

the exchange; that there are no outstanding contests or protests of record; that the requirements pertaining to the application have been met and publication of the exchange is therefore authorized pursuant to Department Order 2583 of August 16, 1950 (15 F.R. 5646).

In accordance with instructions from the Bureau of Land Management, the notice of the exchange application describing both the Government lands and the State lands was published for the required period in the newspapers designated by the Bureau of Land Management.

Before the Government lands desired by Messrs. Everett and Tonjes will be patented to the State, it is necessary for the State to convey to the Federal Government, by grant deed, the 80 acres of State lands in Death Valley National Monument offered in exchange.

Section 6444 of the Public Resources Code provides: "Whenever in the judgment of the Commission it is to the advantage of the State to exchange any of its public lands, as provided in Sections 6441, 6442 and 6443, the Commission shall so certify to the Governor, who shall thereupon execute, on behalf of the State, any instruments of conveyance necessary to effect the exchange."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The State Lands Commission hereby certifies that it is to the advantage of the State to exchange the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 16, Township 23 North, Range 1 East, San Bernardino Meridian, containing 80 acres of surveyed State school lands in the Death Valley National Monument in Inyo County, offered to the United States in exchange for the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 20, Township 8 North, Range 23 East, San Bernardino Meridian, containing 80 acres of government land in San Bernardino County, of approximately equal area and value, and authorized the Executive Officer to execute, on behalf of the State Lands Commission, the certificate provided for in Section 6444 of the Public Resources Code, certifying to the Governor that in the judgment of the Commission it is to the advantage of the State to exchange the State lands in Death Valley National Monument offered to the Federal Government for government lands of approximately equal area and value. (Also see Minute Item No. 14.)

16. (SALE OF VACANT SWAMP AND OVERFLOWED LAND, TULARE COUNTY, APPLICATION NO. 4261, SWAMP AND OVERFLOWED LAND, ELMER DUTRO AND MARY DUTRO - S.W.O. 5569.) An application has been received from Elmer Dutro and Mary Dutro to purchase that portion of Lot 7 lying in the northwest corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, T. 20 S., R. 23 E., M.D.M., containing 1.87 acres in Tulare County. Mr. and Mrs. Dutro have made an offer of \$243.10, or \$130 per acre.

The land embraced in this application was sold under contract as swamp and overflowed land. The contract of purchase was cancelled pursuant to law for the nonpayment of delinquent interest. The land has since been vacant State swamp and overflowed land. As shown by map on file in Division of State Lands, this tract of land is a part of Lot 200 of the California Farm Lands Tract and

is completely surrounded by lands owned by the present applicants. The subject land is unsuitable for cultivation without artificial irrigation, but has been in the past and can be irrigated along with the adjacent lands owned by the applicants. No other purchaser could gain access to the land without the permission of the adjoining owners.

The Assessor of Tulare County has advised that comparable land in the vicinity is assessed at \$65 to \$75 per acre and that the subject land was assessed at \$40 per acre.

An inspection and appraisal by a member of the Commission's Staff reveals that this land can only be irrigated from the adjoining land, and without irrigation has only the nominal value of any other desert land.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The sale is authorized of that portion of Lot 7 lying in the north-west corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, T. 20 S., R. 23 E., M.D.M., to the single bidders, Elmer Dutro and Mary Dutro, without advertising, at a price of \$243.10, subject to all statutory reservations including minerals.

17. (APPLICATION FOR PERMIT FOR A RECREATIONAL PIER, DANA COVE, ORANGE COUNTY, COUNTY OF ORANGE - W.O. 1405, P.R.C. 793.6.) The Board of Supervisors, County of Orange, by resolution approved February 10, 1953, has applied for a permit for the operation and maintenance for recreational purposes of an existing pier, approximately 400 feet in length and 18 feet in width, in Dana Cove adjacent to County-owned upland. Neither fee nor rental is required.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The Executive Officer is authorized to issue to the County of Orange a permit to operate and maintain for recreational purposes a pier approximately 400 feet in length and 18 feet in width in the Pacific Ocean at Dana Cove, Orange County, for such time as the pier is used for the purpose intended, the consideration being the public good and welfare.

18. (BID FOR MINERAL EXTRACTION LEASE, TUOLUMNE RIVER, STANISLAUS COUNTY - W.O. 1289, P.R.C. ~~793.6~~) One bid for lease to permit extraction of sand and gravel from a portion of the Tuolumne River, Stanislaus County, has been received from M. J. Ruddy & Son and Santa Fe Rock and Sand Company jointly, in accordance with the offer for lease bid as authorized by the Commission on September 30, 1952 (Minute Pages 1638-39, Item 34). The bidder has offered \$0.015 per cubic yard for all sand and gravel extracted under the lease.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The Executive Officer is authorized to issue to M. J. Ruddy & Son and Santa Fe Rock and Sand Company, a copartnership, a mineral extraction lease for a term of 20 years to permit the removal of sand and gravel from the Tuolumne River, Stanislaus County, upon

*note: all also
Minute Pages
1737-1738*