in and damage by livestock by installing a 4-wire fence 2,530 feet along the length of and roughly parallel with the easement, but set back to the boundary line of State ownership in the abandoned river channel. Pedestrian gates will be installed at one-quarter-mile intervals in order to insure public access to the area.

The permit will not convey any property right except that of entry for installation and maintenance of the ditch and fence, and will be revocable by the State at will.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO THE U. S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, FOR THE INSTALLATION OF A 4-WIRE FENCE, WITH ACCESS GATES AT ONE-QUARTER-MILE INTERVALS, ALONG THE BOUNDARY LINE OF STATE SOVEREIGN LAND AND PARALLEL WITH THE RIGHT-OF-WAY EASEMENT DESCRIBED IN LEASE P.R.C. 3335.9 AND AS SHOWN ON BUREAU OF RECLAMATION DRAWING 423-306-1246, WHICH IS FILED WITH BUT NOT A PART OF THE AFOREMENTIONED LEASE; PROVIDED THAT:

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4. THE RIGHT OF PUBLIC ACCESS TO THE AREA OF STATE SOVEREIGN LAND SHALL NOT BE DENIED.