

A meeting of the State Lands Commission was held in the office of the Department of Finance, State Capitol, Sacramento, California, at 10 o'clock A.M., May 3, 1939.

Present were:

Phil S. Gibson, Chairman,
Ellis E. Patterson, Member,
Harry B. Riley, Member.

The Executive Officer reported briefly upon prior recommendation that compensatory agreement be entered into with the Standard Oil Company of California to cover certain lands on McDonald Island, San Joaquin County, California, owned by the State, and that slow progress was being realized in the compensatory agreement to cover lands of the State and bed of the Sacramento River and tributaries near Rio Vista on account of the difficulty of the ascertainment of ownership of lands in the bed of the river as it now exists.

A request of Mr. Wm. C. McDuffie that the State advertise for lease, for extraction of oil and gas, a parcel of real property owned by the State and described as Lot 2, Citrus Grove Heights Tract, as per Book 22, pp. 86-87, records of Los Angeles County, was presented by the Executive Officer for consideration of the Commission. During the discussion, it appeared that a parcel of the State property was not being drained, and there appeared to exist no probability of immediate drainage.

Upon motion of Mr. Riley, seconded by Mr. Patterson, and unanimously carried, a resolution was adopted denying the application.

Upon motion of Mr. Patterson, seconded by Mr. Riley, by resolutions adopted by unanimous vote, the Executive Officer was authorized and directed to perform the acts, and his acts were approved and confirmed, as follows:

1. Approval of a contract to purchase crude oil, between Caroline C. Spalding and Standard Oil Company of California, from State Oil and Gas Lease No. 93, Elwood, subject to conditions contained in approval heretofore given to contract between Standard Oil Company of California and Pacific Western Oil Corporation, as set forth in the minutes of the Commission, dated February 10, 1939.

2. Restore royalty on oil and gas produced from State Oil and Gas Lease No. 17, Summerland, to 12 $\frac{1}{2}$ % of the value of the production.

3. Authorize surrender of easement and abandonment of well described therein, designated as Agreement for Easement No. 332, Huntington Beach.

4. Approval of plans under Application No. 49, of San Luis Obispo County, for construction of a pier barrier on tidelands at Pismo, California.

5. Deny application of Bel-Air Bay Club, Ltd., for modification and approval of plans, heretofore given, to enable the applicant to substitute materials and to repudiate line of ordinary high water mark alleged to have been heretofore established by arbitration agreement, executed on the 5th day of April, 1938, by Carl B. Sturzenacker, Chief of the Division of State Lands.

6. Consent be given for execution by Director of Finance of limited easement for period ending December 31, 1940, to Oxnard Harbor District, for purpose of depositing spoils upon tidelands and submerged lands easterly of entrance channel at Point Hueneme, California.

7. Approval of assignment of State Mineral Prospecting Permit No. 390, to H. Earl Wilcox.

Notes: Mr. Patterson excused himself from further participation in the business of the meeting.

Upon motion of Mr. Riley, seconded by Mr. Gibson, by resolutions adopted by unanimous vote, the Executive Officer was authorized and directed to perform the acts, and his acts were approved and confirmed, as follows:

1. Excision on behalf of Commission of an agreement between A. C. Roedell and Turlock Peanut Growers Company, covering real property at Delhi State Land Settlement.

2. Approval of report of Executive Officer that the State deny liability on account of demands made by various parties designated as owners of Conway Ditch, at Delhi State Land Settlement.

3. Refuse offer of Robert J. Sullivan, whereby his principal would pay the State 25% of the amount of the State's claim, and would buy all available equipment in connection with action entitled People vs. Rosemar Oil Company.

4. Action of Executive Officer in authorizing Attorney General to employ W. P. Rowe, as consulting engineer, to assist in preparation of action against City of Los Angeles to recover damages on account of flooding Owens Lake, Inyo County, California.

5. Appointment of Charles T. Leeds under TAU to position of Consulting Seacoast Engineer.

6. Approval of civil service specifications for establishment of position of Consulting Geologist and Petroleum Engineer.

7. Appointment of Edward P. Shaw, certified by State Personnel Board to position of gauger, at Huntington Beach.

8. Payment of the sum of \$100.00 to Sacramento Real Estate Board, for appraisal of Lots 83, 84 and "H" of the Wright and Kimbrough Tract.

9. Payment to the Department of Finance of the sum of \$399.50, representing value of Dodge 6 Sedan, loaned to Division of State Lands, and traded by Division as part of purchase price for new motor vehicle.

10. Authorized State Controller to transfer \$115,351.30 from State Lands Act Fund to General Fund and State Park Maintenance and Acquisition Fund, in percents of 70 and 30 respectively.

11. Authorized exchange of following described real property at Delhi State Land Settlement, said property situate in the County of Merced, State of California, and more particularly described as follows, to wit:

Lot 5, Block 25, Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records, containing an area of 0.20 acres, more or less.

