

3. What is the effect of present tideland litigation?
4. Should leasing policy be statutory, without discretion in the Commission?
5. If not completely statutory, what limitations should be placed in the statutes?

In view of the fact that the Cunningham Committee has its last hearing before the 1954 Budget Session on January 15, 1954, in Los Angeles, the Commission suggested as possible dates for this hearing either January 4 or January 8, 1954.

5. (DEFERMENT OF OPERATING REQUIREMENTS, MINERAL EXTRACTION LEASE P.R.C. 709.1, CONSTRUCTION AGGREGATES CORPORATION, SAN FRANCISCO AND MARIN COUNTIES.) Construction Aggregates Corporation, lessee under Mineral Extraction Lease P.R.C. 709.1, issued February 14, 1952, pursuant to competitive public bidding, have reported that no material has been removed from the lease during the current operating year and that there is little prospect of any movement of material before the end of the lease year. Lease P.R.C. 709.1 requires an advance annual rental of \$900 and a royalty of 3 cents per cubic yard for all sand extracted and the performance of a specified minimum of one hundred shifts of extraction operations during each year of the term of the lease. The lessee is interested in continuation of the lease because of several prospects for future operations, but feels that the performance of the minimum shift requirements, without commercial removal of material, would serve no useful purpose. Therefore, it has been requested that the requirement for extraction operations be waived for the lease year ending February 13, 1954. In consideration of the lack of competition in bidding at the time of the lease offer, the prepaid annual rental, and the fact that no State lands have been occupied or utilized,

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

The Executive Officer is authorized to grant a deferment of the operating requirements specified in Section 10 of Mineral Extraction Lease P.R.C. 709.1 for the lease year ending February 13, 1954, all other terms, conditions and performance requirements under the subject lease to remain unchanged.

6. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 10619, LOS ANGELES LAND DISTRICT, KERN COUNTY, EDWARD V. JONES - S.W.O. 5659.) An offer has been received from Edward V. Jones of Los Angeles, California, to purchase the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  and SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 16, T. 29 S., R. 34 E., M.D.M., including timber thereon, containing 80 acres in Kern County. Mr. Jones has made an offer of \$400, or \$5 per acre.

The Assessor of Kern County advised that lands in the vicinity are assessed from \$1.25 to \$5 per acre. An inspection and appraisal by a member of the Commission's Staff on August 16, 1953, sets the minimum value of the subject land at \$5 per acre, plus timber value of \$6400.

The land is fairly rough, consisting largely of decomposed granite. Ponderosa pine and some Douglas fir compose the timber growth and there is very little brush. A small mountain stream crosses the property from springs in Section 17. Two log cabins of good quality, three smaller guest cabins, a shallow well and a concrete cold room are on the land. There is a low earth dam, and pipe lines run to one cabin. The cabins were built by the applicant under Government mining claims which he purchased from David C. Gallup on September 30, 1947, and from Mark Ayers on October 20, 1947. The elevation of the land is approximately 7400 feet. It is mountainous, the soil is of third quality, and is not suitable for agriculture without artificial irrigation. The land is accessible by 2 1/2 miles of dirt road, approximately one-half mile of which was built by the applicant.

The land was advertised for sale with a stipulation that no offer of less than \$6800 would be accepted. Mr. Jones advised that he could not purchase the full 80 acres at the appraised price and requested the withdrawal of the SW 1/4 of NW 1/4 from his application. He offered \$3400 for the NW 1/4 of SW 1/4, containing 40 acres, upon which the cabins are situated. The quantity and value of the timber is equal on each 40-acre parcel. No other application for the land was received pursuant to the advertising.

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

The sale is authorized of the NW 1/4 of SW 1/4 of Section 16, T. 29 S., R. 34 E., M.D.M., including timber thereon, containing 40 acres in Kern County, to the single bidder, Edward V. Jones, at a cash price of \$3400, subject to all statutory reservations including minerals.

7. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 4926, SACRAMENTO LAND DISTRICT, SAN LUIS OBISPO COUNTY, J. A. HARRINGTON AND E. R. NEEDHAM - S.W.O. 5579.) An offer has been received from J. A. Harrington and E. R. Needham of Santa Margarita, California, to purchase Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of Section 16, T. 30 S., R. 14 E., M.D.M., containing 608.16 acres in San Luis Obispo County. The applicants made an offer of \$1,216.32, or \$2 per acre.

The Assessor of San Luis Obispo County has assessed contiguous lands at \$4 to \$5 per acre. The subject land is more mountainous and is less accessible than contiguous lands.

An inspection and appraisal by a member of the Commission's Staff on October 8, 1953, sets the value of the land at \$5 per acre. The land, located at an elevation of 1200 to 2000 feet, is mountainous, rough and poor for grazing purposes. Ground cover is principally greasewood, some chaparral, two or three pine trees, and very little scrub oak. The soil is rocky and of third quality. There are no existing access roads and passage could be had only over private lands.

Before the land was advertised for sale, Mr. Harrington and Mr. Needham were advised that the minimum appraised value was \$5 per acre. They posted the necessary amount to meet that value. The land was then advertised for sale with a stipulation that no offer of less than \$3,040.80 would be accepted. No other application was received pursuant to the advertising.