



WATER-RIGHT DOCKET

Point Reyes National Seashore

Docket No: 32

OLEMA CREEK LICENSE# 7938 APPL# 20070

State Water Rights Documentation

08-19-1993: Letter from PORE to rancher regarding Water Inventory Questionnaire



IN REPLY REFER TO:

Sept. 2, 1993
United States Department of the Interior

NATIONAL PARK SERVICE
Point Reyes National Seashore
Point Reyes, California 94956



L54

August 19, 1993

Mr. James McFadden
P.O. Box 61
Olema, CA 94950

Dear Rancher:

The State of California's Water Commission has informed us that we must inventory our water use within the park. The Water Commission was created by the Water Commission Act and was given the task of licensing the water use in the state. This licensing process is important to protect your water supply from intrusions. Point Reyes National Seashore is required to comply with regulations concerning water use. To comply with the Water Commissions request we are asking that you fill out a brief *Water Inventory Questionnaire*. The prompt completion of this questionnaire will help us comply with the state requirements and ensure the security of your water.

The questionnaire is composed of fill-in-the-blank questions. Please follow the instructions and fill out the questionnaire as accurately as possible. Once the questionnaire is completed please return it promptly in the self-addressed and stamped envelope provided. If you have any questions please feel free to contact us. All questions should be directed to Bryan Leese at 663-8525.

Again, we hope that you will complete and return this form as quickly as possible. Your quick response will insure, for the park as well as for you, a secure and continuous supply of water for the future.

Thank You,


John L. Sansing
Superintendent

Enclosures

Water Inventory Questionnaire

The goal of this plan is to locate and record the source and use of water in the Point Reyes National seashore. All the data collected from this questionnaire will be used to aid the park in the filing of mandatory State Water Licensing forms. Please answer all the questions, and give the most accurate information possible. Please feel free to use the 'Remarks' spaces for any clarification of your responses, such as the area of a garden and lawn, or the separation of cows on more than tract of land and there main source of watering. Thank you.

Name: James McFadden

How many ranch animals do you have:

Type	yes	no	number
Dairy Cows			
Beef Cows	☒		35
Horses	☒		2
Sheep			
other			

* Remarks: _____

How many family members live on the ranch: 5

How many ranch hands do you have living on the ranch: 0

Do you have full plumbing in your living quarters as well as those of your hands:

yes no
☒ ☐

if no please explain what facilities you do have (toilet, sink, shower, etc.)

*remarks: _____

Do you know what the source(s) of your water is/are:

yes	no
☒	☐

If yes, please explain:

type	yes	no	number	use	months*
Well	☒	☐	2		12
Continuous Flowing Stream	☐	☐			
Stock Pond	☒	☐	2		12
run-off Reservoir	☐	☐			
Stream Fed Reservoir	☐	☐			
Spring Development	☒	☐	3		9-10

*Months used out of the year.

* remarks: _____

If you have a reservoir, has it spilled or have you released a large amount from it,

yes	no
☒	☐

Do you have a garden/lawn that you water:

yes	no
☒	☐

If yes, how large is it: 20' x 40'

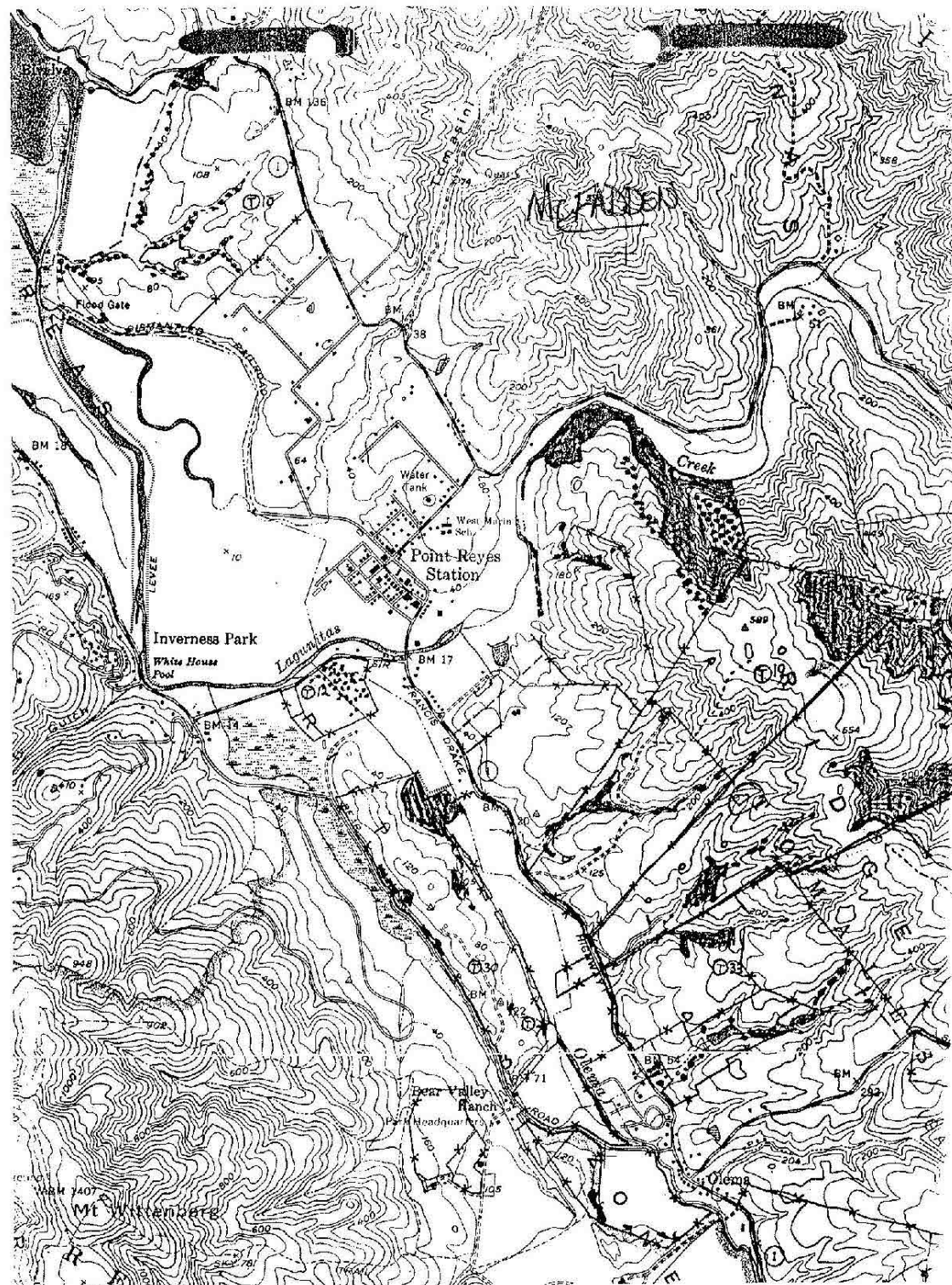
*remarks: _____

Do you have a pit pond (sediment pond) for the collection of animal waste for the use as fertilizer:

yes	no
☐	☒

**General Remarks: _____

Date: 8-31-93Signature: James W. Golden



8089



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 20079

PERMIT 13116

LICENSE 7938

THIS IS TO CERTIFY, That

RICO BORDESSA AND MARGHERITA BORDESSA
BOX 61, POINT REYES STATION, CALIFORNIA

HAVE made proof as of JUNE 22, 1966,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
AN UNNAMED STREAM IN MARIN COUNTY

tributary to OLEMA CREEK THENCE LAQUINITAS CREEK THENCE TOMALES BAY

for the purpose of STOCKWATERING AND RECREATIONAL USES
under Permit 13116 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from APRIL 6, 1961, and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed SEVEN AND SEVEN-TENTHS (7.7) ACRE-FEET PER ANNUM TO BE COLLECTED FROM ABOUT
NOVEMBER 1 OF EACH YEAR TO ABOUT APRIL 30 OF THE SUCCEEDING YEAR.

LICENSEE'S RIGHT HEREUNDER EXTENDS ONLY TO WATER NECESSARY TO KEEP THE
RESERVOIR FULL BY REPLACING WATER BENEFICIALLY USED OR LOST BY EVAPORATION AND
SEEPAGE, AND TO REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 396 FEET AND EAST 2310 FEET FROM SW CORNER OF SECTION 31, T3N, R8W, MDB&M,
BEING WITHIN SE1/4 OF SW1/4 OF SAID SECTION 31.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

AT RESERVOIR WITHIN SE1/4 OF SW1/4 OF SECTION 31, T3N, R8W, MDB&M.

BOOK 2120 PAGE 144

8089

RECORDED AT REQUEST OF

State Water Rights Board
AT 10 MIN. PAST 4 PM

APR 10 1967

Official Records of Marin County, Calif.

N. J. Giacomini
FEE \$10.00 REC'D. C. 6163

SWRB 15 (6-65)

BOOK 2120 PAGE 144

70026-827 6-66 70 100 P.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby conferred to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein conferred subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, county and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, county and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, county and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 7 1967

L. K. Hill
Executive Officer

STATE WATER RIGHTS BOARD
APR 21 10 44 AM '67

COUNTY RECORDER
Please record this document.
Please show the recording data
on this document and return to:
STATE WATER RIGHTS BOARD
P.O. Box 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

BOOK 2120 PAGE 145

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to
Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 20070 Filed April 6, 1961, at 1:44 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, Rigo Bordessa and Margherita Bordessa
Name of applicant or applicants
of Point Reyes Station County of Marin
Address
State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, **SUBJECT TO VESTED RIGHTS:**

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is unnamed stream
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in Marin County, tributary to Olema Creek, thence Lagunitas Creek thence
Tomas Bay

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 7.7 cubic feet per
second, to be diverted from unnamed stream to unnamed stream of each year.
Beginning date Closing date
1 cubic foot per second equals 40 statute inches' inches or 646.317 gallons per day.

(b) For diversion to be stored and later applied to beneficial use 7.7 acre-feet
per annum, to be collected between November 1 and April 30 of each season.
Beginning date Closing date
1 acre-foot equals 325,851 gallons

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is domestic, stockwatering, recreational and
fish culture
Domestic, irrigation, power, municipal, mining, industrial, recreational purposes.

