

8. (REFUND UNDER CANCELLED GRAZING LEASE P.R.C. 1196, REES T. JENKINS LAND & LIVESTOCK CO., LASSEN COUNTY.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE A REFUND CERTIFICATE TO THE REES T. JENKINS LAND & LIVESTOCK CO. IN THE AMOUNT OF \$226.30, REPRESENTING THE UNEARNED RENTALS UNDER CANCELLED GRAZING LEASE P.R.C. 1196, UPON SURRENDER OF SAID GRAZING LEASE BY THE REES T. JENKINS LAND & LIVESTOCK CO.

On November 28, 1951 (Minute Item 3, Pages 1479 and 1480), the Commission authorized the sale of the  $\frac{1}{2}$  of  $\text{NW}\frac{1}{4}$ ,  $\text{NE}\frac{1}{4}$  of  $\text{SW}\frac{1}{4}$ ,  $\text{SW}\frac{1}{4}$  of  $\text{NE}\frac{1}{4}$ ,  $\text{NE}\frac{1}{4}$  of  $\text{NE}\frac{1}{4}$  and  $\text{SE}\frac{1}{4}$  of  $\text{SE}\frac{1}{4}$  of Section 16, T. 37 N., R. 16 E., and  $\text{SE}\frac{1}{4}$  of  $\text{NW}\frac{1}{4}$ ,  $\text{SW}\frac{1}{4}$  of  $\text{NE}\frac{1}{4}$ ,  $\text{SW}\frac{1}{4}$  and  $\frac{1}{2}$  of  $\text{SE}\frac{1}{4}$  of Section 36, T. 38 N., R. 15 E., N.D.M., containing 560 acres in Lassen County, to the Rees T. Jenkins Land & Livestock Co., at a cash price of \$5600. Completion of this sale automatically terminated Grazing Lease P.R.C. 1196 covering the same lands, held by the Rees T. Jenkins Land & Livestock Co., the first and fifth annual rentals for which had been paid upon the execution of the lease on August 16, 1948. Section 6505.5 of the Public Resources Code provides that the sale of said lands ipso facto terminates said lease, and Section 6509 of said code provides that upon the sale of the lands by the State the lessee shall surrender the lease to the Commission and receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual rentals to be refunded to the lessee. Therefore, the Rees T. Jenkins Land & Livestock Co., as the lessee, is entitled to a refund of \$140 paid in advance for the fifth year's rental, as well as the sum of \$86.30 unearned rental for the unexpired remainder of the fourth year, a total of \$226.30.

9. (EXTENSION OF TIME, NONRESTRICTIVE USE OF SCHOOL LANDS IN SALTON SEA, IMPERIAL AND RIVERSIDE COUNTIES, ELEVENTH NAVAL DISTRICT - P.R.C. 597.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE U. S. NAVY AN EXTENSION OF ONE YEAR OF PERMIT P.R.C. 597, SAID PERMIT BEING FOR THE NONRESTRICTIVE USE BY THE NAVY OF THE  $\text{NE}\frac{1}{4}$  OF THE  $\text{NW}\frac{1}{4}$ , SECTION 16, T. 8 S., R. 10 E., RIVERSIDE COUNTY; THE  $\text{N}\frac{1}{2}$  OF THE  $\text{SW}\frac{1}{4}$ , SECTION 16, AND ALL OF SECTION 36, T. 9 S., R. 11 E., IMPERIAL COUNTY, ALL S.B.M., COMPRISING 760 ACRES OF STATE SCHOOL LANDS BENEATH THE WATERS OF THE SALTON SEA, SUCH PERMIT TO BE FOR THE PURPOSE OF OCCASIONAL SEAPLANE LANDING TRAINING OPERATIONS DURING PERIODS OF INSTRUMENT WEATHER IN THE SAN DIEGO AREA, AT NO FEE AND NO RENTAL, THE CONSIDERATION BEING THE PUBLIC INTEREST; PERMIT TO BE EFFECTIVE ON FEBRUARY 28, 1952.

Permit P.R.C. 597 was issued on February 28, 1951, for a period of one year. The U. S. Navy has requested that this permit be extended for an additional year.

10. (TERMINATION OF LEASE P.R.C. 1213, LOT 39, FISH CANYON, RUSSELL A. GOUGEON - W.O. 1213.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO TERMINATE LEASE P.R.C. 1213, ISSUED

NOVEMBER 20, 1950, TO RUSSELL A. GOUGEON, COVERING LOT 39, FISH CANYON, THE LAST ANNUAL RENTAL PAID IN ADVANCE TO BE APPLIED AGAINST THE SECOND ANNUAL RENTAL DUE NOVEMBER 20, 1951.

Mr. Gougeon holds Lease P.R.C. 1213 covering Lot 39, Fish Canyon, the effective date being November 20, 1950. Rental of \$20 annually has been paid for the first and last years of a ten-year period. Due to his inability to construct a cabin on the lot he leased, and having purchased the cabin on Lot 37 under Lease P.R.C. 1150, assignment of that lease having been approved by the Commission on January 4, 1952, Mr. Gougeon has now requested that Lease P.R.C. 1213 be terminated, the last annual rental paid in advance to be applied against the second year's rental due November 20, 1951.

11. (TERMINATION OF LEASE NO. 36 - 675/PC AND LEASE P.R.C. 393, SUBSTITUTION OF A NEW LEASE IN LIEU THEREOF, MADDEN & LEWIS COMPANY, SAUSALITO, MARIN COUNTY - W.O. 1190, P.R.C. 708.) On June 6, 1941, Lease No. 36 of tide and submerged lands at Sausalito was issued to the Madden & Lewis Company for a period of twelve years, pursuant to Chapter 675 of the Political Code, for the construction and maintenance of an extension of a yacht harbor owned and operated by that company. The area so leased included a portion of the abandoned Northwestern Pacific Railway ferry slips, fenders and wharves. The State has not been able to establish State ownership of the Railway Company's structures, with the result that Madden & Lewis Company has been unable to make use of that portion of the leased area and has made no use of the balance.

On February 25, 1949, Madden & Lewis Company was issued Lease P.R.C. 393 covering an adjoining area of tide and submerged lands, part of which had been filled with dredged material by the Maritime Commission. Madden & Lewis, at considerable expense, has placed a large quantity of earth on the filled area, has bulkheaded a portion of it, and has constructed revetments in an attempt to retain the fill against erosion by storms. The filled area so improved and protected is partially on tide and submerged lands not under lease. In order to protect more fully the filled area and to expand further the operations of the yacht harbor, Madden & Lewis has applied for termination of the two leases it now holds and issuance of a new lease of an area which will include a portion of the area in Lease No. 36, all of that area in Lease P.R.C. 393, and an additional area within the underwater streets.

The areas now under lease comprise 7.7 acres at a total annual rental of \$541.20. The area applied for is 9.3 acres in extent. After consultation with Mr. Walter S. Ries, Appraiser, the Commission's staff has determined the value of the 9.3 acres to be \$1200 per acre, a total value of \$11,160, the annual rental at 6.6 percent of this value being \$736.56. Madden & Lewis has agreed to this rental. Filing fee and expense deposit have been paid.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO (1) TERMINATE LEASE NO. 36 - 675/PC BY MUTUAL CONSENT BECAUSE OF THE INABILITY OF THE LESSEE TO OBTAIN