

"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 on December 30, 1955."

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 N $\frac{1}{2}$  OF SW $\frac{1}{4}$  OF SECTION 28, T. 33 N., R. 1 E., NE $\frac{1}{4}$  OF SECTION 26 AND NE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF FRACTIONAL SECTION 30, T. 34 N., R. 1 E., M.D.M., CONTAINING 280 ACRES IN SHASTA COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION; THE COMMISSION APPROVES THE SELECTION AND AUTHORIZES THE SALE OF SAID LAND, FOR CASH, TO RICHARD M. MURPHY, JR. AT THE APPRAISED CASH PRICE OF \$33,800, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

42. (VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATION NO. 4846, SACRAMENTO LAND DISTRICT, LAKE COUNTY, ERNEST M. MCKEE, SR. - S.W.O. 5403.) The following report was presented to the Commission:

"At the meeting of the State Lands Commission on August 15, 1956 there was presented for consideration the matter of the application of Ernest M. McKee, Sr., of Berkeley, California, for the purchase of the S $\frac{1}{2}$ , W $\frac{1}{2}$  of NE $\frac{1}{4}$ , and SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 15, T. 11 N., R. 8 W., M.D.M., containing 440 acres in Lake County. As a result of an extended discussion at that meeting, at which Mr. McKee and his attorney, Mr. G. N. Tocher appeared, the following action was taken:

'THE COMMISSION DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LAND COMPRISED IN THE S $\frac{1}{2}$ , W $\frac{1}{2}$  OF NE $\frac{1}{4}$  AND SW $\frac{1}{4}$  OF NE $\frac{1}{4}$  OF SECTION 15, T. 11 N., R. 8 W., M.D.M., CONTAINING 440 ACRES IN LAKE COUNTY; THE COMMISSION FINDS THAT SAID FEDERAL LAND IS NOT SUITABLE FOR CULTIVATION, AND APPROVES THE SELECTION OF THE SUBJECT LAND, WITH THE UNDERSTANDING THAT THE TIME LIMIT FOR DEPOSITING THE ADDITIONAL MONEY REQUIRED TO MEET THE APPRAISED PRICE BE EXTENDED TO OCTOBER 15, 1956 TO GIVE THE APPLICANT ADEQUATE TIME TO PRESENT HIS RECOMMENDATIONS TO THE STAFF, AND THAT THE STAFF IN TURN MAKE ITS RECOMMENDATIONS TO THE COMMISSION AT THE EARLIEST POSSIBLE DATE, WITH THE APPLICANT AND THE STAFF TO AGREE ON QUESTIONS TO BE POSED TO THE ATTORNEY GENERAL AS TO THE APPROPRIATE TIME OF APPRAISAL.'

"Pursuant to said resolution, this office prepared a draft of a request for an opinion by the Attorney General and submitted it to the attorney for Mr. McKee by letter dated September 6, 1956, with a request that it be reviewed so that it could be submitted to the Attorney General in such form as to cover all legal points raised by either the applicant or by the State.

"At the Commission meeting of August 15, 1956, it was informally agreed that Mr. Tocher would submit his findings on land values to the Commission's staff, and that in turn the staff would submit its recommendations to the Commission. Mr. Tocher has submitted figures to the Sacramento office of the State Lands Division.

"A few days prior to October 15, 1956 (the date of the expiration of the extension granted by the Commission under its resolution of August 15, 1956), the members of the Commission were approached separately on behalf of Mr. McKee with a request for a further extension. Meanwhile nothing had been received by the State Lands Division from the applicant concerning the review of the rough draft of the request to the Attorney General. The members of the State Lands Commission were contacted by telephone by the Executive Officer and were asked for oral approval of a further extension until November 15, 1956. This oral approval was received."

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

THE COMMISSION CONFIRMS ITS ACTION TAKEN ORALLY TO AMEND ITS ACTION TAKEN AT THE MEETING OF AUGUST 15, 1956, SO AS TO EXTEND THE TIME LIMIT SPECIFIED THEREIN TO NOVEMBER 15, 1956.

- \*43. (SALE OF VACANT FEDERAL LAND, OBTAINED THROUGH USE OF BASE, LIEU LAND APPLICATION NO. 5116, SACRAMENTO LAND DISTRICT, EL DORADO COUNTY, GLENN H. OVIATT - S.W.O. 6010.) The following report was presented to the Commission:

"An offer has been received from Glenn H. Oviatt of Omo Ranch, California, to purchase Lots 12, 13, 16 and 17 of Section 4 and Lot 3 of Section 9, T. 8 N., R. 13 E., M.D.M., containing 46.32 acres in El Dorado County. This land may be obtained by the State from the Federal Government through use of base. The applicant made an offer of \$231.60, or \$5 per acre.

"The Assessor of El Dorado County has assessed contiguous land at \$6 per acre.

"An inspection and appraisal by a member of the Commission's staff on June 19, 1956 establishes the value of the subject land at a total price of \$11,927.40. The applicant failed to meet the appraised value within the time allowed and accordingly his application was cancelled. The State, however, proceeded with acquisition of the land from the United States and the land was listed (conveyed) to the State on October 1, 1956.

"The appraisal 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."

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