4. The point of diversion is to be located 396 feet north and 2310 feet east of the SW section
State bearing and distance or coordinate distances from section of quarter section corner
of Section 31

being within the SE¹ of SW¹
State 40-acre subdivision of public land survey or projection thereof
of Section 31, T. 3N, R. 8W, M. D. B. & M., in the County of Marin

5. The main conduit terminates in NE¹ of NW¹ of Sec. 6, T. 2N, R. 8W, M. D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from unnamed stream
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being 20 feet in height (stream bed to
level of overflow); 32 feet long on top; and constructed of concrete, earth, brush, etc.

(c) The storage dam will be 32 feet in height (stream bed to spillway level); 200 feet
long on top; have a freeboard of 3 feet, and be constructed of earth
Concrete, earth, etc.

7. Storage Reservoir Isabella's Lake
Name

The storage reservoir will flood lands in SE¹ of SW¹ of Section 31, T3N, R8W, MDB&M.
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 1.73 acres, and a capacity of 7.7 acre-feet.

NOTE.—In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
Earth, rock, slusher, etc.

(b) Pipe line: Diameter _____ 2 _____ inches; length _____ 2700 _____ feet; grade _____ 75 _____ feet per 1,000 feet; total fall from intake to outlet _____ 150 _____ feet; kind _____ Plastic _____
Riveted steel, concrete, wood-stave, etc.

NOTE:—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is _____ 50 gallons per minute _____
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is _____ \$ 5,496.47 _____
Give only cost of intake, or headworks, pumps, storage conduits and main conduits described herein

Completion Schedule

10. Construction work will begin on or before _____ already started _____

Construction work will be completed on or before _____ already completed _____

The water will be completely applied to the proposed use on or before _____ September 1, 1961 _____

Description of Proposed Use

11. Place of Use. _____ SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31, T2N, R2W, MDE&M and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, T2N, R2W, MDE&M.
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? _____ Yes _____ Jointly? _____ Yes _____
All joint owners should include their names as applicants and sign application at bottom of third page. Yes or No Yes or No

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (irrigation, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres;
 orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE:—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____
Beginning date Closing date

14. Power Use. The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet $\times$ fall $\div$ 5.5 =

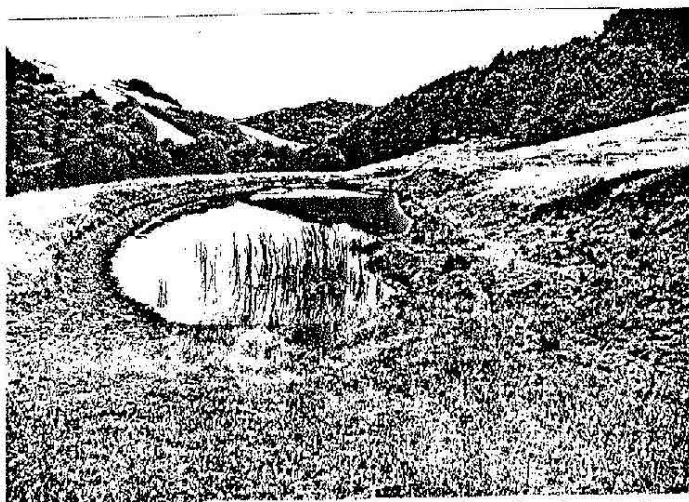
The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the nozzle to be used is _____ inches.

The water will be returned to _____ in _____ of _____
Major stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____



View at inner portion of property showing 7.5
acre reservoir.

A 20070 P 13116 L 7938

Rio BordesA



United States Department of the Interior

NATIONAL PARK SERVICE

WESTERN REGION

450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

FEB 21 '89

IN REPLY REFER TO:

L1425 (WR-OL)

GOGA 05-139

McFadden

February 6, 1989

Memorandum

To: General Superintendent, Golden Gate NRA

From: Chief, Division of Land Resources

Subject: NOTIFICATION OF CLOSING

SUPT.
ADM. OFF.
INTERPRETATION
MAINTENANCE
PROTECTION
HORSE RANCH
RESEARCH
ED
LIBRARY
READING FILE
CENTRAL FILES

Title to the following parcel of land passed to the United States:

- Name and Address of Vendors: Mr. and Mrs. James McFadden
P. O. Box 61
Pt. Reyes Station, CA 94956
- Probable Date Vendor to Vacate Premises 25 Year Reservation
for single family non-commercial residential purposes, and
for the purpose of pasturing beef, dairy cattle and horses.
- Improvements X Yes No
- Acreage: 334.62
- Date Title Passed: January 9, 1989
- Key to Property: N/A
- Consideration: See Enclosures for breakdown of Improvements.

(SBD) EDWARD R. HASLERIN Total Consideration: \$777,620.00

Enclosures:

Deed

Final Title Opinion (to follow)

Description and Photograph of Improvements

- cc: Regional Chief, Division of Contracting and Property Management, w/c deed, description and breakdown of Improvements.
- cc: Superintendent, Point Reyes w/enclosures (photographs).

After recording return to:

AREA: GOLDEN GATE NRA

National Park Service, Western Region
Division of Land Resources
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

TRACT NO.: 05-139

106-6100-6, 7, 24, 25
175100 TO & FC

GRANT DEED

JAMES J. MCFADDEN AND VIRGINIA ROSE MCFADDEN, HIS WIFE AS JOINT TENANTS, GRANTOR(S), In consideration of SEVEN HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED TWENTY AND NO/100 DOLLARS (\$777,620.00----), receipt of which is hereby acknowledged, do(es) hereby grant to the UNITED STATES OF AMERICA and its assigns, the following described property located in the County of MARIN, State of CALIFORNIA, containing 334.62 acres, more or less; to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH all buildings and improvements thereon and all water rights appurtenant thereto and all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

FOR THE NATIONAL PARK SERVICE

The grantor covenants and agrees to convey to the United States of America the fee simple title to the above-described land subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to the following outstanding rights in third parties:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

RESERVING, HOWEVER, unto Grantor(s), their Heirs, Administrators, Successors or Assigns, the right of use and occupancy for the purpose of pasturing beef and dairy cattle and horses, and for single family non-commercial residential purposes for a term of 25 years only, from the date of conveyance of said property to the United States subject to the conditions and restrictions in Exhibit "C" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto said UNITED STATES OF AMERICA and its assigns, forever

The Grantor(s) further remise(s), release(s) and forever quitclaim(s) to the UNITED STATES OF AMERICA and its assigns, all right, title, and interest which the Grantor may have in the banks, beds, and waters of any streams bordering or any appropriative water rights appurtenant to the said lands to be conveyed and also all interest in any alleys, roads, streets,

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RECORDED AT REQUEST OF
CAL LAND TITLE

1989 JAN -9 AM 8:00

OFFICIAL RECORDS
MARIN COUNTY CALIFORNIA
JAMES J. DAL BON

39^w

AREA: GOLDEN GATE NRA

89 01210

ways, strips, gores, or railroad rights-of-way abutting, adjoining, or appurtenant to said land and in any means of ingress or egress appurtenant thereto.

EXECUTED this 8 day of December, 1988

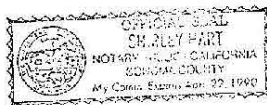
JAMES J. MCFADDEN

VIRGINIA ROSE MCFADDEN

County of MARIN)
State of CALIFORNIA) ss.

On this 8th day of December, 1988, before me, Shirley Hart, A Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared JAMES J. MCFADDEN and VIRGINIA ROSE MC FADDEN known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instruments, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.



Shirley Hart
Notary Public in and for said
County of MARIN,
State of CALIFORNIA
My Commission expires 4-22-90

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EXHIBIT A

All that certain real property situate in the County of Marin, State of California, described as follows:

BEING part and parcel of the Rancho Tomales y Baulinas located in said County and State, and which was granted to Rafael Garcia, now deceased, by the Mexican Government, the portion of said Rancho which is hereby conveyed is located, bounded and described as follows:

BEGINNING at Station 69 of the United States Government survey of the said Rancho Tomales y Baulinas, said Station being shown by a post marked "T.B." 101 on the bank on the South side of the East end of a ditch dug to turn the waters of the Olema Creek from the main creek to the slough which passes the house of D. D. Wilder; thence running by the true meridian, the magnetic variation being 16° East, the following courses and distances, viz: - North $57 \frac{1}{4}^{\circ}$ East 66.80 chains crossing the Valley of the Olema Creek, the road leading to the landing on the Arroyo San Geronimo, and low grassy ridges to Station Post 3-4-5 in mound of earth on the westerly slope of a spur of the ridge; thence South $40 \frac{1}{2}^{\circ}$ East 3.50 chains to station stake 4-2-5 in mound of earth from which the old lime kiln on the South side of the upper end of Tomales Bay is North $74 \frac{1}{2}^{\circ}$ West and Miller's point on the northerly side of said Bay is North $46-3 \frac{1}{4}^{\circ}$ West, said stake and mound being at the westerly corner of that portion of the said Rancho which was conveyed to Felix Garcia by M. Loretta Garcia and others by deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "J" of Deeds at page 5; thence North $63-3 \frac{1}{4}^{\circ}$ East 50.50 chains; ascends crosses and descends from the main ridge to an alder tree on the South bank of the Arroyo San Geronimo marked "T.B. 27", being station 27 of the official survey of said Rancho Tomales y Baulinas; thence descending said Arroyo along the Rancho line North $3 \frac{1}{4}^{\circ}$ West 18.50 chains to station; thence North $17 \frac{1}{4}^{\circ}$ West 22.50 chains to station post on the bank of the Arroyo marked 3-4 from which North 46 deg. West 90 links is a maple tree 18 inches in diameter marked B. T. 3-4 and South $35 \frac{1}{4}^{\circ}$ West 1.29 chains is a laurel tree marked B. T. 3-4; thence West 20 chains along chaparel side hill and timbered spurs to station post "G" 3-9-4-4 in a grove of oak and madrone trees on the North side of the ridge; thence South $42 \frac{3}{4}^{\circ}$ West 106.40 chains to station post in the road from Olema to the landing on the Arroyo San Geronimo, said stake being at the South corner of that portion of the said Rancho Tomales y Baulinas which was conveyed by Loretta Garcia and others to Philippe Garcia by deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "H" of deeds at page 83, and also a corner of the tract apportioned to M. Loretta Garcia; thence along the boundary line of the last named tract South $63 \frac{1}{2}^{\circ}$ West 10 chains to the Olema Creek,

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EXHIBIT "A"

thence South 9° East 12 chains to the place of beginning; containing an area of 340.93 acres of land, excepting from the conveyance the piece of land containing about six acres mentioned in the deed from Jose de la Cruz Noriel to Burton J. Shippey as theretofore deeded to Maria de Lores Hertage by deed dated February 4th, 1875, and recorded in the Recorder's office of Marin County in Book "M" of Deeds, page 296.

