

Engineer; Burton S. Grant, Assistant General Manager; Gilmore Tillman, Attorney; and Rex Goodcell, Attorney; the State was represented by Assistant Attorney General Walter L. Bowers; Special Attorney Burdette Daniels; Rufus W. Putnam, Executive Officer, and J. Stuart Watson, Assistant Executive Officer, of the State Lands Commission.

Tentatively, and subject to approval by the Commissioners of the Department of Water and Power, City of Los Angeles, and the State Lands Commission, settlement is proposed whereunder the State would receive approximately \$43,000 to end the litigation.

The Department of Water and Power of the City of Los Angeles advised that the above settlement has been agreed to in principle by the Board of Commissioners for the Department of Water and Power, City of Los Angeles.

The above settlement was discussed with no commitment and without any consideration being given to an agreement for use of Owens Lake as a place to waste any excess water over and above the capacity of the present aqueduct that will result from power plants being constructed in the Owens River Gorge. This matter is for subsequent discussions, and will be presented to the State Lands Commission, and perhaps to the Legislature, at such time as any program has been evolved.

Mr. Rex Goodcell, Jr. appeared on behalf of the Department of Water and Power of the City of Los Angeles to thank the Commission for the State's cooperation in working out an agreement that will settle the controversy, and expressed the hope that in the future the City and the State would be able to settle their mutual problems on an amicable basis.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO REQUEST THE ATTORNEY GENERAL TO ENTER INTO A STIPULATION IN THE SANTA BARBARA SUPERIOR COURT CASE NO. 36863 WHEREBY THE LITIGATION WILL BE SETTLED UPON PAYMENT TO THE STATE OF APPROXIMATELY \$43,000, BY THE DEPARTMENT OF WATER AND POWER, CITY OF LOS ANGELES, THE EXACT AMOUNT OF THE SETTLEMENT TO BE DETERMINED BY THE ATTORNEY GENERAL.

34. (TRANSFER OF JURISDICTION, SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, SACRAMENTO RIVER LANDS, SACRAMENTO COUNTY - P.R.C. 190, and SACTO. COUNTY, PROP. LANDS - J.T.I. 1.) The Commission may recall that in March, 1945, in order to properly manage the mineral rights in certain State lands on Wood and Duck Islands in the Sacramento River, nominally owned by the Sacramento and San Joaquin Drainage District, the Reclamation Board transferred control and possession to the State Lands Commission. This agreement, dated February 21, 1945, was executed by the Sacramento and San Joaquin Drainage District; and by Carlyle Lynton, Executive Officer of the State Lands Commission; and was approved by the Attorney General. However, research of the minutes of the meetings of the Commission does not show that authority for acceptance of this jurisdiction was ever given. A question as to this feature has recently arisen because of the fact that the Natural Gas Corporation of California, which holds the mineral lease, did not find the transfer of jurisdiction recorded.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED CONFIRMING THE ACTION OF THE EXECUTIVE OFFICER IN ACCEPTING JURISDICTION AND

*Amended per
John S. P. 1634
9/30/52*

EXECUTING THE AGREEMENT DATED FEBRUARY 21, 1945, BETWEEN THE SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, ACTING BY AND THROUGH THE RECLAMATION BOARD, AND THE STATE LANDS COMMISSION, OVER CERTAIN LANDS THEREIN DESCRIBED, AND AUTHORIZING THE EXECUTIVE OFFICER TO OBTAIN APPROVAL FOR SUCH TRANSFER OF JURISDICTION FROM THE DIRECTOR OF FINANCE PURSUANT TO SECTION 13110 OF THE GOVERNMENT CODE.

35. (SALE OF SWAMP AND OVERFLOWED LANDS, LOCATION NO. 4260, MARIN COUNTY, PACIFIC GAS AND ELECTRIC COMPANY - S.W.O. 5504.) An offer of \$2500 has been received from the Pacific Gas and Electric Company to purchase a portion of Lot 14 of Section 33, T. 1 N., R. 6 W., M.D.M., containing 1.34 acres in Marin County.

An appraisal of the subject land has been made by an independent appraiser, William G. Rutherford, of Mill Valley, California, who stated that, in his opinion, "a fair, warranted, justifiable utility value is \$2,050". This tract is of irregular shape, and of the area under consideration there is a length of only about 160 to 170 feet along the existing highway with sufficient depth to warrant any character of improvement, and, considering the utility value of the land, highway commercial or industrial purposes are the only uses to which it can be put.

During investigation by the staff, it developed that the Pacific Gas and Electric Company has had a power line across the subject land since approximately 1915. Sale to any person other than the Pacific Gas and Electric Company would present difficulties due to restrictions against building on the land. Therefore, it is suggested that it is in the public interest that Rule 1907b of the Commission's rules be invoked and the land sold to the Pacific Gas and Electric Company at the offered price of \$2500, without advertising.

UPON MOTION DULY MADE AND CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE SALE OF A PORTION OF LOT 14 OF SECTION 33, T. 1 N., R. 6 W., M.D.M., TO THE PACIFIC GAS AND ELECTRIC COMPANY AT A CASH PRICE OF \$2500, WITHOUT ADVERTISING, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS. THE VOTE TAKEN UPON THIS MATTER WAS AS FOLLOWS: CHAIRMAN DEAN, AYE; MEMBER KNIGHT, AYE; MEMBER KUCHEL, NO.

36. (SUBMARINE GEOPHYSICAL EXPLORATION, HUMBLE OIL AND REFINING CO., VENTURA, LOS ANGELES, ORANGE, AND SAN DIEGO COUNTIES - P.R.C. 717, W.O. 1235.) An application has been received from the Humble Oil and Refining Co. requesting a 90-day extension from and after September 22, 1952, of the term of Submarine Geophysical Exploration Permit P.R.C. 717. Permit P.R.C. 717 was authorized on April 18, 1952 (Minute Item 34, Page 1543), and on May 26, 1952, the term was extended to August 23, 1952 (Minute Item 16, Page 1557). The permit covers submarine geophysical exploration operations on those tide and submerged lands under the jurisdiction of the Commission lying southerly of the northerly boundary of Ventura County, as extended, and northerly of the northerly boundary of the City of Oceanside, County of San Diego, as extended. No interest was expressed by the counties of Ventura, Los Angeles or Orange in connection with the issuance of the original permit, and no interest was expressed by the County of San Diego in connection with the extension of the term of the permit. No complaints or objections have been received relative to any of the operations conducted under the permit heretofore.

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