

vacant Federal land under the indemnity selection procedure, and that no reservation of a road right-of-way was set forth in the conveyance to the State by the United States, and no authority of law exists whereby the State may reserve a right-of-way in his favor. In addition, publication of notice of the State selection application occurred once a week for five consecutive weeks in a newspaper of general circulation in the county in which the land is situated, giving public notice to all interested parties that protests to the State's application would be received by the United States Bureau of Land Management. Mr. Preisig failed to submit any protest at that time.

"The matter has been informally discussed with a representative of the Attorney General's Office, and it is felt that the right-of-way problem does not come within State jurisdiction but instead is a matter to be resolved between Mr. Preisig and the State applicant. It is felt that the State is obligated to issue patent to its applicant subject only to such reservations as may be set forth in the conveyance from the United States and subject to such reservations as are mandatory by State Statutes."

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

THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND COMPRISED IN THE  $W\frac{1}{2}$  OF  $SW\frac{1}{4}$  OF  $SE\frac{1}{4}$  AND  $SE\frac{1}{4}$  OF  $SW\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SECTION 14, T. 10 N., R. 9 E., M.D.M., CONTAINING 30 ACRES IN EL DORADO COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION SELECTS AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO WM. L. WEIR, AT THE MINIMUM CASH PRICE OF \$150, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

15. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATION NO. 1930, SACRAMENTO LAND DISTRICT, SONOMA COUNTY, CLYDE D. HORNER - S.W.O. 5596.) The following report was presented to the Commission:

"An offer has been received from Clyde D. Horner of San Francisco, California, to purchase the  $S\frac{1}{2}$  of  $SW\frac{1}{4}$  of Section 5,  $S\frac{1}{2}$  of  $SE\frac{1}{4}$  of Section 6,  $N\frac{1}{2}$  of  $NW\frac{1}{4}$  and  $W\frac{1}{2}$  of  $NE\frac{1}{4}$  of Section 8, and Lots 2, 3 and 4 of Section 17, T. 11 N., R. 8 W., M.D.M., containing 404.65 acres in Sonoma County. This land may be obtained by the State from the Federal Government through use of base. Mr. Horner made an offer of \$2,023.25, or \$5 per acre.

"The Assessor of Sonoma County has assessed contiguous land at \$1.50 per acre, thus indicating its appraised value to be \$3 per acre.

"An inspection and appraisal by a member of the Commission's staff on August 16, 1953 establishes the value of the subject land at \$5 per acre. Said appraisal also indicates that said land is not suitable for cultivation without artificial irrigation.

"The selection of the subject land is considered to be to the advantage of the State in that the selection thereof will assist the State in satisfying the loss to the School Land Grant and in addition will place said land on the tax rolls of the county in which it is situated.

"The State's application to select the land has been accepted by the Bureau of Land Management, subject to future approval and listing."

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

THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND COMPRISED IN THE S $\frac{1}{2}$  OF SW $\frac{1}{4}$  OF SECTION 5, S $\frac{1}{2}$  OF SE $\frac{1}{4}$  OF SECTION 6, N $\frac{1}{2}$  OF NW $\frac{1}{4}$  AND W $\frac{1}{2}$  OF NE $\frac{1}{4}$  OF SECTION 8, AND LOTS 2, 3 AND 4 OF SECTION 17, T. 11 N., R. 8 W., M.D.M., CONTAINING 404.65 ACRES IN SONOMA COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION SELECTS AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO GLYDE D. HORNER AT THE APPRAISED CASH PRICE OF \$2,023.25, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS, UPON THE LISTING (CONVEYANCE) OF SAID LAND TO THE STATE BY THE FEDERAL GOVERNMENT.

16. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATION NO. 10565, LOS ANGELES LAND DISTRICT, SAN DIEGO COUNTY, JEAN C. MILLER - S.W.O. 5556.) The following report was presented to the Commission:

"An offer has been received from Jean C. Miller of Los Angeles, California, to purchase the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, T. 13 S., R. 1 W., and Lot 2 of Section 3, T. 14 S., R. 1 W., S.B.M., containing 81.42 acres in San Diego County. This land may be obtained by the State from the Federal Government through use of base. Mr. Miller made an offer of \$407.10, or \$5 per acre.

"The Assessor of San Diego County has assessed contiguous land at \$1.50 per acre, thus indicating its appraised value to be \$3 per acre.

"An inspection and appraisal by a member of the Commission's staff on December 8, 1954 establishes the value on the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, T. 13 S., R. 1 W., S.B.M., containing 40 acres, at \$15 per acre, and the value of Lot 2 of Section 3, T. 14 S., R. 1 W., S.B.M., containing 41.42 acres, at \$20 per acre. Said appraisal also indicates that the land is not suitable for cultivation without artificial irrigation.

"Mr. Miller posted the necessary amount to meet the appraised value of \$600, or \$15 per acre, for the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 33, T. 13 S., R. 1 W., S.B.M., and requested that the remaining land be deleted from his application due to his inability to meet the appraiser's value of \$20 per acre for said Lot 2.