

9. (1957 SESSION LEGISLATION - W. O. 2115.) The following report was presented to the Commission:

"In order that the Commission may have time to consider legislation for the 1957 session that is in the interest of the State and pertinent to the jurisdiction and duties of the State Lands Commission, it is proposed to present at each Commission meeting prior to January 1, 1957 several items for consideration."

Mr. Lower of The Superior Oil Company asked for an explanation as to the reasons for the proposed bills, and after it was explained that these were for the purpose of clarifying technicalities in the law, he indicated that he wanted it clearly understood that he was not objecting to rectifications of procedural matters and withdrew his previous objection.

The Chairman inquired whether it would be in order to prepare bills proposing to carry out the recommendations made, with bills to be brought back later to the Commission for approval before presenting them to the Legislature, stating he wanted it understood that any bills drawn up would be brought back to the Commission to endorse. Mr. Kirkwood suggested authorizing the staff to contact the pertinent interim committees to help with drafting the necessary bills. The Chairman made it clear that he was not objecting to having the staff work on the problems outlined, but wanted it understood that the Commission should be kept advised on what was being done so that it would have an idea of what legislation was being suggested to be sponsored by the Commission. Mr. Watson reported that at the January 1957 meeting of the Commission a report would be made of all bills to be sponsored by the Commission.

The Chairman authorized Mr. Watson to discuss legislative matters with interim committees of the State Legislature.

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

THE COMMISSION AUTHORIZES THE STAFF ON ITS BEHALF TO DO THE FOLLOWING:

(W. O. 2115.1) HAVE AGAIN INTRODUCED, WITH THE CONCURRENCE OF THE ATTORNEY GENERAL AND OF THE ADMINISTRATIVE ADVISER OF THE DEPARTMENT OF FINANCE, A BILL AMENDING SECTION 1007 OF THE CIVIL CODE TO PROVIDE THAT NO TITLE TO STATE LAND MAY BE ACQUIRED BY PRESCRIPTION. S.B. 527 OF 1955 TO THIS EFFECT PASSED THE SENATE, BUT FAILED PASSAGE IN THE ASSEMBLY WHEN THE PUBLIC UTILITIES OBJECTED TO THE BILL FOR THE REASON THAT IT WOULD PRECLUDE THE RIGHTS THEY THINK THEY HAVE TO OBTAIN WATER RIGHTS BY ADVERSE POSSESSION. (THIS LATTER PROBLEM CAN BE RECONCILED THROUGH PROPER USE OF LANGUAGE, SINCE THE INTENT OF THE AMENDMENT IS ONLY TO AVOID PRESCRIPTION OF STATE-OWNED LAND.)

(W. O. 2115.2) HAVE INTRODUCED A BILL TO VALIDATE ALL RULES AND REGULATIONS ADOPTED BY THE COMMISSION AND WHICH ARE NOW IN THE ADMINISTRATIVE CODE IN TITLE 2, DIV. 3, CHAP. 1, SEC. 1900 TO SEC. 2604 UNDER -

REGISTER 25, NO. 5 - 9-15-51, AND
REGISTER 55, NO. 12 - 8-20-55, AND
REGISTER 56, NO. 10 - 6-2-56.

(MR. EVERETT W. MATTOON, AT THE TIME THE COMMISSION WAS CONSIDERING ADOPTION OF RULES AND REGULATIONS PERTINENT TO OIL AND GAS OPERATION, SUGGESTED THAT SUCH A VALIDATION ACT BE INTRODUCED.)

(W.O. 2115.3) HAVE INTRODUCED A BILL OR BILLS, WITH THE CONCURRENCE OF THE ATTORNEY GENERAL AND OF THE COUNTY BOARDS OF SUPERVISORS, THAT WOULD COORDINATE COUNTY BOUNDARIES WITH THE SEAWARD STATE BOUNDARY AS SET FORTH IN SECTIONS 170 AND 171 OF THE GOVERNMENT CODE. (THIS IS ANOTHER LEGISLATIVE PROBLEM THAT MR. MATTOON SUGGESTED SHOULD BE CONSIDERED.)

10. (DEFERMENT OF OPERATING REQUIREMENTS, MINERAL EXTRACTION LEASE P.R.C. 1314.2, ARGUS DEVELOPMENT COMPANY, INYO COUNTY.) The following report was presented to the Commission:

"On July 28, 1954 (Minute Item 8, page 2109) the Commission authorized the Executive Officer to grant a deferment of the operating requirements specified in Section 10 of Mineral Extraction Lease P.R.C. 1314.2 for the lease year ending May 21, 1954, all other terms, conditions, and performance requirements under the subject lease to remain unchanged. Lease P.R.C. 1314.2 requires, in part, that the lessee shall complete at least 100 shifts of work during each year of the term of the lease. Ten shifts were completed during the lease year ending 1955 and eight shifts have been completed during the lease year ending 1956. The lessee has reported extreme difficulty in obtaining mining personnel for the desert area in which the lease is located, but that it can now reasonably be anticipated that development under the lease can proceed. In consideration of the lack of competition in bidding at the time of the lease offer and the annual rental prepayments which have been made,"

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. 1314.2 FOR THE LEASE YEARS ENDING MAY 21, 1955 AND MAY 21, 1956, ALL OTHER TERMS, CONDITIONS, AND PERFORMANCE REQUIREMENTS UNDER THE LEASE TO REMAIN UNCHANGED.

11. (LOCATION OF BOUNDARY LINE BETWEEN ALPINE COUNTY AND AMADOR, CALAVERAS AND TUOLUMNE COUNTIES - W. O. 710.) The following report was presented to the Commission:

"At the meeting of the State Lands Commission of December 17, 1954 (Item No. 35, Minute pages 2226-2229) the Commission made a finding as to the location of the boundary between Alpine County and the counties of Amador, Calaveras and Tuolumne. In addition to the finding as to the location of the boundary, the Commission also stated: