

10. Upon motion duly made and carried, a resolution was adopted whereby the Executive Officer was authorized to have allocated to the annual salary appropriation for Dr. Soper, the Division of State Lands Consulting Geologist and Petroleum Engineer, an additional \$300.00, this sum being necessary to compensate Dr. Soper for those services in excess of the service limit set up and provided for in the 1942-43 budget. This additional amount of \$300.00 is to be taken from the present budget item allocation for the salary of Messrs. Atherton and Hortig now both in the armed service.

11. Upon motion duly made, seconded and carried, a resolution was adopted whereby the Commission agreed to accept the sum of four cents per cubic yard for the 31,639.3 tons of sand taken from State school land in connection with the construction of the Sierra Ordnance Depot in Lassen County. At the State Lands Commission meeting of March 23, 1943, a price of five cents per ton had been established as the price to be demanded by the State for this sand. Subsequent investigation and information revealed that these contractors have procured sand from private landowners in this immediate area for one and two cents per yard, and it was therefore determined that the contractor's offer of four cents per yard was fair and should be accepted.

12. The Executive Officer reported that the State Personnel Board had requested information as to the intention of the State Lands Commission relative to the appointment of an Attorney for the Division of State Lands. After a full discussion of this matter, the Executive Officer was instructed to notify the Personnel Board that the matter will be placed on the calendar of the next meeting of the Commission and that they will be informed of the action of the Commission.

13. The Executive Officer informed the Commission of the completion of a survey under contract by the Division of Highways involving the possible trespass of the Southern Pacific Company on State tidelands in the neighborhood of Ortega Hill, Santa Barbara County. The Executive Officer was instructed to discuss the matter with the Southern Pacific Company and negotiate for an agreement with them at a nominal annual charge. It was brought out during this discussion that, at the time of the actual construction of the seawall in this area, it rested entirely upon private land, however, erosion and tidal flow of the ocean have subsequently been the cause of this wall now being partly oceanward of the mean high tide line.

14. The following informative matters were presented in the following order:

(a) In accordance with instructions, an opinion has been requested from the Attorney General relative to the effect of the O.P.A. order on the price the State will receive for Rio Vista and McDonald Island gas under the Standard Oil Company contract where the sale price of gas is tied into the San Francisco Standard fuel oil price. An informal opinion had been received to the effect that the O.P.A. regulation prevails and, therefore, the State cannot collect for the increase that would be effective were it not for the O.P.A. regulation. Pending receipt of formal opinion from the Attorney General the matter was deferred for further Commission action.