

21. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU APPLICATION NO. 4798, SACRAMENTO LAND DISTRICT, HUMBOLDT COUNTY, CLARENCE L. NIELSON - S.W.O. 5344.) The following report was presented to the Commission:

"An offer has been received from Clarence L. Nielson of Santa Cruz, California, to purchase the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, T. 5 S., R. 3 E., H.M., containing 40 acres in Humboldt County. This land may be obtained by the State from the Federal Government through use of base. Mr. Nielson made an offer of \$200, or \$5 per acre.

"The Assessor of Humboldt County has assessed contiguous 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 April 15, 1955 establishes the value of the subject land at \$5 per acre, or \$200, plus \$2,700 for timber thereon, or a total of \$2,900, thus establishing a total average of \$72.50 per acre. Mr. Nielson posted the necessary amount to meet this value. Said appraisal also indicates that the 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, and the land was listed (conveyed) to the State May 10, 1954."

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 SE $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 21, T. 5 S., R. 3 E., H.M., CONTAINING 40 ACRES IN HUMBOLDT 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 CLARENCE L. NIELSON AT THE APPRAISED CASH PRICE OF \$2,900, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

22. (REFUND UNDER CANCELLED GRAZING LEASE P.R.C. 1259.2, HUMBOLDT COUNTY, E. N. TOOBY - S.W.O. 5571.) The following report was presented to the Commission:

"On December 17, 1954 (Minute Item 10, pages 2201 and 2202), the Commission authorized the sale of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, E $\frac{1}{2}$ of NW $\frac{1}{4}$, W $\frac{1}{2}$ of NE $\frac{1}{4}$, SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 16, T. 5 S., R. 4 E., H.M., containing 320 acres in Humboldt County, to Mal Coombs at a cash price of \$7,040. Completion of this sale by issuance of patent on February 14, 1955 automatically terminated Grazing Lease

P.R.C. 1259.2 covering the same land held by E. N. Tooby, the first and fifth annual rentals for which had been paid upon the execution of the lease on June 1, 1953. Thereafter, there was prepaid by the lessee the second annual rental for the period June 1, 1954 to May 31, 1955. The annual rental was \$96.

"Section 6505.5 of the Public Resources Code provides that the sale of said land ipso facto terminates said lease, and Section 6509 of said code provides that upon the sale of the land by the State the lessee shall surrender the lease to the Commission and receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual rentals to be refunded to the lessee. Therefore, E. N. Tooby, as the lessee, is entitled to a refund of the unearned fifth annual rental, prepaid at the time of executing the lease, amounting to \$96, and the unearned balance of the second annual rental prepaid, amounting to \$28.05, a total of \$124.05."

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A REFUND CERTIFICATE TO E. N. TOOBY IN THE AMOUNT OF \$124.05, REPRESENTING THE UNEARNED RENTALS UNDER CANCELLED GRAZING LEASE P.R.C. 1259.2, UPON THE SURRENDER OF THE GRAZING LEASE BY MR. TOOBY.

23. (REFUND UNDER CANCELLED GRAZING LEASE P.R.C. 1238.2, MONO COUNTY, SARIO LIVESTOCK CO. - S.W.O. 546⁰.) The following report was presented to the Commission:

"On February 24, 1955 (Minute Item 3, pages 2264 and 2265), the Commission authorized the sale of the SE $\frac{1}{4}$ of Section 36, T. 4 N., R. 24 E., M.D.M., containing 160 acres in Mono County, to F. M. Fulstone at a cash price of \$1,120. Completion of this sale by issuance of patent on May 11, 1955 automatically terminated Grazing Lease P.R.C. 1238.2 covering the same land, held by the Sario Livestock Co., the first and fifth annual rentals for which had been paid upon the execution of the lease on August 11, 1952. Thereafter, there was prepaid by the lessee the third annual rental amounting to \$120 for the period August 11, 1954 to August 10, 1955.

"Section 6505.5 of the Public Resources Code provides that the sale of said land ipso facto terminates said lease, and Section 6509 of said code provides that upon the sale of the land by the State the lessee shall surrender the lease to the Commission and receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual rentals to be refunded to the lessee. Therefore, the Sario Livestock Co., as the lessee, is entitled to a refund of the unearned fifth annual rental, prepaid at the time of executing the lease, amounting to \$120, and the unearned balance of the third annual rental prepaid, amounting to \$30, a total of \$150."

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