Lot 4, Block 26, Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records, containing an area of 0.43 acres, more or less.

Lots 5 and 6, Block 26, of Revised Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records.

Lots 16, 17, 18, 19, and 20, Block 4, of Revised Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records.

Lots 25 and 26, Block 5, of Revised Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records.

Lot 30, Block 1, of Revised Delhi Townsite of the Delhi State Land Settlement, as per official map thereof recorded in Book 9, Page 39, Merced County Records.

Lot 90 A, beginning at the west corner of Lot 90 of the Delhi State Land Settlement as per official map thereof, recorded in Book 8 of Maps, Page 2, Merced County Records, and running thence along center line of Commercial Street S. 42° 21' E. 240 feet, thence N. 47° 39' E. 133 feet, thence N. 0° 11' E. 255 feet more or less to center line of El Capitan Way, thence along center of El Capitan Way N. 89° 49' W. 75 feet more or less to intersection with center line of old location of El Capitan Way now abandoned, thence S. 47° 39' W. 251.3 feet more or less to place of beginning, containing 1.28 acres, more or less;

to Earl A. Henderson, et ux., in exchange for certain real property situate in the City of Sacramento, County of Sacramento, State of California, and bounded and described as follows, to wit:

All of Lots numbered 83 and 84, and Lot "H" of Wright and Kimbrough Industrial Tract, according to the official plat thereof, filed in the office of the Recorder of Sacramento County on January 3, 1927, in Book 19 of Maps, Map No. 17, excepting those portions thereof described as follows:

Commencing at the Northeast corner of said Lot 83, thence South $11^{\circ} 42.25'$ East along the East line of said Lot 83, a distance of 7.11 feet; thence continuing along the East line of said Lot 83, South $8^{\circ} 10.16'$ East a distance of 257.20 feet to the Southeast corner of Lot "H" thence North $71^{\circ} 01.5'$ West along the Southerly line of Lot "H", 32.91 feet to the Northwest corner of Lot "R"; thence South $18^{\circ} 46'$ West along the West line of said Lot "R", 153.91 feet to the Southeast corner of said Lot 84; thence North $71^{\circ} 01.5'$ West along the South line of said Lot 84, a distance of 213.70 feet; thence North $18^{\circ} 58' 30''$ East, a distance of 388.91 feet to the Northerly line of said Lot 83; thence South $71^{\circ} 01.5'$ East along the North line of said Lot 83, a distance of 125.02 feet to the point of beginning;

Subject to:

1. Sacramento City and County real property taxes, for 1939-1940, now a lien, but the amounts thereof not yet ascertained;

2. An easement right of way for sewers, water and gas mains, over a strip of land six feet in width through Lot "H" of hereinabove described property, the center line of which is 12 feet south of and parallel with the center line of said lot, all as dedicated on the plat of Wright and Kimbrough Industrial Tract, whereby title is conveyed to the State of California, of that certain real property, situate in the City of Sacramento, County of Sacramento, State of California, hereinabove described;

and payment from the State Land Settlement Fund to Earl A. Henderson, et ux., of the sum of Eight Thousand Five Hundred (8,500.00) Dollars.

The Executive Officer of the State Lands Commission is authorized and directed to execute conveyance to Earl A. Henderson, et ux., for the above described Delhi State Land Settlement properties, escrow instructions to the title company, and to perform any and all other acts necessary and desirable to consummate the within transaction.

12. Approval of Application No. 720, of George A. Clough, to lease 3120 acres in Lassen County, California, for a period of three years, at ten cents per acre per year, for grazing purposes, described as $W\frac{1}{2}$ of $NW\frac{1}{4}$, $W\frac{1}{2}$ of $SW\frac{1}{4}$, $SW\frac{1}{4}$ of $NE\frac{1}{4}$, $E\frac{1}{2}$ of $NE\frac{1}{4}$, $SE\frac{1}{4}$ of Sec. 16, T. 33 N., R. 12 E.; all of Sec. 16, T. 33 N., R. 14 E.; $NE\frac{1}{4}$ of $NW\frac{1}{4}$, $S\frac{1}{2}$ of $NW\frac{1}{4}$, $SW\frac{1}{4}$, $NE\frac{1}{4}$, $NW\frac{1}{4}$ of $SE\frac{1}{4}$, $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 36, T. 34 N., R. 11 E.; $S\frac{1}{2}$ of $NW\frac{1}{4}$, $W\frac{1}{2}$ of $SW\frac{1}{4}$, $NE\frac{1}{4}$, $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 16, T. 34 N., R. 12 E., $W\frac{1}{2}$, $N\frac{1}{2}$ of $NE\frac{1}{4}$, $NE\frac{1}{4}$ of $SE\frac{1}{4}$, $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 36, T. 34 N., R. 12 E.; all of Sec. 36, T. 34 N., R. 13 E., M.D.M.