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Exhibit B

1. Such rights and easements for navigation and fishery which may exist over that portion of sad land lying beneath the waters of Olema Creek or Arroyo San Geronimo.
2. The free and natural flow of the creeks across the herein described property as the same may now exist.

Affects: Southerly, Southwesterly and Southeasterly
Portions

3. Rights of the public in and to that portion of the herein described land lying within State Route No. 1.
4. The effect, if any, of that unrecorded agreement dated July 13, 1988, between the Marin Municipal Water District and the National Park Service on the right to divert and appropriate water from the Paper Mill Creek as conveyed from Loretta Garcia to the Marin County Water Company, by deed dated and recorded April 15, 1972 in Book "K" of Deeds at Page 180, Marin County Records.

5. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Recorded: March 31, 1923
in Book 18 of Official Records at Page 253,
Marin County Records.

In Favor of: Radio Corporation of America

For: Poles and lines

Affects: Southwesterly or Easterly portions

6. An easement for the purpose shown below and rights incidental thereto as set forth in a document

Recorded: August 25, 1926
in Book 102 of Official Records at Page
367, Marin County Records.

In Favor of: Pacific Gas and Electric Company

For: Public Utilities

Affects: Westerly Portion

7. An easement for the purpose shown below and rights incidental thereto as set forth in a document:

Recorded: April 11, 1961
in Book 1451 of Official Records at Page
370, Marin County Records.

In Favor of: Marin Municipal Water District

For: Pipe and Pipelines

Affects: Easterly Portion

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EXHIBIT B

Covenants, Conditions and Restrictions (deleting therefrom any restrictions based on race, color or creed) as set forth in the document referred to in the numbered item last above shown.

The conditions therein contain no express words of forfeiture or reversion of title if violated.

8. Water rights, claims or title to water whether or not shown by the Public Records.

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EXHIBIT C

Reserving to the Vendors, their heirs, executors, administrators and assigns, the right to use and occupy the 334.62 acres of the property described in Exhibit A together with the improvements situated thereon for the purpose of pasturing beef and dairy cattle and horses and for single family noncommercial residential purposes for a period of 25 years commencing upon conveyance of title to said property to the United States, subject to the following terms and conditions:

1. That the term "Director" as used herein means the Director of the National Park Service and includes the appropriate Regional Director or Superintendent as the representative of the Director. The term "Reservors" as used herein refers to the Reservors executing this offer, their heirs, executors, administrators and assigns.

2. That the Reservors have inspected and know the condition of the reserved property and it is understood that the same is hereby reserved without any representation or warranty by the Government whatsoever, and without obligation on the part of the Government to make any alterations, repairs, or additions thereto.

3. That all improvements used and occupied by the Reservors under this reservation shall at all times be protected and maintained in a safe, sanitary and sightly condition by and at the expense of the Reservors. Maintenance to be accomplished during the period of this reservation includes but is not necessarily limited to the following.

(a) Residence will be painted periodically to maintain a neat and pleasing appearance.

(b) Fencing will be maintained and replaced as necessary to ensure that the fence wire is adequately strung and unbroken and that the fence posts are in the proper upright positions to ensure that livestock are properly confined at all times. Special attention will be given to the fencing within view of Highway One, the yards and the land surrounding the residences and buildings and other fencing ordinarily within view of the public.

(c) That the Ranch service roads will be maintained in a safe condition by and at the expense of the Reservoir. No new roads or truck trails will be constructed or established by the Reservoir without written permission of the Director or his representative.

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(d) That existing livestock water reservoirs will be maintained in an adequate condition to prevent washouts and erosion. No new reservoirs will be constructed or established without written permission of the Director or his representative.

4. That the furnishing of all utilities services (water, sewer, telephone, electricity, sanitation and garbage disposal) are the responsibility of the Reservoirs. Reservoirs will ensure that all applicable federal, state and local pollution-control laws and regulations and U.S. Public Health Service standards are met and that all refuse, garbage, and trash are disposed of in a proper location outside the boundaries of the National Recreation Area. Diseased, injured, dying or dead animals shall be treated promptly, removed from the property or otherwise disposed of in a clean and sanitary manner.

5. That manure accumulating around outlying feed or watering stations will be periodically removed and stored, so that it will not contribute to stream pollution, until spread as fertilizer or disposed outside the Park boundary.

6. Improvements and lands under this reservation shall be used in connection with the pasturing of beef cattle, horses and dairy replacement heifers only. The operation of a dairy or other agricultural use is not authorized. The annual average stocking level for reserved lands is 35 Animal Units (AU) or 420 Animal Unit Months (AUM's). For the purpose of this reservation a cow with or without an unweaned calf at her side or a heifer, 2 years old or older, will be counted as 1.0 AU, young cattle, 1 - 2 years old, as .8 AU, weaned calves to 1 year, as .6 AU, bulls, 2 years or older, as 1.3 AU, and mature horses as 1.2 AU. This stocking level is based on 244 acres of pasture judged suitable for grazing. Except for animals in a defined corral or fenced impact area, the maximum number of head of cattle and horses in combination allowed at any one time is 70. See Exhibit "A"

7. The Reservoir shall not permit the land to be overgrazed. The determination of whether there is overgrazing shall be made by the Superintendent or his representative in accordance with the attached Grazing Standards and Monitoring Procedures (Attachment B) which were developed in cooperation with the Soil Conservation Service. His decision shall be final. If it is determined that overgrazing is or has occurred, the Superintendent reserves the right to regulate the number of livestock allowed on the land. A meeting between the Reservoir and the Superintendent or his designated representative will be scheduled in October of each year, as necessary, to discuss pasture conditions with respect to stocking level and to review adherence to other reservation conditions.

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8. That during the term of this reservation, the Reservoir shall use said property for grazing purposes only. The Reservoir shall not plant, cultivate, or harvest crops on said property or alter the surface or any lands or fields on said premises except within the residential area or except as authorized by the written permission of the Director or his representative. The Reservoir shall not commit or permit any unlawful acts, activities or nuisances upon said property.

9. That the Reservoirs will abide by the rules and regulations pertaining to the National Park Services as set forth in the Compendium and code of Federal Regulations, Title 36, Chapter 1, Parts 1 through 5 as amended. The Reservoir will also abide by the applicable state and county regulations.

10. That the Reservoirs shall not construct any permanent structure on the said premises and shall not construct any temporary structure or place any advertising or other sign thereon without the prior written consent of the Director of the National Park Service or his representative.

11. That the United States reserves all rights for water which may be developed or used in connection with this reservation. However, Reservoir shall be permitted to maintain all present water supplies used in the present operations and the repair and replacement thereof so that sufficient water is available for normal ranching operations.

12. That the Reservoir and their employees shall take all reasonable precautions to prevent forest, brush, grass and structural fires.

13. That any property of the United States damaged or destroyed by the Reservoir incident to their use and occupation of the premises shall be promptly repaired or replaced by the Reservoir to the satisfaction of the said Director or his representative, or in lieu of such repair or replacement the Reservoir shall, if so required by the said Director or his representative, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

14. That the Reservoir shall pay to the proper authority, when as the same become due and payable, all taxes, assessments and similar charges which, at any time during the term of the reservation, may be taxed, assessed, or imposed upon the Reservoir's interest in the leased premises.

15. That the United States or its contractors or any of their officers, agents or employees shall not be responsible for any loss, expense, damages to property or injuries to persons which

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may arise from or be incident to the use and occupation of the said premises, or for damages to the property of the Reservors, or for injuries to the person of the Reservoir (if an individual), or for damages to the property or injuries to the person of the Reservoir's officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any one of them, arising from activities of the United States or its contractors, and the Reservors shall hold the United States and its contractors and any of their officers, agents or employees harmless from any and all such claims.

16. That Reservoir shall peacefully relinquish possession and control of the reserved premises upon the expiration of the term of the right of use and occupancy. They shall leave the reserved premises in a neat and clean condition. Any personal property left on the reserved premises upon the expiration of the term may be disposed of by the National Park Service.

17. That use by the Reservoir of the is subject to the right of the Superintendents to establish trails, roads and other improvements and betterments over, upon or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing. With advance notice to the reservoir, the Superintendent or his/her representative shall have the right to enter and inspect the property to monitor adherence to reservation conditions and to accomplish resource management projects. If it is necessary to exercise such rights every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the Reservoir for the purpose intended under this reservation. The Reservoir understands that occasional park visitors are authorized to walk or hike on the various pastures and fields included in the reserved area even though no trail is formally established.

18. That all notices to be given pursuant to this reservation shall be addressed, if to the Reservoir, to Mr. James J. McPadden, P.O. Box 61, Pt. Reyes Station, CA 94950, if to the United States, to the Superintendent, Point Reyes National Seashore, California 94956, or as may from time to time be directed by the parties. Notice shall be deemed to have been duly given if and when enclosed in a properly sealed envelope or wrapper, addressed as aforesaid and deposited postage prepaid (or, if mailed by the United States, deposited under its franking privilege) in a Post Office or branch Post Office regularly maintained by the United States Government.

19. That Reservoir's estate in the reserved premises may be conveyed or leased for not less than 90 days by the Reservors or their successors, or assigns, provided the instrument of

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conveyance or lease imposes upon the grantee or lessee all of the restrictions and requirements of these provisions. A copy of any such conveyance or lease shall be furnished to the United States, prior to the effective date of such conveyance or lease.

20. The reservoirs shall purchase and maintain a standard liability insurance policy of not less than \$100,000.00 for each incident. The reservoir shall obtain such insurance from a responsible insurance company and provide the Superintendent with a copy of the certificate of insurance. The reservoirs are responsible for insuring their other interests in the reserved premises if they deem it necessary.

21. That Reservoirs fully understand that by reserving the rights of use and occupancy herein they waive replacement housing benefits under Sections 203, 204, 205 and 206 of Public Law 91-646.

22. That the area reserved for single family noncommercial residential purpose only is shown on the Attachment C.

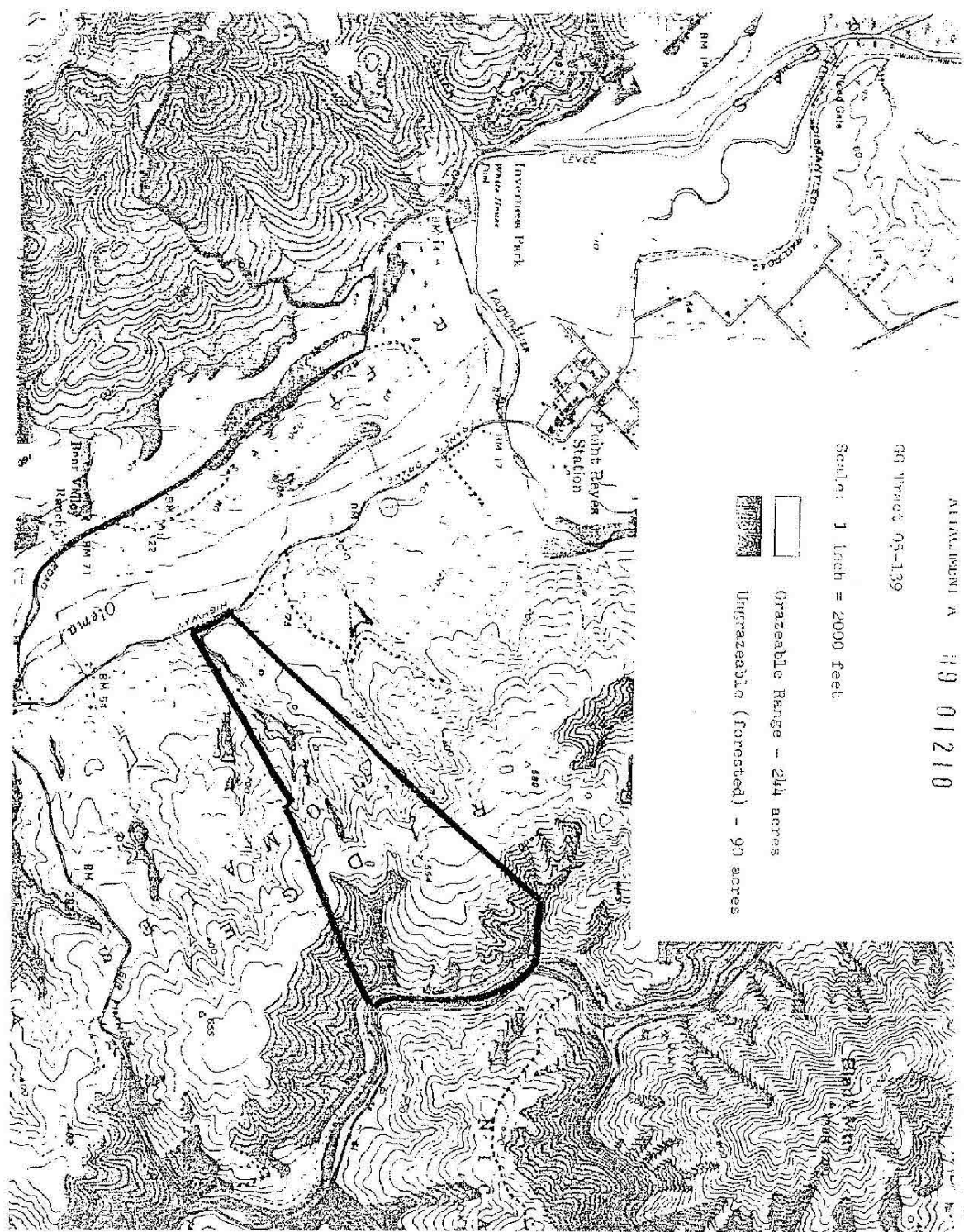
23. That the proposed use of pesticides or chemicals for agricultural use must be submitted in writing to the Director or his representative in advance of the time proposed for use so that permission for their use can be obtained, if necessary and if possible, from higher authority.

24. That at the election of the Superintendent, the Reservoir may be subject to a penalty fee of \$25.00 per day for failure to comply with the terms and conditions of this reservation in lieu of termination because of a breach of condition. In the instance of correctable non-compliance, the Reservoir will be given in writing a reasonable grace period from one to thirty days to allow corrective action as prescribed by the Superintendent before the penalty fee will be assessed. The penalty fee will be assessed each day beginning with the date included in the written notice until the corrective action is completed. Payment of the penalty charge under this provision shall not relieve the Reservoir from taking the necessary corrective action. This reservation condition will not preclude citations for violations of reservation conditions covered by Title 36 of the Code of Federal Regulations when and if those violations occur.

25. The Director, or his representative, shall have the right to enter the property (with appropriate advance notice) to conduct natural, cultural and recreational inventories and studies and to perform necessary resource management activities as long as such activities do not materially interfere with Reservoir's ability to conduct normal ranching activities.

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26. The Reservoir shall take reasonable precautions to prevent soil erosion on the lands covered by this reservation, and shall so utilize such lands as not to contribute to erosion on adjoining lands.



ATTACHMENT B

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GOGA
05-139
McFadden

VI. GRAZING STANDARDS

A. Definitions:

1. Proper Use

Proper use is a range management term defined as "the degree of livestock utilization of the current year's range forage growth which, if continued, will achieve management objectives and maintain or improve the long term productivity of the site" (RISC Report 1983).

2. Residual Dry Matter

Residual dry matter (RDM), sometimes called mulch residue, refers to the amount of forage plant material left on the range in the fall following spring and summer grazing. RDM consists of litter or dried plant material (either standing or on the ground) from the current season's growth. It does not include unpalatable forbs or weeds, woody plants, new green growth or dung. Research on California rangelands has shown the importance of RDM in protecting the soil from erosion, improving soil fertility, structure and infiltration rate, and in providing beneficial surface conditions for plant growth.

3. Key Areas

A key area is a relatively small portion of a pasture approximately 2 acres in size. It is selected to represent the overall pasture conditions. Factors used in the selection of key grazing areas include:

- a. Kind and class of grazing animal
- b. Range site(s), representative slope, conditions and trend
- c. Grazing system used or planned
- d. Season of use
- e. Pasture size
- f. Location of fences and natural barriers, water supplies, salt and mineral blocks and feeding areas.

Key grazing areas have the following characteristics:

- a. They consist of a single "range site" (a classification of land based on specific soil characteristics and potential natural plant community).
- b. They provide a significant amount of available forage in the pasture.
- c. They represent the average amount of use for the pasture.

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Key areas are not located where livestock congregate such as around water and feed supplement facilities and loafing areas, nor are they located in little-used portions of pasture.

When properly chosen, key areas will reflect the effects of current grazing management practices. Permittees will be invited to participate in selection of key areas. Once selected they will be identified on range maps and maps associated with Special Use Permits.

B. Monitoring Procedures:

Several procedures or techniques are needed to gather sufficient information to monitor both present range condition and range trend over the long term. The three indicators which will be used to evaluate range condition and trend on National Park Service lands are residual dry matter, species composition changes and forage productivity.

1. Residual Dry Matter Standards and Procedures

Proper use of the mixed perennial/annual ranges in the Point Reyes area is best evaluated by measuring the amount of residual dry matter (RDM) at the end of the summer grazing period just prior to the fall rain.

RDM is important in that it improves surface conditions for plant growth by providing more organic matter in the top soil and by sheltering seedlings from the desiccating effects of sun and wind. Thus it provides a favorable micro-environment for early seedling growth and extends the season in which forage is available. RDM is also important in that it provides soil protection against erosion. The RDM standard recommended by the Soil Conservation Service for Point Reyes and vicinity is 1200 pounds air dry weight per acre as an average for all grazed lands regardless of slope. Using 1200 pounds as an average will allow for areas of less than that amount, which will likely occur in very rocky or shallow soils and in areas where cattle tend to concentrate. In these areas 1000 pounds per acre is the minimum acceptable amount. Any pasture which has areas less than 1200 pounds per acre will need to have other areas with more than this amount in order to attain an overall RDM measurement of 1200 pounds per acre. High impact areas described in Section C are excluded from RDM requirements.

These standards will be used by the National Park Service. RDM will be measured by National Park Service personnel in key areas between September 1 and October 15, just prior to the fall rainy season. Point Reyes National Seashore will use the "Double Sampling Weight Estimation Method" for measuring RDM (Wilm et al 1944). This statistically based method has been extensively field tested and is a standard range management technique for RDM measurement. The double sampling method makes possible the monitoring of many range units during the few weeks of the year which are suitable for RDM measurement.

2. Plant Species Composition

Range condition refers to the "health" of vegetation and soil on a particular site in relation to its natural potential. It is evaluated

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3. Forage Productivity

Range condition and trend can also be evaluated by measuring forage productivity. Productivity can be defined as the weight, in pounds per acre, of palatable forage species. Productivity data supplements composition data by providing an index of plant vigor and an estimate of yield.

Productivity measurements are obtained by placing "cages" on the range in October at the beginning of the growing season. The cages prevent grazing by cattle and deer. Samples from within the cages are clipped and weighed in June at the end of the growing season. The clipping technique utilizes the 0.96 square foot ring and 0.5 inch clipping height similar to that used in RDM measurements. The resulting dry weight expressed in pounds per acre is an estimate of forage productivity for that year. Cages will be moved each year to ensure that current management practices are evaluated.

Forage productivity data will be used in two ways:

- a. By comparing forage productivity data between pastures with similar soil characteristics, an estimate of range conditions can be obtained.
- b. By comparing forage productivity data over many years (and adjusting for rainfall) a direction can be established indicating an improving or declining range trend.

C. High Impact Areas

The size and location of high impact areas allowed for each specific ranch unit shall be mutually agreed upon by the rancher and the NPS. Wherever possible, high impact areas will be restricted to level (less than 10% slope), well drained areas, 200 feet from perennial streams or other bodies of water. Areas near main roads and other high visitor use zones will also be avoided where possible.

It is recognized that a high degree of trampling and denudation of vegetation is unavoidable on these sites. Therefore the "proper use" standards described above will not apply.

Examples include corrals and feedlots where livestock are confined for management purposes and permanent feeding and watering facilities.

D. Management Practices

Recommendations will be developed and implemented for any pastures which fall below the minimum standard. For example, range conditions may reflect an unusually dry winter, and an average of range conditions over several years may be used to evaluate whether or not a reduction in animal units being grazed is necessary. Additionally, improvements in range condition may be made by changes in fencing or stock water facilities to obtain better distribution of animals. Other alternatives include changing the length of time or period of grazing, changing the type and class of livestock or transferring animals from pastures to impact areas and increasing the supplemental feed.

