

The terms of the lease and provisions of the Public Resources Code require the collection of rentals within fifteen days after the due date. However, the Commission may defer action to declare the lease in default for failure to pay rental, thus providing a means of granting Mr. Hewitt's request.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE DEFERMENT OF ANY ACTION TO DECLARE LEASE P.R.C. 218 IN DEFAULT FOR NON PAYMENT OF THE FOURTH ANNUAL RENTAL DUE APRIL 13, 1950, UNTIL AFTER AUGUST 15, 1950, SUBJECT TO THE CONDITION THAT SUCH RENTAL BE PAID IN MONTHLY INSTALLMENTS OF \$150.00 ON MAY, JUNE, JULY AND AUGUST 15, 1950, AND THAT IN THE EVENT OF THE FAILURE OF THE LESSEE TO MAKE SUCH PAYMENTS AS OF THE DUE DATES, THE LEASE SHALL BE DECLARED IN DEFAULT FOR FAILURE TO PERFORM IN ACCORDANCE WITH ITS TERMS.

36. (APPLICATION FOR LEASE TO MINE SAND AND GRAVEL, VACANT SCHOOL LAND, IMPERIAL COUNTY, R. T. PINNER - W.O. 658) The Commission was informed that a letter application has been received from Mr. R. T. Pinner requesting the issuance of a mineral extraction lease for the removal of sand and gravel from the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, T. 13 S., R. 16 E., Imperial County, containing 80 acres.

Field inspection of the subject land has shown the existence of sand and gravel deposits of good quality.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE COMMISSION TO CLASSIFY THE SE $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  AND THE NE $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION 16, T. 13 S., R. 16 E., IMPERIAL COUNTY, AS LANDS KNOWN TO CONTAIN COMMERCIALY VALUABLE DEPOSITS OF MINERALS AND AUTHORIZE THE PUBLICATION PURSUANT TO THE PUBLIC RESOURCES CODE AND THE RULES AND REGULATIONS OF THE COMMISSION OF A NOTICE OF INTENTION TO RECEIVE BIDS FOR THE EXTRACTION OF SAND AND GRAVEL FROM THE SUBJECT LANDS AT A ROYALTY OF NOT LESS THAN THREE CENTS PER CUBIC YARD.

37. (STATE LANDS, SIERRA ORDNANCE DEPOT, LASSEN COUNTY - W.O. 564, P.R.C. 514) The Commission was informed that on January 29, 1942, the State Lands Commission authorized immediate occupancy by the War Department and entering into an exchange with the Federal Government for approximately 15,500 acres of school lands within the War Department's Sierra Ordnance Depot as withdrawn for military purposes by Presidential Proclamation for an equal area of Federal lands in the vicinity of Shasta Reservoir. Five years after the selection of the Shasta lands by the State the Department of Interior made a withdrawal of the lands for the benefit of the Bureau of Reclamation. Thus, it was impossible to complete the transaction, as a result the War Department has occupied State land since early 1942. In order to give the War Department necessary authority to use the State lands involved discussions have been had with the Corps of Engineers and the Commanding Officer of the Depot and his staff preliminary to issuance of a lease for the State lands involved. The discussion has covered the following points:

1. Lease to apply only to the 15,500 odd acres to Sierra Ordnance Depot including the 1,440 acres in the safety zone. Additional half sections (outside of the safety zone) not to be in this agreement.
2. Lease should be retroactive to the date of entry by the Army.

3. Term of lease to be determined and the lease to run to the end of the fiscal year (June 30) 1965, subject to renewal for two additional periods of 10 years. Final termination to be June 30, 1985.
4. Rental in arrears should be paid up-to-date within a reasonable time after the approval of the lease.
5. Rental to be based on the State's regular minimum price of \$2.00 per acre figured at 6% or 12¢ per acre per year.
6. As to buildings, etc. Army to submit provisions for restoration on expiration.
7. Surface rights only are to be leased.
8. As a matter of preliminary procedure, Corps of Engineers to draw up a draft of the lease and send it to the State Lands Commission for consideration. The Executive Officer of the State Lands Commission to present the proposition to the State Lands Commission and obtain authority to negotiate and execute a lease on these general terms.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A LEASE WITH THE UNITED STATES FOR APPROXIMATELY 15,500 ACRES OF STATE LAND WITHIN THE SIERRA ORDINANCE DEPOT IN LASSEN COUNTY FOR A PERIOD BEGINNING AT THE DATE OF OCCUPANCY AND TERMINATING ON JUNE 30, 1965, WITH OPTION IN GOVERNMENT TO RENEW FOR TWO ADDITIONAL 10 YEAR PERIODS WITH FINAL TERMINATION DATE TO BE JUNE 30, 1985, AT AN ANNUAL RENTAL OF 12 CENTS PER ACRE SUBJECT TO RIGHT IN THE UNITED STATES TO DISPOSE OF GOVERNMENT IMPROVEMENTS AND RESTORATION OF PREMISES AT EXPIRATION.

38. (APPLICATION FOR SUBLEASE OF LEASE P.R.C. 4, RADIO DIABLO, INC., CONTRA COSTA COUNTY - W.O. 457) The Commission was informed that on April 27, 1949 (Minute Item 15, Page 953), the Commission approved a proposed sublease from Radio Diablo, Inc., to the Lenkurt Electric Company pursuant to the terms and conditions of Lease P.R.C. 4, subject to the condition that a copy of any notice of termination of the sublease be transmitted to the State Lands Commission, and further subject to the condition that no objection is made by the Division of Communications to the sublease. On December 16, 1949, the Administrative Adviser of the Department of Finance advised that a proposed agreement between the State Lands Commission and the Lenkurt Electric Company relative to the utilization of Mount Diablo State Park for a radio station site had been approved. A copy of this agreement was furnished by the Lenkurt Electric Company on December 27, 1949, and was returned to the Department of Finance with a complete file resume and the following statement of objections:

1. The State Lands Commission was not permitted to participate in the negotiations of the form of agreement.
2. The agreement will impose the unsolicited final responsibility for the operation of communication equipment on the State Lands Commission, which responsibility is not within the normal scope of the Commission.