13. Approval of Application No. 721, of Mrs. S. T. Eldridge, to lease 640 acres in Lassen County, described as Sec. 36, T. 36 N., R. 6 E., M.D.M., for a period of two years, at five cents per acre per year, for grazing purposes.

14. Approval of Application No. 722, of William E. Otis, Jr., to lease 40 acres in San Bernardino County, described as $NW\frac{1}{4}$ of $SE\frac{1}{4}$, Sec. 36, T. 7 N., R. 1 W., S.B.M., for a period of three years, at a rental of eighty cents per acre per year, for camp purposes.

15. Approval of Application No. 723 of D. S. French, to lease certain property in Madera County, described as Section 36, T. 9 S., R. 19 E., M.D.M., for a period of three years, at $21\frac{1}{2}$ cents per acre per year, for grazing purposes, and in the event said D. S. French fails to pay said rental within the time allowed by the rules and regulations, J. L. Sparks, who filed Lease Application No. 725, covering the same land and made the offer of $21\frac{1}{2}$ cents per acre per year, to be given the lease.

16. Approval of Application No. 724, of the Long Valley Cattle Association, to lease 5083.02 acres in Lassen County, described as Lot 2 and $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 6, T. 25 N., R. 17 E.; $NW\frac{1}{4}$; $N\frac{1}{2}$ of $SW\frac{1}{4}$ and $E\frac{1}{2}$ of Section 10; all of Section 11, $NW\frac{1}{4}$, $NW\frac{1}{4}$ of $SW\frac{1}{4}$, $S\frac{1}{2}$ of $SW\frac{1}{4}$, $SW\frac{1}{4}$ of $NE\frac{1}{4}$ and $SE\frac{1}{4}$ of Section 14, $E\frac{1}{2}$ of $NE\frac{1}{4}$, and $E\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 15, $NW\frac{1}{4}$, $S\frac{1}{2}$ of $NE\frac{1}{4}$ and $SE\frac{1}{4}$ of Section 22, $W\frac{1}{2}$, $NE\frac{1}{4}$ and $W\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 23, $NW\frac{1}{4}$ and $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 24, all of Section 25, all of Section 26, $W\frac{1}{2}$ of $NW\frac{1}{4}$, $NE\frac{1}{4}$ of $NW\frac{1}{4}$, $NE\frac{1}{4}$ and $E\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 35, and $S\frac{1}{2}$ of Section 36, T. 26 N., R. 16 E., M.D.M., for a period of three years and one month, at five cents per acre per year, for grazing purposes.

17. Approval of Application No. 726, of Bert Ithurburn, to lease 1280 acres in Lassen County, described as Section 16, T. 31 N., R. 16 E., and Section 16, T. 31 N., R. 17 E., M.D.M., for a period of three years, at five cents per acre per year, for grazing purposes.

18. Assignment of Lease No. 641, to Chester C. Compton, 3808 Olive Street, Huntington Park, California.

19. Issuance of Certificate of Purchase No. 1441, under Location No. 10228, Los Angeles Land District, to Ira D. Leake, for lieu land purchased with State script at \$5.00 per acre.

20. Issuance of duplicate Certificate of Purchase No. 404, to William W. Johnston, under Location No. 4947, San Francisco Land District, for Lot 2 of Sec. 21, T. 1 S., R. 1 W., M.D.M.

21. Execution of certificates to the Governor for issuance of patents:

a. Location No. 4240, for lands described as a fraction in the $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 30, T. 13 S., R. 16 E., M.D.M.; containing 3.77 acres of Swamp and Overflowed Lands, purchased by P. H. Bottoms;

b. Location No. 4241, for land described as a fraction in the $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 28, T. 13 S., R. 16 E., M.D.M., containing .69 acres of Swamp and Overflowed Lands, purchased by P. H. Bottoms;

c. Location No. 7707, for land described as $N\frac{1}{2}$ of $N\frac{1}{2}$ of Sec. 30, T. 9 S., R. 3 W., M.D.M., containing 160.70 acres of lieu land, purchased by Levi K. Green;

d. Location No. 3600, for land described as $W\frac{1}{2}$ of Sec. 36, T. 8 S., R. 20 E., M.D.M., containing 320 acres of school land, purchased by Robert Rivas;

e. Location No. 5259, Visalia Land District, for land described as $W\frac{1}{2}$ and $W\frac{1}{2}$ of $SE\frac{1}{4}$ of Sec. 36, T. 16 S., R. 28 E., M.D.M., containing 400 acres of school land purchased by Walter Braddock;

f. Location No. 4947, San Francisco Land District, for land described as Lot 2 of Sec. 21, T. 1 S., R. 1 W., M.D.M., containing three acres of lieu land, purchased by Wm. W. Johnston.

22. Issuance of Refund Certificate under Sec. 3408 d of the Political Code, entitling Walter O. Edwards to a refund of \$285.40, paid to the State July 31, 1937, for script under State Selection No. 10231, Los Angeles Land District.

There being no further business to come before the Commission, the meeting was adjourned.