

MINUTE ITEM  
This Calendar Item No. C13  
was approved as Minute Item  
No. 13 by the State Lands  
Commission by a vote of 2  
to 2 at its 6/30/87  
meeting.

CALENDAR ITEM

A 34

C13

06/30/87

S 25

PRC 6335

N. Smith

AMENDMENT OF LAND DESCRIPTION AND  
APPROVAL OF A FIVE-YEAR RENT REVIEW

APPLICANT: Deep Springs College  
Via Dyer, Nevada 89010

AREA, TYPE LAND AND LOCATION:  
A 640+-acre parcel of State school land near  
Deep Springs in Inyo County.

LAND USE: Livestock grazing.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years beginning October 1,  
1982.

Consideration: \$28 per annum; five-year rent  
review.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14,  
Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. At its June 26, 1985 meeting (Minute  
Item 25), the Commission authorized a Land  
Exchange and a patent was issued  
February 3, 1986 for a portion of lands  
under lease PRC 6335. Staff has prepared a  
new land description for the leased lands,  
reflecting above Commission authorization.

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2. As provided in the lease, the State may adjust the annual rental to a different amount effective on each fifth anniversary; staff reviewed the lease in accordance with Commission's rental regulations (2 Cal. Adm. Code 2003) and is recommending the rent remain unchanged. Staff has notified the Lessee of the rent review within the time limits prescribed under the lease and has afforded the Lessee an opportunity to comment on the unchanged rent.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P R.C. 21065 and 14 Cal. Adm. Code 15378.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Location Map.
- B. Quitclaim Deed.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

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2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AMEND PRC 6335 TO REFLECT THE LAND DESCRIPTION ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. APPROVE THE CONTINUANCE OF ANNUAL RENTAL, \$28, FOR THE REMAINING FIVE YEARS OF THE LEASE.

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EXHIBIT "B"

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

AMENDMENT OF LEASE PRC 6335.2

WHEREAS, the State of California, acting through the State Lands Commission, hereinafter called Lessor, and Trustees of Deep Springs College, hereinafter called the Lessee, have heretofore entered into an agreement designated as Lease PRC 6335.2 authorized by the State Lands Commission on October 28, 1982 and executed November 9, 1982, whereby the Lessor granted to said Lessee a Grazing Lease covering certain State school land situate in Inyo County; and

WHEREAS, Paragraph 5(a)(4) of Section 4 Lease PRC 6335.2 provides: "Lessor expressly reserves the right to lease, convey, or encumber the Lease Premises, . . .";

WHEREAS, on February 3, 1986 a patent (recorded February 13, 1986; volume 447 page 418) was issued to the United States of America for a portion of lands under Lease PRC 6335.2; and

WHEREAS, Paragraph 16(e) of Section 4 Lease PRC 6335.2 provides that said Agreement may also be changed, altered or amended by mutual consent of the parties; and

WHEREAS, by reason of the foregoing, it is now the desire of the parties to amend the foregoing Agreement.

NOW, THEREFORE, the parties hereto agree as follows:

The Legal description of Lease PRC 6335.2 is amended to the form attached hereto dated March 10, 1987, which supersedes that certain lease description dated August 31, 1982.

The effective date of this Amendment to the aforesaid Agreement shall be February 3, 1986.

This Amendment is a portion of document No. PRC 6335.2, with a beginning date of October 1, 1982, consisting of four (4) sections with a total of 6 pages.

This Agreement will become binding on the Lessor only when duly executed on behalf of the State Lands Commission of the State of California.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date hereafter affixed.

LESSEE:\*

Trustees of Dup Springs  
By Jeffrey M. Fox  
Title Ranch Manager

Date 4/20/87  
Dup Springs College  
via Dyer NV 89010  
(Address)  
Seal

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

By \_\_\_\_\_  
Title \_\_\_\_\_

Execution of this document was authorized by the State Lands Commission on \_\_\_\_\_

\*In executing this document, the following is required:

Corporations.

- 1. Affixation of Corporate Seal.
- 2. A certain copy of the resolution or other document authorizing execution of this Agreement on behalf of the corporation.

0891L

**LAND DESCRIPTION**

**PRC 6335.2**

A parcel of California State school lands in Inyo County, California,  
described as follows:

Section 36, T7S, R35E, MDM.

**END OF DESCRIPTION**

REVISED MARCH 10, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,  
SUPERVISOR.

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