

3. That the minimum royalty of \$4,347.00 annually payable to the State even though there is no production, would compare favorably with the royalty the State might receive if the plant were actually in production.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED SUSPENDING THE REQUIREMENTS FOR THE PRODUCTION OF MINERALS FROM LEASES NOS. P.R.C. 273 AND 356 AS RECITED IN PARAGRAPH D, SECTION 2 OF THE AFOREMENTIONED LEASES, FOR THE LEASE YEARS AS FOLLOWS: LEASE NO. P.R.C. 273, JANUARY 8, 1949 TO JANUARY 7, 1950 AND JANUARY 8, 1950 TO JANUARY 7, 1951; LEASE NO. P.R.C. 356, MAY 19, 1949 TO MAY 18, 1950 AND MAY 19, 1950 TO MAY 18, 1951; PROVIDED THAT THE LESSEE PAY TO THE STATE ON A QUARTERLY BASIS, ROYALTY EQUAL TO THAT WHICH THE LESSEE WOULD PAY HAD THE MINIMUM REQUIRED TONNAGE OF MINERALS BEEN PRODUCED AND SOLD FROM THE LEASES. ANNUAL RENTALS PAID TO BE CONSIDERED AS A CREDIT AGAINST THE MINIMUM ROYALTY PAYMENTS SO MADE, IN ACCORDANCE WITH THE LEASE TERMS AND FURTHER, THAT THIS ACTION SHALL NOT BE CONSTRUED AS RELIEVING THE LESSEE FROM ANY OF THE LESSEE'S OTHER CONTINUING OBLIGATIONS PROVIDED FOR IN LEASES P.R.C. 273 AND P.R.C. 356.

32. (SALE OF VACANT STATE SCHOOL LAND, APPLICATION NO. 10471, LOS ANGELES LAND DISTRICT, VENTURA COUNTY, HAROLD L. PIERCE, SWO 5235) The Commission was informed that on March 23, 1950, (Minute Item No. 9, page 1101-1102) the Commission authorized the sale of Lots 9, 10, 11 and 12 of Section 16, T. 4 N., R. 20 W., S.B.B. & M., containing 152.90 acres in Ventura County to Mr. Harold L. Pierce at a cash price of \$764.50, subject to all statutory reservations including minerals and further subject to the reservation to the State of the right to develop and produce oil and gas in said Lots 9, 10, 11, and 12 from the surface of the $\frac{W}{2}$ of $\frac{W}{2}$ of Lot 12 and the $E\frac{1}{2}$ of $E\frac{1}{2}$ of Lot 9, Section 16, T. 4 N., R. 20 W., S.B.B. & M. This latter reservation was proposed to assure reasonable mineral development opportunity for any future State lessee on the property. It has now been reported by the office of the Attorney General that the suggested revised form of mineral reservation might be a restriction upon the total rights reserved to the State by Statute rather than an amplification as intended.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED RESCINDING THE ACTION OF MARCH 23, 1950 (MINUTE ITEM 9, PAGE 1101-1102) RELATIVE TO THE SALE OF LOTS 9, 10, 11 AND 12 OF SECTION 16, T. 4 N., R. 20 W., S.B.B. & M., AND AUTHORIZING THE SALE OF THE SUBJECT PROPERTY CONTAINING 152.90 ACRES TO MR. HAROLD L. PIERCE AT A CASH PRICE OF \$764.50, SUBJECT TO ALL STATUTORY RESERVATIONS INCLUDING MINERALS.

33. (STATE EXCHANGE APPLICATION NO. 038665 - OWL SPRINGS HEALTH RESORT - N-5075) The Commission was informed that an application of the Owl Springs Health Resort to purchase the Southeast 160 acres of Section 13, T. 18 N., R. 3 E., S.B.M. San Bernardino County, through the medium of State exchange, was received on February 9, 1948. Pursuant to this application, a State exchange application was filed with the Bureau of Land Management on February 19, 1948, under the Taylor Grazing Act. The land offered to the United States in exchange for the foregoing described land was the $SE\frac{1}{4}$ of Section 16, T. 23 N., R. 3 E., S.B.B. & M., containing 160 acres within the Death Valley National Monument as delineated by the Presidential Proclamation of 1933.