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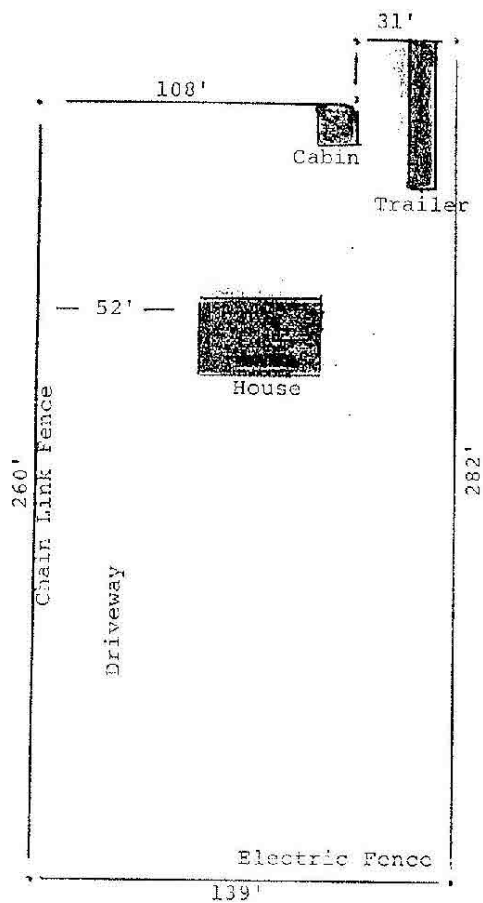
on the basis of the kinds, proportions and amounts of plants in a given area.

Line/point composition transects are one way of measuring the kinds and proportions of plants on a site. In this method surveying tapes are laid out in a key area and individual plant species are identified and tallied at 400 random points located in relation to the tape. The resulting data is summarized in terms of the proportion of plant species present. In range management terminology this is referred to as "composition." The total percentage of plant cover, bare ground and litter is also summarized.

Plant composition transects are sampled in spring after seed heads have developed and grasses are readily identifiable. Transects will initially be read each year to determine if the plant community is stable or changing. Changes in the proportion of desirable versus nondesirable forage species indicate whether the range condition is improving or declining in quality over a period of years. In range management terminology this is called monitoring range "trend".

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ATTACHMENT C1



ATTACHMENT C

Residential
Reservation

GOGA 05-139
McPadden

7-6-88

BUILDING COST ANALYSIS SHEET

Bldg. No.	Use	Bldg Area S.F.	Cost/ S.F.	Cost New	Physical		
					Depre- ciation Rate	Depre- ciation	Depre- ciated Value
1.	SFR	2132	\$55	\$117,260			
	Porch	64	\$25	\$ 1,600			
	Deck	736	Lump Sum	\$ 3,380			
	AEK	-	Lump Sum	\$ 2,425			
	FPL	-	Lump Sum	\$ 1,500			
				\$126,165	10%	\$12,617	\$113,548
2.	Trailer	510	\$25	\$ 12,750	50%	\$ 6,375	\$ 6,375
3.	SFR	206	\$45	\$ 9,270	20%	\$ 1,854	\$ 7,416
4.	Barn	5407	\$20	\$108,140	30%	\$32,442	\$ 75,698
5.	Storage	194	\$15	\$ 2,910	50%	\$ 1,455	\$ 1,455
6.	Repair, Storage	1055	\$12.50	\$ 13,188	50%	\$ 6,594	\$ 6,594
7.	Barn	1228	\$15	\$ 18,420	40%	\$ 7,368	\$ 11,052
8.	Feed Barn	1586	\$20	\$ 31,720	20%	\$ 6,344	\$ 25,376
9.	Water Tanks	-	Lump Sum	\$ 5,000	30%	\$ 1,500	\$ 3,500
10.	Equip. Shed	20	\$10	\$ 200	20%	\$ 40	\$ 160
				\$315,013		\$70,214 (22%)	\$244,799

Sub-Totals (not incl.
Bldg. #2)

Land Improvements
Road and Bridge \$ 45,240
Fencing \$ 37,397
Miscellaneous \$ 17,800
Reservoirs, Well,
Piping \$ 65,000

Sub-Total \$169,437 \$ 37,276 \$132,161

Total Before
External Depreciation \$484,450 \$107,490 \$376,960
Less External Depreciation \$131,960
Improvement Value - Depreciated \$225,000

ARTHUR GIMMY CO., INC.

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DESCRIPTION OF IMPROVEMENTS

The subject property has a variety of residential and agricultural improvements that make up the entire ranch. These include ten structures, nine of which contribute some value.

PHYSICAL CHARACTERISTICS: In a following table, we have indicated the type of improvement, approximate age, size, stories, use, overall condition and approximate percent of depreciation of each structure described in the following paragraphs. We make reference to photographs of each improvement together with a brief line drawing of each. These visual items are found in the Addenda and provide a clear view of each of the ten structures.

Building No. 1 is a two-story, wood-frame, five room, three bedroom, two and one-half bath, detached residential structure containing a total area of 2,130 square feet. It has a concrete perimeter and pier foundation, wood frame construction with painted stucco exterior walls and painted drywall and sheetrock interior wall and ceiling finish. The roof is composition shingle. Electrical service consists of a 220-volt system and the kitchen and bath areas are modern.

Interior finish consists of a combination of wall-to-wall carpeting and linoleum with painted walls and painted and acoustical ceilings. The structure has metal casement windows which are partially screened and metal gutters and downspouts. Heat is by a gas fired system which is augmented by a fireplace on the ground floor. The kitchen consists of all electrical appliances.

Exterior improvements related to the building include a covered porch of 64 square feet and deck of 676 square feet. The porch is centrally located on the southwest (front) and southeast elevations of the structure between two nearly identically shaped portions of the open deck which is attached to the structure on two sides.

Building No. 2 is a one-story, wood-frame, mobile home structure which has been semi-permanently mounted on a wood and block foundation. Exterior finish consists of typical painted metal siding on the walls and roof and metal casement, partially screened windows. Interior finish consists of a combination of wall-to-wall carpeting, simulated wood paneling, and dropped acoustical ceiling. The interior consists of three rooms plus bath and connecting hallways. The rooms are a living room, bedroom, and kitchen. Interior finish consists of wall-to-wall carpeting in all but the bath which has a resilient type floor. The building is not part of the appraisal because it is owned as a personality rather than as realty. It is occupied by the son and daughter-in-law of the owner. They pay no rent.

Kitchen fixtures are all electric and include a single, built-in, oven, an electric four burner range, and a hood and fan unit above. Bath finish consists of a shower over tub enclosure, lavatory, and water closet. Bathroom tile work is plastic.

The extra features contained in this structure include an imitation of fireplace in the living room and a metal awning attached to the northwest portion of the structure. This awning covers an area of approximately 133 square feet. The unit is identified as a Smoker which was made by Custom Homes of New Parish, Indiana.

The unit is approximately 15 years old and is in average condition.

Building No. 3 is a one-story, wood-frame, residential unit consisting of one room and a bath. It contains 200 square feet of living area and its features include a concrete perimeter foundation and a wood-frame wall and roof system. Exterior finish consists of painted stucco with a single pedestrian door and several metal casement, partially screened, windows. Interior finish consists of a combination of wall-to-wall carpeting and linoleum simulated wood panel walls, and dropped acoustical ceilings. The roof consists of targeted metal panels over wood-frame.

The building is highly utilitarian, is in very clean condition and its extra features include an exterior, open, wood porch with wood railing and a wall-mounted exterior light. The overall condition is average. The building is utilized as a sleeping and bath area for an older member of the McFadden family. It contains no kitchen facilities because its occupant takes meals with the family in the main residents. The building could be occupied by any type of small-family living group.

Building No. 4 consists of a one-story, two-part, barn containing a total area of 5,407 square feet with the primary barn area of 4,200 square feet and the smaller area of 1,207 square feet. This smaller area, attached to the southwest elevation of the larger portion, was originally the milking station for the ranch which had been operated as a dairy.

Construction features include a concrete perimeter and slab floor and foundation, a combination of wood-frame (larger portion) and concrete block and wood-frame (smaller portion). Exterior finish includes vertical corrugated metal siding covering the entire area of the larger portion and a combination of painted concrete block (up to four feet) and corrugated metal siding (from four feet) to the eaves (smaller section) walls and corrugated metal roof. The building is approximately 40 years old and is in average condition.

Building No. 5 is a one-story, wood-frame, storage structure. Its

characteristics include a concrete pad, vertical wood siding walls, and corrugated metal roof. It contains no windows and one metal pedestrian door.

Interior finish consists of the concrete pad and open wall and roof framing. We estimate that the building is 50 years old and it is in fair condition. The building contains a total area of 194 square feet.

Building No. 6 is a one-story, wood-frame structure utilized for vehicle storage and repair. It contains 1,055 square feet with a central 148 square foot segment being fully enclosed. The building characteristics consist of a concrete perimeter foundation and a wood-frame wall and roof structure. Exterior finish consists of vertical wood walls on three sides with the fourth, which is the southeast side, being open with the exception of a central eight roof wide room.

Interior finish consists of a combination of dirt and concrete floors, and exposed frame walls and ceilings. We estimate the building age to be 50 years and it is in fair condition.

Building No. 7 is a one-story, wood-frame, barn containing a total area of 1,205 square feet. Its characteristics include a concrete foundation and a wood wall and roof structure. Exterior finish includes vertical wood panels on all wall areas and corrugated metal barn roof areas.

Interior finish consists of a combination of wood and dirt floors, minor interior wood partitions, and primarily open wood framing for walls and ceilings. The building is divided into three interior segments and this division has taken place apparently over a long period time because one of the interior walls shows evidence of having been originally the exterior wall of a smaller structure.

We estimate that the building age is in excess of 60 years and it is in fair condition.

Building No. 8 is a one-story, wood and metal-frame feed barn which contains a total area of 1,586 square feet. Its northwest and northeast sides are open with the exception of framing and the other two sides consist of wood (southeast side) and metal (southwest side). This latter side is really two large, tracked, sliding metal doors. Building characteristics consist of a concrete pad, the framing which was described earlier, and a corrugate metal roof. Interior finish consists of the concrete pad and the open wall and ceiling framing.

We estimate that the building age is 15 years and it is in good condition.

Building No. 9 is really a combination of two, above-ground, concrete, water-storage tanks situated above and to the east of the main building compound. The upper tank has a 15,000 gallon storage capacity and the lower tank has an 8,000 gallon storage capacity. These structures are portion of the property's water system which has already been described.

