

MINUTE ITEM

This Calendar Item No. 24  
was approved at Minute Item  
No. 24 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/10/76  
meeting.

CALENDAR ITEM

9/76  
W 503.859  
MYB

24.

AUTHORIZATION TO REMOVE TRESPASSERS FROM THE  
KLAMATH RIVER, DEL NORTE COUNTY

On or about August 26, 1976, the Division learned that the Indian community located on the Ressighini Rancheria had erected a post fence on their property and had thereafter extended it across portions of Taylor Island down to the Klamath River. Taylor Island was decreed in a reported Appellate Case, People v. Ward Redwood Co., 225 Ca. App. 2d 385, to be State-owned property. In this case, the Federal Government was not joined as a party defendant.

Staff has been advised that the United States, as trustee for the Indians of the Ressighini Rancheria, does not consider itself bound by the Ward Redwood decision and has indicated that there is a substantial question as to the State's title.

Staff believes that the assertion by the United States is without foundation.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO ELIMINATE ANY AND ALL TRESPASSES ON THE STATE SOVEREIGN LAND IN THE KLAMATH RIVER AREA.

EXHIBITS: A. Location Map.

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