

12. (Sale of Vacant School Land, Application No. 4690, Sacramento Land District, San Bernardino County - H. W. Dougherty - Sac. W.O. 156) The Commission was informed that an offer has been received from Mr. Dougherty of Los Angeles, California, to purchase Section 36, T. 25 S., R. 42 E., M.D.M., containing 640 acres in San Bernardino County.

Mr. Dougherty has made an offer of \$1,920.00 or \$3.00 per acre. The Assessor of San Bernardino County has assessed contiguous land at \$1.25 per acre, thus indicating an appraised value of the land of \$2.50 per acre. An appraisal by the Commission's staff indicates that the offer as made is adequate.

The subject land lies at the foot of a mountain and westerly of Searles Lake. The west 560 acres of the section is rough and mountainous. There are only two fairly level spots, one in the NE $\frac{1}{4}$  of the section comprising about 50 acres, and one in the southeast corner of the section comprising about 30 acres, both parcels having an easterly slope. The soil on these parcels is rocky, sandy and gravelly. The cover on the 560 acres in the mountains is thick brush; 80 acres in washes are barren except for a small amount of sage. The land is non-agricultural, non-grazing and its only value is that it may be used for a millsite. The two parcels in question are adjacent to a highway running to Trona, which lies about three miles northeasterly of the subject land. Appraised at \$3.00 per acre.

The land was advertised for sale with a stipulation that no offer of less than \$1,920.00 would be accepted. Mr. Dougherty bid \$1,920.00.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the sale of Section 36, T. 25 S., R. 42 E., M.D.M., to the single bidder Mr. H. W. Dougherty at a cash price of \$1,920.00, subject to all statutory reservations, including minerals.

13. (Sale of Vacant School Land, Application No. 4703, Sacramento Land District, Inyo County - John Grant - Sac. W.O. 185) The Commission was informed that an offer has been received from Mr. Grant of Los Angeles, California, to purchase Section 16, T. 19 S., R. 37 E., M.D.M., containing 640 acres in Inyo County.

Mr. Grant has made an offer of \$1,600.00 or \$2.50 per acre. The Assessor of Inyo County has assessed contiguous land in Sections 21 and 17, T. 19 S., R. 37 E., M.D.M., at \$7.00 per acre, thus indicating an appraised value of the land of \$14.00 per acre, but Section 16 is for the most part one large sand dune. An appraisal by the Commission's staff indicates that the offer as made is adequate.

The subject land was appraised on October 15, 1949. No corners were found as they were probably obliterated by sand dunes. However, it was possible to locate the approximate position of the land by pacing from the stone house belonging to Mr. Lotta, located in the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 17, about one-half mile due west of where the southwest corner of Section 16 should be. The S $\frac{1}{2}$  of S $\frac{1}{2}$  of the section, as nearly as could be determined, is level to rolling. The land lying northerly therefrom is strictly desert sand dunes. No surface water was found, but it may be possible to get water from wells, as the Lotta property had a well which appeared to produce abundant water. The soil on the S $\frac{1}{2}$  of S $\frac{1}{2}$  is sandy loam, and would probably raise alfalfa with irrigation. The cover is sagebrush and in its present state the land is strictly unfit for agriculture or grazing. The land lies approximately one mile east of Olancho on Highway 395. There is no indication of mining assessment work.

The land was advertised for sale with a stipulation that no offer of less than \$1,600.00 would be accepted. Mr. Grant bid \$1,600.00.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the sale of Section 16, T. 19 S., R. 37 E., M.D.M., to the single bidder Mr. John Grant at a cash price of \$1,600.00, subject to all statutory reservations, including minerals.

14. (Sale of Vacant School Land, Application No. 4696, Sacramento Land District, San Bernardino County - Bozarth & Rudnick - Sac. W.O. 166) The Commission was informed that an offer has been received from Bozarth & Rudnick of Ivanpah, California, to purchase Section 36, T. 13 N., R. 15 E., S.B.M., containing 640 acres in San Bernardino County.

Bozarth & Rudnick have made an offer of \$1,920.00 or \$3.00 per acre. The Assessor of San Bernardino County has assessed contiguous land at \$2.00 per acre, thus indicating an appraised value of the land of \$4.00 per acre. An appraisal by the Commission's staff indicates that the offer as made is adequate.

The land is level to rolling, contains two wells drilled by a former lessee, which is the only water available. The soil is sandy, rocky and gravelly. The cover is Juniper, sage and bunch grass and is poor grazing, the principal value being the availability of water in water holes from small wells.

The land is accessible by an inferior road for the last 15 miles. The land lies about 30 miles south of Ivanpah by road, or about 12 miles air line. There is no mining or assessment work indicated.

The land was advertised for sale with a stipulation that no offer of less than \$1,920.00 would be accepted, Bozarth & Rudnick bid \$1,920.00.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the sale of Section 36, T. 13 N., R. 15 E., S.B.M., to the single bidder Bozarth & Rudnick at a cash price of \$1,920.00, subject to all statutory reservations, including minerals.

15. (Application for Modification of Royalty Rate - Well "H.B. 19" - Wilshire Oil Company, Inc., Agreement for Easement No. 275 (303-21) - Huntington Beach - W.O. 407) The Commission was informed that at the meeting of November 21, 1949, (Minute Page 1028, Item 39) the Commission authorized deferment of consideration of the following item until the current meeting.

On July 26, 1949, (Minute Page 991, Item 12), the Commission authorized a request to be made to the Attorney General as to what legal grounds exist for the cancellation or modification of the agreement of August 31, 1944, relating to royalties payable on Well "H.B. 19" under Agreement for Easement No. 275, and authorizing the Executive Officer to cancel said amendment if the opinion holds that such change can legally be made.

Informal opinion received from the office of the Attorney General under date of October 14, 1949, states that under the circumstances set forth and in view of the constitutional prohibition against gifts of State property as stated in Article IV, Section 31 of the Constitution, that any cancellation or modification of the amendment of August 31, 1944, pertaining to royalty rates would be extremely inadvisable and might constitute a violation of the Constitutional prohibition.