

"If there be any duty in the State under the provisions of Article 15, Section 2 of the Constitution to maintain access to the waters of Lake Elsinore and to the use thereof for free navigation, such duty does not devolve upon your Commission."

In view of the informal opinion of January 30, 1948, from the office of the Attorney General with respect to Lake Elsinore, upon motion duly made and unanimously carried, a resolution was adopted respectfully referring Assemblyman Boyd to the Attorney General for guidance and such action by the State as the Lake Elsinore problem warrants.

7. (Request for Deferment of Drilling Requirements - Honolulu - Signal - Macco, Lease No. P.R.C. 308 - Coal Oil Point Area - Santa Barbara County) On October 29, 1947, the Commission approved the deferment of drilling and operating requirements under State Oil and Gas Lease No. P.R.C. 308, not to extend beyond January 17, 1948, on the basis that further work on Lease No. P.R.C. 308 should be predicated on any additional information resulting from current operations under adjoining Lease No. P.R.C. 309.

The Commission was further informed that development work under Lease No. P.R.C. 309 is being continued through the extended drilling of one well and further testing of possible oil productive horizons indicated within the first well drilled under the lease.

The Commission was informed that the Honolulu Oil Corporation has requested an extension of the deferment of the drilling and operating requirements under Lease No. P.R.C. 308 for an additional period of ninety days, until April 17, 1948, within which to analyze current developments and plan any future operations on the lease.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to grant to Honolulu - Signal - Macco, Lessees under State Oil and Gas Lease No. P.R.C. 308, a deferment of drilling and operating requirements under said lease for a period of ninety days, until April 17, 1948, within which to analyze current developments and to plan any future operations on the subject lease.

8. (Application for Assignment Oil and Gas Leases Nos. P.R.C. 308 and 309 - Coal Oil Point Area, Santa Barbara County - Macco Corporation) The Commission was informed that an application has been received from the Macco Corporation, joint lessee together with the Honolulu Oil Corporation and Signal Oil and Gas Company under State Oil and Gas Leases Nos. P.R.C. 308 and 309, Coal Oil Point Area, Santa Barbara County, for assignment of said leases from the Macco Corporation to the Macoil Corporation, the other two lessees to remain the same. This assignment is requested because of the corporate reorganization of the Macco Corporation wherein all of the assets and liabilities of said corporation pertaining to the production of oil or gas are being assigned to the new corporation. The joint interested parties in the lease are agreeable to the assignment and new bonds on behalf of the Macoil Corporation to cover performance by said corporation under the leases have been furnished.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute the consents to Assignment of State Oil and Gas Leases Nos. 308 and 309 from the Macco Corporation to the Macoil Corporation.

9. (Crystal Pier Lease No. 1, Chapter 846, Statutes of 1927) The Commission was informed that under Chapter 846, Statutes of 1927, the Surveyor General leased a portion of tide and submerged lands on the ocean front at Mission Bay in San Diego County on April 22, 1930 for a term of twenty-five years from July 1, 1929. Upon this land there has been erected a concrete pier and some cottages. This lease has been assigned with the Commission's approval several times, the latest proposed assignment being to Messrs. Larry C. Steckler and Philip Light.

Pursuant to Chapter 257, Statutes of 1937, the Crystal Pier lease was extended to June 30, 1980. The annual rental for the State land involved is \$50.00 per year plus two per cent of the gross proceeds from the pier.

By Chapter 688, Statutes of 1933, the Legislature granted the tide and submerged lands within the city limits to the City of San Diego. The Attorney General has ruled by Opinion NS 3583 of June 12, 1941 that, although the tidelands upon which this pier has been erected were not within the city limits of San Diego, it was his opinion that it was the intent of the Legislature to grant all tidelands fronting on the City of San Diego to the City. The City of San Diego takes the position that therefore this lease was transferred to the City of San Diego by the Legislative Grant of 1933; and, furthermore, that the extension by the Surveyor General of the lease to 1980 could not be made because the land had already been granted to the City of San Diego.

The City of San Diego asked the 1947 Legislature for an appropriation in the amount of the money collected by the State under subject lease from 1933 to 1947. This appropriation bill, A.B. 1337 of 1947, was defeated. However, by Opinion 47-86 of April 22, 1947, the Attorney General again ruled that the pier had been constructed upon lands subsequently granted and that all rents and issues after 1933 should go to the City of San Diego. It should be pointed out to the Commission that this pier is built upon tide and submerged lands of the State that are the subject of the original Case No. 12, the United States vs. California.

In order to conform to the opinion of the Attorney General and effect the intent of the Legislature, upon motion duly made and unanimously carried, a resolution was adopted authorizing the assignment of the lease to the City of San Diego, including all rentals thereunder and thereafter as of December 31, 1947.