Circumstances have arisen which prevent the Owl Springs Health Resort from completing the purchase of the lands applied for. However, it is the opinion of the staff that the selected lands containing 160 acres in San Bernardino County, which

may be sold by the State, are more valuable than the land in Death Valley National Monument offered in exchange which must be withheld from sale.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO PROCEED WITH THE EXCHANGE APPLICATION AND ACQUIRE THE SOUTHEAST 160 ACRES (OR THE SE $\frac{1}{4}$) OF SECTION 13, T. 18 N., R. 3 E., S.B.B. & M., IN EXCHANGE FOR THE SE $\frac{1}{4}$ OF SECTION 16, T. 23 N., R. 3 E., S.B.B. & M., PURSUANT TO SECTION 7303 PUBLIC RESOURCES CODE.

34. APPLICATION FOR LEASE TO MINE SAND AND GRAVEL FROM FEATHER RIVER, GRAYDON OLIVER - W.O. 260) The Commission was informed that on December 21, 1949 (Minute Item 32, Page 1065) the Commission authorized the publication of Notice of Intention to receive bids for the extraction of sand and gravel from 80 acres of the bed of the Feather River as applied for by Graydon Oliver. The requisite Notice of Intention was published, setting a closing date for the receipt of bids of May 22, 1950. No bids were received.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO CANCEL LETTER APPLICATION OF GRAYDON OLIVER FOR A LEASE TO MINE SAND AND GRAVEL FROM THE FEATHER RIVER AND REFUND TO MR. OLIVER ANY REMAINING BALANCE OF THE COST DEPOSIT MADE BY HIM IN CONNECTION WITH THE APPLICATION.

35. (APPLICATION FOR PERMIT TO DREDGE ENTRANCE TO ALAMITOS BAY, LOS ANGELES AND ORANGE COUNTIES, CITY OF LONG BEACH - W.O. 724, P.R.C. 525) The commission was informed that the City of Long Beach has applied for a permit to dredge an entrance channel between jetties now in place at the entrance to Alamitos Bay. The area to be dredged is partially in Orange County and partially in that portion of the lands originally granted by the State to the City of Long Beach but subsequently quit-claimed to the State and now under the jurisdiction of the State Park Commission. Dredger spoils are to be deposited on the beach of Alamitos State Park increasing the beach area. The State Park Commission has approved the proposed project. A Corps of Engineers permit has been issued.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE CITY OF LONG BEACH A PERMIT TO DREDGE AN ENTRANCE CHANNEL TO ALAMITOS BAY AND DEPOSIT OF SPOILS ON THE STATE PARK BEACH AT NO FEE AND NO RENTAL, THE CONSIDERATION BEING THAT THE USE OF THE DREDGER SPOILS FOR A BEACH IS IN THE PUBLIC INTEREST.

36. (APPLICATION FOR LEASE TO MINE PERLITE, VACANT STATE SCHOOL LAND, SAN BERNARDINO COUNTY, H. M. FREY AND R. A. MATTEY - W.O. 704, P.R.C. 526) The Commission was informed that an application has been received from Messrs. H. M. Frey and R. A. Mattey requesting the issuance of a mineral extraction lease for the production of perlite from the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 36, T. 31 S., R. 44 E., M.D.B. & M., San Bernardino County, containing 80 acres. Field inspection of the subject land by the Division has shown the existence of extensive perlite deposits of good quality.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED CLASSIFYING THE N $\frac{1}{2}$ OF SW $\frac{1}{4}$ OF SECTION 36, T. 31 S., R. 44 E., M.D.B. & M., SAN BERNARDINO COUNTY, AS LANDS KNOWN TO CONTAIN COMMERCIALY VALUABLE DEPOSITS OF MINERALS AND AUTHORIZING 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