Building No. 10 is a small (20 square feet), one-story, concrete block equipment enclosure situated in close proximity to Building No. 4. It contains a composition shingle roof. We estimate that its age is 10 years and it is in good condition.

Other Improvements

The other improvements found on the subject property include the roadway, which is of 2,212 feet in length, the last 100 feet of which are gravel and the first 2,112 feet of which (leading to Sir Francis Drake Boulevard) are paved and blacktopped. This is approximately 25,482 lineal feet) of sideline (boundary) and cross fencing which is a combination of wood and multi-strand barb wire on metal post, 625 lineal feet of three-foot cyclone fencing in which there are two 12-foot, three four-foot, and one eight-foot vehicular gates, 500 lineal feet of concrete and/or steel culvert, one manhole, two concrete catch basins, and one concrete bridge, as well as the other portions of the domestic water system which were described earlier.

Personalty

Personal property consists of household furniture typical for two-plus residential buildings units (see descriptions of Buildings 1 through 3) and various items of farm and ranch machinery typical for a dairy producing entity of the subject's age, condition, and status of operation.

As we described earlier, there are ten buildings; all but one of these contribute to value in some fashion. The trailer, Building No. 2, is considered to be personal property. We have inspected each of the structures, and inquired from the property owner as to either their approximate age or actual time of construction, and estimated, for use only in the Cost-Additive portion of this valuation, accrued depreciation of each unit. The Cost-Additive portion of this report presents a valuation schedule for these improvements in which they are set forth together with unit prices, unit totals, item-by-item depreciation rates and resultant depreciation amounts and final depreciated values. We have estimated depreciation levels varying from 15% to 60% for each of the ten buildings; after relating the total depreciation to total new cost, the analysis depreciation indicates a rate of 68.5% overall.

PLANNING CONSIDERATIONS AND HIGHEST AND BEST USE

Highest and best use is defined as that use, from among reasonably probable and legal alternative uses, found to be physically possible, appropriately supported, financially feasible, and which results in the highest land value. The highest and best use concept must also give recognition of that use to community environment and to community development goals, in addition to wealth maximization of individual property owners.

In considering the highest and best use for the subject property, we have conducted personal interviews with members of the Planning Department for Marin County, reviewed the easements affecting the subject property, analyzed the effects of water and topography, reviewed the zoning designation for the land, reviewed the Marin Countywide Plan and the Marin County Local Coastal Program (Unit II), and studied trends in the current market for agricultural and residential activities.

Zoning

The current zoning for the subject property is designated C-APZ-60. Generally, the 60 acre, agricultural emphasis and the restriction upon bonus or development right transfers establishes the maximum limits to which the subject property can be put. There is strict interpretation of the zoning which indicates that one allowable residential unit would be permitted for every 60 acres of land. For the 334.62 acres of land, therefore, the property could be developed with a maximum of five units.

Agricultural Consideration

The subject property, because of its topography, vegetation, and good water supply from existing facilities, is adequate for agricultural use. There are two basic agricultural markets for the property: grazing land for sheep or beef cattle and other uses, including horse breeding. As indicated from the slope breakdown and vegetation indicated, much of the ranch is suitable for grazing purposes.

Grazing carrying capacity is defined by the number of animals that can be fed on a given area of land without injuring the sod. Grazing carrying capacity is typically measured in animal unit months (AUM) which is defined as the amount of forage required to sustain a 1,000 pound animal for a month. For information regarding the appropriate carrying capacity for the subject ranch, we contacted members of the Soil Conservation Service in Petaluma and the Farm Bureau of the University of California Extension at the Civic Center in San Rafael. Grass, terrain, and climate conditions are not conducive to support enough animal units to make the ranch a self-sufficient beef-producing entity.

L14
Tract 05-139 GGNRA

July 30, 1987

Memorandum

To: Regional Director, Western Region
From: Superintendent, Point Reyes National Seashore
Subject: Tract 05-139 Golden Gate, Jim McFadden

Enclosed are copies of the Assessor's Map BK-166-Pg.01 and a title report for the subject tract. Mr. McFadden, in his discussions with us yesterday, stated that the Rancho Tomales Y Baulines line as shown on the Assessor's Map indicates that his property fronts the Platform Bridge Road in one place. If true, we suspect that there would be a substantial impact on the value of the property.

Unless you have other documents which show that his property fronts only Lagunitas Creek, you may want to consider having it surveyed or suggest that Mr. McFadden have it surveyed. We presume that the survey could begin with one of the BLM markers in place about $\frac{1}{2}$ mile north.

Enclosures

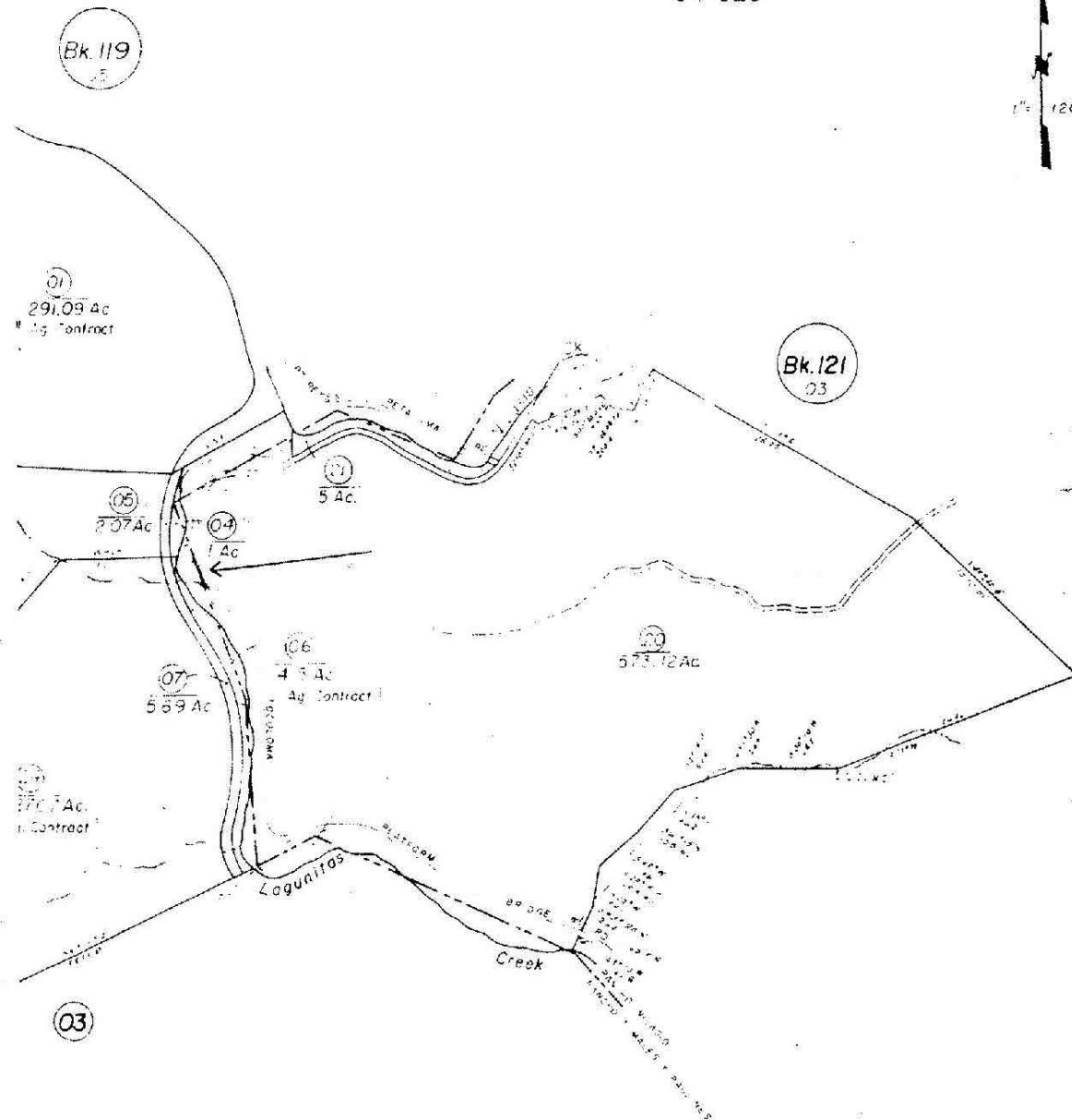
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TOMALES Y BAULIN

Tax Area Code
94-009
94-013
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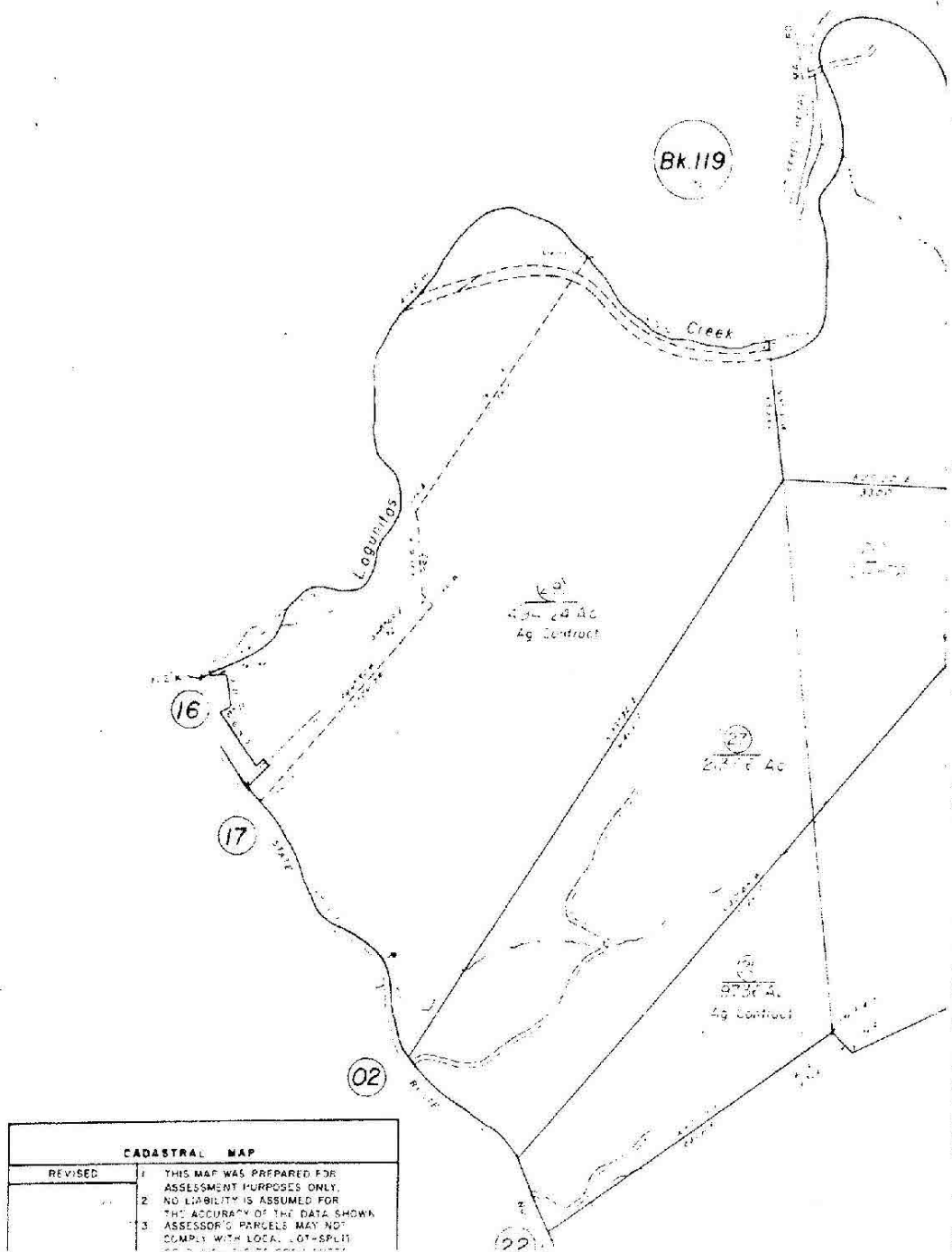
166-01

