49. (Ratification of Assignment of Lease P.R.C. 4 - Radio Diablo, Inc.,) The Commission was informed that on April 17, 1945, the State Lands Commission authorized the assignment of the above numbered lease from Robert S. Baldwin to Orrin H. Brown, A. A. Ditel and J. A. McCullough. On August 1, 1945, the Executive Officer of the Commission executed an assignment of this lease to Radio Diablo, Inc., which assignment was inadvertently not submitted to the Commission for approval.

Upon motion duly made and unanimously carried, a resolution was adopted confirming the action of the then Executive Officer in executing the August 1, 1945, assignment of Lease P.R.C. 4 to Radio Diablo, Inc.

50. (Application for Prospecting Permit, W. O. 400, Robert Livingstone) The Commission was informed that an application has been received from Mr. Robert Livingstone of Los Angeles, for a permit to prospect for volcanic cinders on Section 16, T. 6 N., R. 10 E., S. B. B. & M., San Bernardino County, containing 640 acres. Inspection of the records of the Division of Mines and the State Lands Division has not established any basis that the land is known to contain commercially valuable deposits of minerals.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute and issue a two year prospecting permit to Mr. Robert Livingstone for the 640 acres of Section 16, T. 6 N., R. 10 E., S. B. B. & M., San Bernardino County, pursuant to the Public Resources Code, with the royalty payable under any preferential lease issued upon development of commercially valuable mineral deposits of volcanic cinders to be $.02 per ton for all minerals mined and shipped.

51. (Kenneth J. Rios - Inyo County - W. O. 190) The Commission was informed that an application for a mineral extraction lease on Owens Lake, Inyo County, was received from Mr. Kenneth J. Rios on August 25, 1947.

This application was superseded by another application filed August 9, 1948, but none of the regulatory provisions relating to deposit of costs, specification of exact area desired or establishment of qualifications to conduct the proposed operations have ever been supplied by the applicant.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to cancel Application W. O. 190 for a mineral extraction lease on Owens Lake by Kenneth J. Rios.

52. (Authorization of Request for Attorney General's Opinion with Respect to Mineral Reservations under Chapter 303, Statutes of 1921) The Commission was informed that recently a question has been raised with respect to the intent of the mineral reservation provisions of Chapter 303 of the 1921 Statutes. Under this Statute it has for many years been the opinion of the Surveyor General and, later, the Division of State Lands, that when land was sold pursuant to this statute the State's reservation amounted to a 1/16 interest not only with respect to any oil discovered on the particular land but also regarding any other minerals discovered. Recently clients of title insurance companies through interpretation of the statute as to interest to the State in such lands have found it difficult to convey title with this understanding.
Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to request an opinion from the Attorney General with respect to mineral reservation under Chapter 303, Statutes of 1921.