

damage to Owens Lake because of its failure to take care of surplus water which was turned on to Owens Lake in 1937, 1938, and 1939. Many attempts have been made to reach some solution to the City's problem with respect to Owens Valley surplus water, but the City will make no arrangements with the State for amicable adjustment of the problem.

Inyo County's reason for objection to the exchange is that no taxes are paid by the City of Los Angeles on lands acquired, and that as long as the lands are in Federal ownership there is always the possibility of the lands going into private ownership.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO FILE A PROTEST IN THE OWENS LAKE MATTER, AND TO NOTIFY SENATOR CHARLES BROWN OF ACTION TAKEN BY THE COMMISSION.

35. (GREY LODGE REFUGE, PROPOSED OIL AND GAS LEASE, BUTTE COUNTY, DIVISION OF FISH AND GAME - W.O. 1125.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO CONSULT WITH THE DIVISION OF FISH AND GAME, AND, AFTER A FULL UNDERSTANDING AND CONCURRENCES, TO OPEN FOR PUBLIC BID FOR A GAS LEASE THE 2,541.639 ACRES OF STATE LAND IN THE GREY LODGE REFUGE, BUTTE COUNTY, PURSUANT TO SECTION 6901 ET SEQ., AND PARTICULARLY IN ACCORDANCE WITH SECTIONS 6851 TO 6855 OF THE PUBLIC RESOURCES CODE.

*see also
P. 1447
of minutes*

The Grey Lodge Refuge is now subject to gas drainage from a Honolulu Oil Corporation well in Section 17, T. 17 N., R. 1 E., M.D.M. This company and two other oil companies have asked for an opportunity to lease the area.

By informal opinion in a similar case, Assistant Attorney General Walter L. Bowers, with respect to leasing of State land dedicated to a public use (See 6851-54 P.R.C.), states: "In line with the general policy of the State to develop its natural resources and to protect its interests for the benefit of the citizens of the State, and in view of the specific statutory enactments since the decision in McNeil v. Kingsbury, it is my personal belief that the State Lands Commission is authorized, in accordance with the provisions mentioned and the general authority found in the Public Resources Code, to enter into a lease on behalf of the State for the production of oil and gas or other mineral deposits on the lands here involved, and that it is the only state agency having such authority."

36. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, SCRIP APPLICATION NO. 4784, SACRAMENTO LAND DISTRICT, SONOMA COUNTY, ALBERT E. OTTOBONI - S.W.O. 5244.) An offer has been received from Mr. Ottoboni of Cloverdale, California, to purchase Lots 12 and 13 of Section 7, and Lots 4 and 5 of Section 18, T. 11 N., R. 8 W., M.D.M., containing 141.56 acres in Sonoma County. This land may be obtained by the State from the Federal Government through use of base. The minimum price for scrip for this type of land has been set heretofore at \$5.00 per acre cash. Mr. Ottoboni has made an offer of \$707.80, or \$5.00 per acre.

The Assessor of Sonoma County has assessed contiguous land at \$2.00 per acre, thus indicating an appraised value of the land applied for of \$4.00 per acre. An appraisal by the Commission's staff indicates that the offer as made is adequate.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE FILING WITH THE FEDERAL GOVERNMENT FOR LOTS 12 AND 13 OF SECTION 7, AND LOTS 4 AND 5 OF SECTION 18, T. 11 N., R. 8 W., M.D.M., AND THE SALE OF THIS LAND TO MR. ALBERT E. OTTOBONI AT A CASH PRICE OF \$707.80, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, UPON THE LISTING OF SAID LANDS TO THE STATE BY THE FEDERAL GOVERNMENT.

37. (APPLICATION FOR RIGHT-OF-WAY EASEMENT, KINGS RIVER, FRESNO COUNTY, COUNTY OF FRESNO AS APPLICANT - W.O. 1018, P.R.C.650.) The County of Fresno has applied for a right-of-way easement of variable width and 295.17 feet in length, being a portion of the same highway right of way a portion of which has been applied for by the County of Kings in Item No. 15 of these minutes, being that portion excepted from the application of the County of Kings. No fees or rentals are required.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE COUNTY OF FRESNO A RIGHT-OF-WAY EASEMENT OF VARIABLE WIDTH AND 295.17 FEET IN LENGTH, LYING IN FRESNO COUNTY NORTH OF THE SOUTH LINE OF SECTION 36, T. 17 S., R. 20 E., M.D.M., FOR SUCH PERIOD OF TIME AS THE DENIED PREMISES ARE USED FOR HIGHWAY PURPOSES, THE CONSIDERATION BEING THAT THE PROJECT IS IN THE INTEREST OF THE PUBLIC.

38. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, SCRIP APPLICATION NO. 4742, SACRAMENTO LAND DISTRICT, BUTTE COUNTY, CARL HOWARD PAULSON - S.W.O. 5261.) An offer has been received from Mr. Paulson of Sacramento, California, to purchase the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of fractional Section 9, T. 21 N., R. 4 E., M.D.M., containing 40 acres in Butte County. This land may be obtained by the State from the Federal Government through use of base. The minimum price for scrip for this type of land has been set heretofore at \$5.00 per acre, cash. Mr. Paulson has made an offer of \$1,000.00, or \$25.00 per acre.

The Assessor of Butte County has assessed contiguous land at from \$2.75 to \$3.50 per acre, thus indicating an appraised value of the land applied for of \$5.50 to \$7.00 per acre.

The subject land was appraised at \$25.00 per acre. The principal value of the subject land is for grazing purposes.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE SALE OF THE SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF FRACTIONAL SECTION 9, T. 21 N., R. 4 E., M.D.M., TO MR. CARL HOWARD PAULSON AT THE APPRAISED CASH PRICE OF \$1,000.00, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.

39. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, SCRIP APPLICATION NO. 10452, LOS ANGELES LAND DISTRICT, RIVERSIDE COUNTY, LYLE NEWCOMER - S.W.O. 5165.) An offer has been received from Mr. Newcomer of Palm Springs, California, to purchase the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22, T. 3 S., R. 3 E., S.B.M., containing 500 acres in Riverside County. The lands may be obtained by the State from the Federal Government through use of base. The minimum price for scrip for this type of land has been set heretofore at \$5.00 per acre, cash. Mr. Newcomer has made an offer of \$2,500.00, or \$5.00 per acre.