

9. (APPLICATION FOR AMENDMENT OF LEASE P.R.C. 560.6, TIDE AND SUBMERGED LANDS, SAN LUIS OBISPO BAY, SAN LUIS OBISPO COUNTY, PORT SAN LUIS TRANSPORTATION COMPANY - W.O. 1698.) Port San Luis Obispo Transportation Company has applied for amendment of its Lease P.R.C. 560.6, issued on December 26, 1946. The amendment is to enable the Company to fill in tide and submerged lands in San Luis Obispo Bay, San Luis Obispo County, immediately adjacent to the upland, which it owns, and immediately adjacent to the sovereign lands covered by said lease, the purpose being to widen the access road and thereby permit additional use to be made of its pier. The existing lease covers 9.58 acres, more or less; the additional area to be filled contains 6.18 acres, more or less. The annual rental presently amounts to \$123.55. The increased area, at the same appraised value as that established in 1950, will require an increase in annual rental to \$184.73. Since this amendment will be effective March 26, 1954, the pro rata increase for the current year will be \$55.89. The Staff believes that the present surety bond provision calling for bond in the amount of \$10,000 is sufficient. The applicant has agreed to commence filling operations (with acceptable solid material) within six months of the effective date of said amendment to an elevation of plus 16.0 feet, more or less, being the present road level, and to complete said operation within two years of the effective date, the fill to remain State property upon termination or expiration of the lease.

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO AMEND LEASE P.R.C. 560.6, ISSUED TO THE PORT SAN LUIS TRANSPORTATION COMPANY ON DECEMBER 26, 1946, THE EFFECTIVE DATE BEING MARCH 26, 1954, BY INCREASING THE AREA FROM 9.58 ACRES TO TWO PARCELS OF 9.58 ACRES AND 6.18 ACRES RESPECTIVELY; BY INCREASING THE ANNUAL RENTAL FROM \$123.55 TO \$184.73; BY REVISING THE PURPOSE OF THE AGREEMENT TO INCLUDE FILLING, CONSTRUCTION, MAINTENANCE AND USE OF AN ACCESS ROAD; BY PROVIDING THAT FILLING OPERATION SHALL COMMENCE WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS AGREEMENT AND BE COMPLETED WITHIN TWO YEARS OF SAID EFFECTIVE DATE; AND BY PROVIDING FURTHER THAT SAID FILL, UPON BEING PLACED ON DEMISED AREA, SHALL REMAIN STATE PROPERTY UPON TERMINATION OR EXPIRATION OF THIS AGREEMENT. ALL OTHER TERMS AND CONDITIONS OF LEASE P.R.C. 560.6 ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

10. (SALE OF VACANT SCHOOL LAND, APPLICATION NO. 10597, LOS ANGELES LAND DISTRICT, SAN DIEGO COUNTY, LELAND L. SHAW - S.W.O. 5622.) An offer has been received from Leland L. Shaw of Campo, California, to purchase the E $\frac{1}{2}$ of Tract 69 (Section 36), T. 17 S., R. 5 E., S.B.M., containing 320 acres in San Diego County. Mr. Shaw made an offer of \$640, or \$2 per acre.

The Assessor of San Diego County is assessing land adjoining the subject land at \$2.50 per acre, thus indicating its appraised value to be \$5 per acre.

An inspection and appraisal by a member of the Commission's Staff on November 19, 1953, sets the minimum value at \$6 per acre. The subject land lies chiefly in a valley, running into hills on both sides and narrowing toward the north. It has been used for grazing purposes, also for watering cattle at a well with windmill located on or immediately south of the land. The south part of valley is heavily grazed and trampled by cattle. The land contains various rocky,

mountainous and level areas with soil of second quality which supports sagebrush and chaparral. There is fair graze. The land is not suitable for agriculture without artificial irrigation and has no possible reservoir site. Access is provided by an existing dirt road which traverses the land.

Before the land was advertised for sale, Mr. Shaw was advised that the minimum appraised value was \$6 per acre. He posted the necessary amount to meet the appraised value of \$1,920.

Before the land was advertised for sale, the application (10601, Los Angeles Land District, S.W.O. 5626) of Ronald C. Kemp of Campo, California, to purchase the subject land was received and filed. Mr. Kemp made an offer of \$2 per acre, and subsequent to the appraisal increased his offer to \$2,720, or \$8.50 per acre.

The land was advertised for sale with a stipulation that no offer of less than \$2,720 would be accepted. No other applications for the land were received pursuant to the advertising. Mr. Shaw, as the first applicant, has the right, within 20 days after notice, to deposit the amount necessary to meet the price fixed by the Commission.

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

THE SALE IS AUTHORIZED OF THE E $\frac{1}{2}$ OF TRACT 69 (SECTION 36), T. 17 S., R. 5 E., S.B.M., CONTAINING 320 ACRES IN SAN DIEGO COUNTY, TO THE FIRST APPLICANT, LELAND L. SHAW, AT A CASH PRICE OF \$2,720, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS. IN THE EVENT THE FIRST APPLICANT, MR. SHAW, FAILS TO EXERCISE HIS RIGHT TO MEET THE PRICE FIXED BY THE COMMISSION, THE SUBJECT LAND IS TO BE SOLD TO THE SECOND APPLICANT, MR. KEMP, WHO IS THE HIGH BIDDER, AT \$2,720, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

11. (PROPOSED PURCHASE OF FEDERAL LANDS, INYO COUNTY, JOHN GRANT - S.W.O. 5618.) On April 29, 1953, Mr. John Grant of Los Angeles, California, made application to purchase through this office the N $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T. 19 S., R. 37 E., M.D.M., containing 160 acres in Inyo County. The applicant deposited the minimum acceptable deposit of \$5 per acre, pending appraisal, together with the required expense deposit of \$100 and the filing fee of \$5.

Following discussions between a member of the Staff and the Regional Officer of the Bureau of Land Management, it was determined that the most expeditious manner in which to acquire the land for Mr. John Grant was through the medium of an exchange under Section 8 of the Taylor Grazing Act. Therefore, an exchange application was made under the provision of said Section 8 of the Taylor Grazing Act, using as base the NW $\frac{1}{4}$ of Section 16, T. 31 S., R. 35 E., M.D.M.

On November 12, 1953, the Bureau of Land Management at Washington, D. C., advised that the selected lands are available for exchange and that the values of the selected and offered lands are approximately equal for the purpose of the exchange; that there are no outstanding contests or protests of record; that the requirements pertaining to the application have been met, and that publication of the exchange is therefore authorized pursuant to Order 473 of August 27, 1952 (17 F.R. 7884). The notice of the exchange application, describing both the Government lands and the State lands, was published as required.