

3/1/66

33. MODIFIED FORM OF PROSPECTING PERMIT - W.O. 5615.

After consideration of Calendar Item 6 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION APPROVES AND ADOPTS, PURSUANT TO DIVISION 6, PART 2, CHAPTER 3, ARTICLE 5 OF THE PUBLIC RESOURCES CODE, THE PROSPECTING PERMIT FORM REFERRED TO AS EXHIBIT "A" (W.O. 5615) ON FILE IN THE OFFICE OF THE COMMISSION AND HEREBY MADE A PART HEREOF BY REFERENCE, AS THE FORM TO BE UTILIZED FOR PROSPECTING PERMITS.

Attachment

Calendar Item 6 (1 page)

6.

MODIFIED FORM OF PROSPECTING PERMIT - W.O. 5615.

Several applications have been received recently for prospecting permits covering areas which have been patented to private ownership subject to mineral reservations by the State. The staff and the office of the Attorney General have prepared a modified form of prospecting permit to provide for prospecting on State owned lands and lands that have been sold with a mineral reservation (Exhibit "A"). The revised form contains terms and conditions which will provide for this divided ownership and which will protect the State against liability, under the 1961 amendment of Public Resources Code Section 6401, which provides that a prospector of such land must compensate the purchasers for damage to permanent improvements or crops on the land caused by reason of such prospecting.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE AND ADOPT, PURSUANT TO DIVISION 6, PART 2, CHAPTER 3, ARTICLE 5 OF THE PUBLIC RESOURCES CODE, THE PROSPECTING PERMIT FORM REFERRED TO AS EXHIBIT "A" (W.O. 5615) ON FILE IN THE OFFICE OF THE COMMISSION AND HEREBY MADE A PART HEREOF BY REFERENCE, AS THE FORM TO BE UTILIZED FOR PROSPECTING PERMITS.