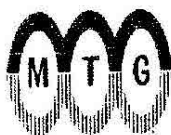


Assessor's Map Bk. 166-Pg. 01
County of Marin, Calif.

NOTE Assessor's Block Numbers Shown in Ellipses.

P.O.S. RANCHOS NICASIO,





MARIN TITLE GUARANTY COMPANY

PRELIMINARY REPORT



SAN RAFAEL
1300 FOURTH STREET
P. O. BOX 669
456-4400



MILL VALLEY
319 MILLER AVENUE
P. O. BOX 351
388-9440

Redwood Empire
#P. 52184 pr

APPLICATION NUMBER 98254 EAH

In response to the above referenced application for a policy of title insurance, MARIN TITLE GUARANTY COMPANY hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a California Land Title Association Standard Coverage form Policy of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy form.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed by the Company prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of December 15, 1971, at 7:00 A.M.

By

John M. Garity
Vice-President

The estate or interest in the land hereinafter described or referred to covered by this Report is:

Fee

Title to said estate or interest at the date hereof is vested in:

RICO BORDESSA, by Gift Deed dated October 26, 1955

Exceptions to policy coverage in addition to the printed exceptions and exclusions contained in said policy form are as follows:

See Page 2

SUBJECT TO:

1. County of Marin taxes for the fiscal year 1971-72

1st Installment \$2.36 - delinquent plus penalty if unpaid
2nd Installment \$2.36
Assessment No. 166-010-06 Code No. 94-009

1st Installment \$50.28 - delinquent plus penalty if unpaid
2nd Installment \$50.28
Assessment No. 166-010-07 Code No. 94-009

1st Installment \$171.62 - delinquent plus penalty if unpaid
2nd Installment \$171.62
Assessment No. 166-010-24 Code No. 94-009

1st Installment \$473.45 - delinquent plus penalty if unpaid
2nd Installment \$473.45
Assessment No. 166-010-25 Code No. 94-013

1st Installment \$289.98 - delinquent plus penalty if unpaid
2nd Installment \$289.98
Assessment No. 166-220-07 Code No. 94-013

2. Existing easement for road purposes over and along Tocaloma Platform Bridge Road.

3. Right of way and incidents thereto as contained in the Deed from David Bordessa to Radio Corporation of America, recorded March 31, 1923 in Book 18 of Official Records at page 23. (Affects Parcel One) (The width and location does not appear of record)

4. Right of way and incidents thereto as contained in the Deed from David Bordessa and wife to Pacific Gas and Electric Company, a corporation recorded August 25, 1926 in Book 102 of Official Records at page 367. (Affects Parcel One)

5. Right of way (20 feet wide) and incidents thereto as contained in the Deed from Rico Bordessa, et al, to Marin Municipal Water District, a public corporation, recorded April 11, 1961 in Book 1451 of Official Records at page 370. (Affects Parcel One)

SPECIAL INFORMATION SHEET

Attached To Preliminary Report No. 98254 EAH

Dated December 15, 1971

Unless shown in the body of this preliminary report there appear of record no transfers or agreements to transfer the land described herein recorded during the period of six months prior to the date of this report, except as follows:

None

All that certain real property situate in the County of Marin, State of California, described as follows:

PARCEL ONE

Being part and parcel of the Rancho Tomales y Baulinas located in said County and State and which was granted to Rafael Garcia, now deceased, by the Mexican Government, bounded and described as follows:

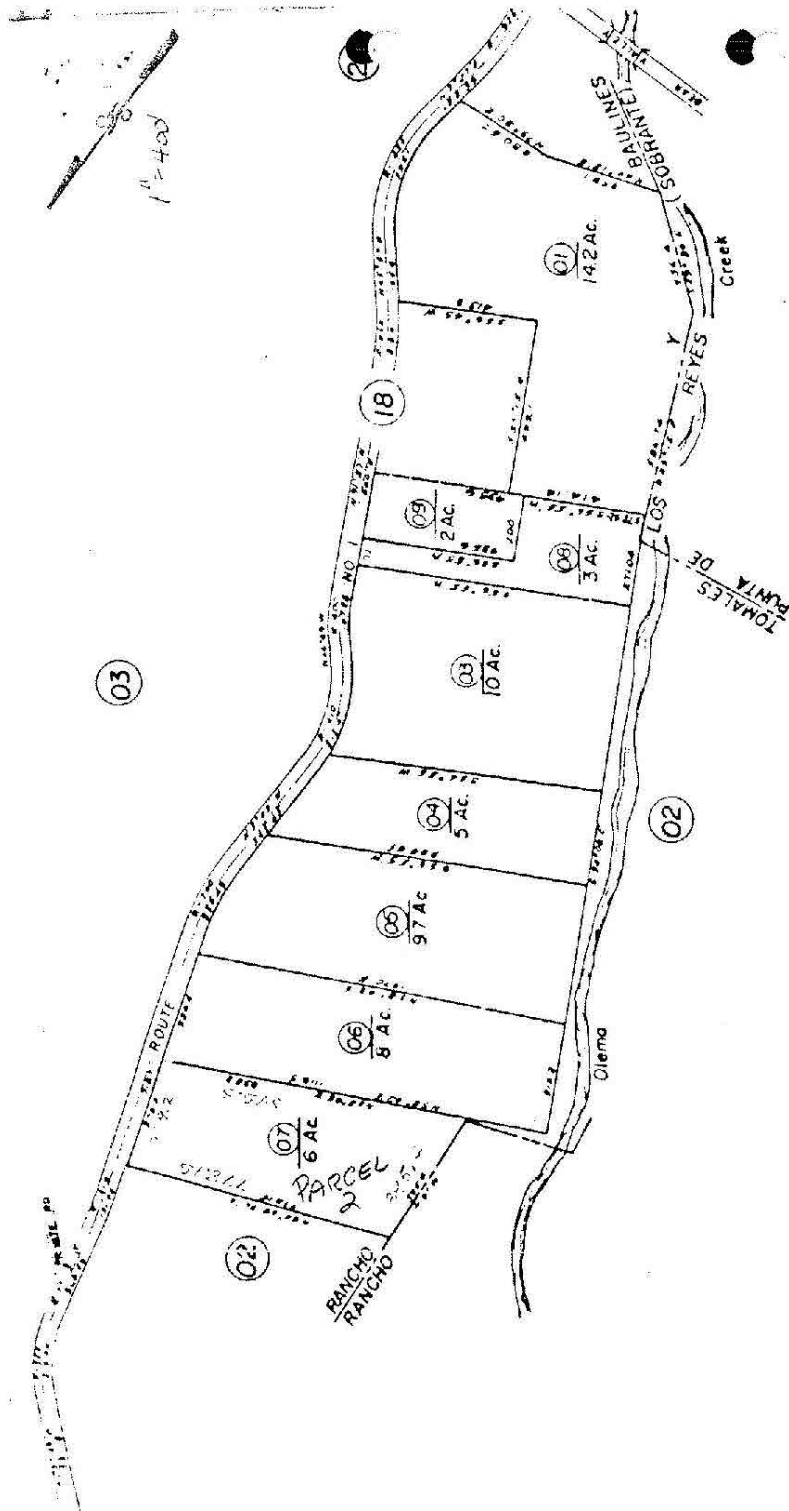
BEGINNING at Station 69 of the United States Government Survey of the said Rancho Tomales y Baulinas, said Station being shown by a post marked "T.B." 101 on the bank on the South side of the East end of a ditch dug to turn the waters of the Olema Creek from the main creek to the slough which passes the house of D.D. Wilder; thence running by the true meridian, the magnetic variation being 16° East, the following courses and distances, viz: North $57-1/4^{\circ}$ East 66.80 chains crossing the Valley of the Olema Creek, the road leading to the landing on the Arroyo San Geronimo, and low grassy ridges to Station Post 3-4-5 in mound of earth on the Westerly slope of a spur of the ridge; thence South $40-1/2^{\circ}$ East 3.50 chains to Station Stake 4-2-5 in mound of earth from which the old lime kiln on the South side of the upper end of Tomales Bay is North $74-1/2^{\circ}$ West and Miller's point on the Northerly side of said Bay is North $46-3/4^{\circ}$ West, said stake and mound being at the Westerly corner of that portion of the said Rancho which was conveyed to Felix Garcia by M. Loretta Garcia and others, by Deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "J" of Deeds at page 5; thence North $63-3/4^{\circ}$ East 50.50 chains, ascends, crosses and descends from the main ridge to an alder tree on the South bank of the Arroyo San Geronimo marked "T.B. 27", being Station 27 of the official survey of said Rancho Tomales y Baulinas; thence descending said Arroyo along the Rancho line North $3/4^{\circ}$ West 18.50 chains to station; thence North $17-1/4^{\circ}$ West 22.50 chains to station post on the bank of the Arroyo marked 3-4 from which North 46° West 90 links is a maple tree 18 inches in diameter marked "B.T. 3-4" and South $35-1/4^{\circ}$ West 1.29 chains is a laurel tree marked "B.T. 3-4"; thence West 20 chains along chaparel side hill and timbered spurs to station post "G" 3-9-4-4 in a grove of oak and madrone trees on the North side of the ridge; thence South $42-3/4^{\circ}$ West 106.40 chains to station post in the road from Olema to the landing on the Arroyo San Geronimo, said stake being at the South corner of that portion of the said Rancho Tomales y Baulinas which was conveyed by M. Loretta Garcia and others to Philippe Garcia by Deed dated the 29th day of May, 1868, and which is recorded in the County Recorder's office of Marin County in Book "H" of Deeds at page 83, and also a corner of the tract apportioned to M. Loretta Garcia; thence along the boundary line of the last named tract South $53-1/2^{\circ}$ West 10 chains to the Olema Creek; thence South 9° East 12 chains to the place of beginning; EXCEPTING THEREFROM the piece of land containing about six acres mentioned in the Deed from Jose de la Cruz Noriel to Burton J. Shippey as being theretofore deeded to Maria Dolores Hurtado by Deed dated February 4th, 1875 and recorded in the Recorder's office of Marin County in Book "M" of Deeds at page 296.

