

upon discontinuance of such use and maintenance for a period of \_\_\_\_\_ days" shall terminate. It also states "Unless said right of way easement is sooner terminated as heretofore provided, it shall in any event terminate and cease \_\_\_\_\_ years from date hereof---". Right of renewal is provided for.

Upon motion duly made and unanimously carried, a resolution was adopted rescinding the Commission's action of September 15, 1949, item 26, and authorizing the Executive Officer to issue to the County of San Joaquin a right of way easement across Middle River in Sections 3 and 4, T. 1 N., R. 4 E., M.D.B. & M., San Joaquin County, for the purpose of constructing, maintaining and using a bridge and approaches for only so long as the same shall be used, utilized and maintained for the purpose specified, upon termination of such use the right of way easement to revert to the State.

45. (Division of Highways - Request for Permit for Crossing State Tide and Submerged Lands - Anaheim Bay, Orange County - W.O. 594, P.R.C. 485) The Commission was informed that the Division of Highways rerouted Highway 101 Alternate at Anaheim Bay, Orange County, to provide the Navy with a larger harbor at the Naval Ammunition and Net Depot, and it now requests that a permit be granted for the new crossing 150 feet in width and approximately 360 feet in length over an arm of Anaheim Bay in accordance with Section 101.5 of the Streets and Highways Code.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to issue to the Division of Highways a right of way across an arm of Anaheim Bay, Orange County, on Highway 101 Alternate otherwise designated VII-Orn-60-S1 B.A.

46. (Application for prospecting permit - Tide and Submerged Lands, Santa Barbara County - J. Russell Peery - W.O. 579, P.R.C. 486) The Commission was informed that an application has been received from Mr. J. Russell Peery of Pasadena for a permit to prospect for gold and platinum on forty acres of tide and submerged land in Santa Barbara County, approximately 2 1/2 miles south of the town of Surf, that inspection of the records of the Division of Mines and the State Lands Commission, together with field reconnaissance have not established 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. J. Russell Peery for forty acres of tide and submerged lands in Santa Barbara County, two and one-half miles south of Surf, pursuant to the Public Resources Code, with royalty payable under any preferential lease issued upon development of commercially valuable mineral deposits to be in accordance with the following schedule:

$$R = 5 + 0.5 (V)$$

where

R = royalty rate in per cent

V = value of ore shipped above \$20.00 per ton

Minimum royalty rate 5% (applicable to all values of shipments up to and including \$20.00 per ton)

Maximum royalty rate 50%