PARCEL TWO

That certain tract of land, being a portion of the Rancho Tomales y

Baulinas (Garcia) in the County of Marin, State of California, and more particularly described as follows, to wit:

COMMENCING at a point on the Westerly line of the County Road running from Olema to Point Reyes Station, where said Westerly line is intersected by the Southerly line of the tract of land conveyed by Mamie Myers, et al, to David Bordessa by Deed dated July 1st, 1918 and recorded in the Office of the County Recorder of the County of Marin in Volume 196 of Deeds at page 274, and running thence South $58^{\circ} 42'$ West 895.3 feet to a redwood post distant North 9° West 5.1 feet from a 6 x 6 redwood post marked "84" set to mark Station 484 of the Survey of the Exterior Boundary Line of the Rancho Punta de los Reyes Sobrante; thence North $9^{\circ} 00'$ West 395.4 feet; thence North $62^{\circ} 58-1/2'$ East 778.15 feet to the Westerly line of said County Road; and thence Southeasterly along the Westerly line of the said County Road 309.2 feet to the point of commencement.



Assessor's Map Bk. 166-Pg.
County of Marin, Calif
B.W. Broemmel - Assessor

NOTE—Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

4996549

OFFICIAL RECEIPT
COUNTY OF MARIN No. 336850
STATE OF CALIFORNIA

SAN RAFAEL 5-12-80

RECEIVED OF James McFadden (check) \$50.00

1200 Platform Rd.

Pt. Reyes Station

Erosion Dam Control Application

AP# 146-010-24

Permit # 8003

FORM 800

Land Development DEPARTMENT

BY J. Black

35 c. 23,
N. S.
Feb. 12
19

35 c. 23,
N. S.
Feb. 12
19

DEEDS
PAGE 5
VOL 5

This Indenture made the Twenty seventh day of May in the year of our Lord, nineteenth eight hundred and sixty eight, between
 M. Cayetano Garcia (widow of Rafael Garcia deceased) Thomas Garcia, Thomas Garcia by his Guardian Felipe Garcia, M. Milana Garcia, Felipe Garcia, Francisco Montado, and M. Dolores Horstada his wife, Jose Garcia, & Juan Garcia, all of Miami County, and State of California parties of the first part and Felipe Garcia, son and heir of Rafael Garcia deceased, of Miami County, party of the second part 'Witnesseth' that the said parties of the first part, for and in consideration of the sum of Five dollars (and the further consideration that on the partition of the Rancho Formosa y Baulinas hereinafter described, the said party of the second part has selected and quit claimed conveyed and granted to the said parties of the first part, all but eight fifth and interest in said Rancho as divided, except the lands hereinafter named and conveyed, to them in hand paid by the said party of the second part, at or before the making and delivery of these presents, the receipt whereof is hereby acknowledged. Have herein, released and quit claimed, and by these presents do hereby release and quitclaim unto the said party of the second part, and to his heirs and assigns forever, All that certain tract or parcel of land located in Miami County and State of California, being part and parcel of the Rancho Formosa y Baulinas located in said County of Miami & State of said said and which was granted to Rafael Garcia (now deceased) by the Mexican Government - The portion of said Rancho hereby conveyed is located bounded and described as follows to wit: Beginning at a point on a line drawn at a point in the road lately surveyed from the village of China in a North Easterly Course across said River, near the house occupied by S. Hunter, said first and then around being North 12 1/2° East 6 chains, and 10 links, from a large rock, which is near and northwesterly from the house of said S. Hunter, from said point and then around beginning along the middle of said road by the true Meridian magnetic variation being 16° East, the following course and distance, To wit 88 1/2° East, 2 chains 50 links to Station, thence South 36 1/2° East 5 chains 20 links to Station, thence South 70° East 16 chains to Station, thence South 32° East 5 chains to Station, thence South 58° East 7 chains to Station, thence South 86° East 11 chains 40 links to Station, thence North 41 1/2° East 10 chains 30 links to Station, thence N. 53° E. 11 chains to the point where the new State Course diverges, from Los Hornos to Station, center of a smelter, end of new bridge across the Rio Rio, then Ferrisone, thence ascending along the outside of said bridge, N. 17 1/2° East 18 chains 70 links to Station, thence N. 33 1/2° E. 10 chains to Station, thence N. 53 1/2° E. 9 chains 50 links to Station, thence N. 15 1/2° E. 15 chains 50 links to Station, thence N. 56 1/2° W. 11 chains to Station, thence S. 82 1/2° E. 19 chains to Station to an Alder tree on the South bank of the river, said Alder tree being marked T. B. 27 at Station 27 of the official survey of the 4th boundary of the said Rancho Formosa y Baulinas

and at the South-eastly corner of that portion of said Rancho Yermal y Baulemos which on partition thereof was apportioned to M. Hilario Garcia, and which was conveyed to said M. Hilario Garcia, by Loretta Garcia and others by deed dated 29th day of May, 1868, and which is recorded in the County Recorder's Office of Marin County, in Book C of deeds, page 1725. Hence along the boundary of the said tract of said M. Hilario Garcia, 563¹/₂ ft. 4, 50 chains 50 links to Station 1000 1/2 S. 2.5, in ground of South from which the old horse mill, on the South side of the upper end of the Bay of Tassales is 20 1/2 ft. N. and middle point on the North side of said Bay is N. 46 3/4 ft. 2, 1000 1/2 S. 2.5 chains 50 links along the South-eastly end of the tract, or that portion of said Rancho Yermal y Baulemos, which was conveyed by M. Loretta Garcia, and others to Thomas Garcia by deed dated the 29th day of May, 1868, which is recorded in Book C of deeds page 1725 in the County Recorder's Office of Marin County. And along the North-eastly end of that portion of said Rancho which was conveyed by M. Loretta Garcia and others to Juan Garcia by deed dated the 29th day of May, 1868, which is recorded in Book D of deeds page 1014 1/2 in the Recorder's Office of Marin County, to the place of beginning. Containing an area of 1000 1/2 acres and 80 ft. 1000 and eighty, one hundredths (1000 1/2) of land. Also that certain other lot or tract of land, located within the boundaries of the tract above described which was conveyed to Juan Garcia by Loretta Garcia and others by deed as above stated, bounded and described as follows. Beginning at a stake driven in the North-eastly side of the said tract, leads from the village of Pluma to the landing on the carriage San Francisco, said stake being 53 1/2 ft. 1 chain 50 links from the South-eastly corner of said Rancho Yermal y Baulemos. Hence South-Eastly along the Eastly side of the last named Road 1 chain. Hence South-Eastly, at a right angle to the line of the Road 2 chain 73 1/2 links. Hence South-Eastly and parallel to the line 1 chain. Hence North-Eastly at a right angle to the line of the Road 2 chain 73 1/2 links to the place of beginning. Containing (1000 1/2) one and eighty one one thousandths of an acre of land. And for a more full and particular description of the tract hereby conveyed reference is hereto made to the map or plat of the said Rancho (showing the subdivisions of the said Rancho allotted on partition thereof to the various buyers) which is attached to and recorded with deed to M. Loretta Garcia, from Juan Garcia and others dated the 29th day of May, 1868, and which is recorded in Book C of deeds page 1725 in the County Recorder's Office of Marin County, with the same effect as if said map or plat were herein fully set forth and incorporated. Together with all uses, privileges, tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining and the services and customs, remedies and conveniences hereto used and profited thereof. And also all the estate, right, title interest, property, possession, claim and demand

whenever, as right we have as in equity of said parties of the first part
 of, or to the above described premises, and any part and parcel
 thereof with the appurtenances - To Have and to Hold all
 and singular, the above mentioned and described premises, to-
 gether with the appurtenances unto the said party of the second
 part his heirs and assigns forever.

In Witness Whereof the said
 parties of the first part have hereunto set their hands and seals
 the day and year first above written,

Given Under and delivered in my presence, M. Loretta Garcia (wif)

the person of M. Helana Garcia (wif)

M. Lolita Montada (wif)

José Garcia (wif)

Juan Garcia (wif)

Elipio S. Garcia (wif)

Francisco Montada (wif)

Thomas Garcia (wif)

Thomas Garcia (wif)

Elipio J. Garcia Guardian
 of the person and Estate,

City of California
 County of Marin

In the 29th day of May, 1881, one Thomas
 eight hundred and fifty eight personally appeared before me, the
 Notary Public in and for said County of Marin
 M. Lolita Garcia, M. Helana Garcia, Jos. Garcia, Juan
 Garcia, Elipio S. Garcia, and Thomas Garcia, whose names
 are subscribed to the aforesaid instrument as parties thereto, person-
 ally known to me to be the same persons described in and who
 executed the said aforesaid instrument as parties thereto who each
 severally acknowledged to me that he owned the premises the same
 freely and voluntarily and for the use and purpose therein
 mentioned.

In Witness Whereof I have hereunto set my hand
 (L.S.) and affixed my official seal the day and year in
 the Certificate first above written

Thomas W. Hanson

Notary Public

[illegible]

Docket Information

Number of Documents in Docket 52

Documents Dated from 4/6/1961 to 8/19/1993

Docket Compiled: 5/10/2012