

11. (Notice of Intention of the State Lands Commission to Receive Offers to Lease Lands in Owens Lake for Extraction of Minerals)
The Commission was informed that one bid had been received pursuant to the advertising of the notice of intention to receive offers to lease land in Owens Lake for the extraction of minerals as authorized on September 13, 1946. The royalty provisions of this bid submitted by the Pittsburgh Plate Glass Company are as follows:

1. A royalty of 50¢ per ton on such minerals extracted and sold from the date of this lease throughout the balance of the calendar year 1946.

2. In the event the Legislature of the State of California does not during the year 1947 increase the royalty payable to the State for minerals covered by Section 6966 of the Public Resources Code of the State, the State shall refund to the Lessee the difference between the amount of royalty paid by Lessee to the State on account of minerals extracted and sold hereunder during the year 1946, and the amount of such royalties computed at the rate prescribed by said Section of said Code.

3. Commencing January 1, 1947, and continuing thereafter throughout the term of this lease and any renewal or renewals thereof, such royalty shall be at a rate per ton equivalent to the rate from time to time prescribed by Section 6966 of the Public Resources Code of the State of California or lawful enactment in lieu thereof with respect to leases or renewals thereunder; provided, however, that such royalty shall not exceed the greater of (a) the sum of 50¢ per ton, or (b) 2% of the weighted average sales price per ton f.o.b. Lessee's plant at Bartlett, California, of the aggregate of all minerals and mineral products extracted from the leased premises and sold; provided, further, that in no event shall such royalty exceed the lowest royalty due or to become due to the State under any lease for taking minerals from the waters of any stream or lake or from any lands withdrawn from sale by Section 6962 of the Public Resources Code, provided, that only one royalty shall be payable with respect to each ton of minerals so extracted from the waters of Owens Lake, or from lands leased to the Lessee by the State, and sold, whether such minerals are extracted under this lease or any other lease from the State.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Acting Executive Officer to execute and issue to the Pittsburgh Plate Glass Company mineral lease No. P.R.C. 257 for the extraction of minerals from Owens Lake subject to the following specific conditions: (1) That the minimum royalty provisions as stated in subparagraph 3 of the lease and detailed above shall be amended to provide that the minimum royalty may only be determined by reference to the lowest royalty due or to become due to the State under any lease for the taking of minerals from Owens Lake or the recession lands thereof. (2) That in consideration of the award of Lease No. P.R.C. 257 the royalty provisions under Mineral Lease No. P.R.C. 210 issued heretofore to the Pittsburgh Plate Glass Company shall be amended to contain

the identical provision with respect to the manner of determination of minimum royalty as hereinbefore set forth as required for lease P.R.C. 257. The termination date of Lease P.R.C. 257 is to be July 19, 1966 with the option on the part of the Lessee to renew for successive periods of 10 years at such terms and conditions as may be prescribed by law at the time of renewal.

12. (Cancellation of Right of Way Leases - Owens Lake - Nos. 478, 529, 548 - Chapter 612, Statutes of 1911) Pursuant to the request of the Pittsburgh Plate Glass Company, the lessee under Owens Lake leases Nos. 478, 529, 548, Chapter 612, Statutes of 1911, upon motion duly made and unanimously carried, a resolution was adopted authorizing the cancellation of Owens Lake Leases Nos. 478, 529; 548, Chapter 612, Statutes of 1911 effective November 1, 1946.

13. (Application for Surface Lease - Owens Lake, Inyo County, - Pittsburgh Plate Glass Company, No. P.R.C. 268). The Commission was informed that exclusion of 8.21 acres of land, as described in cancelled Owens Lake Lease No. 462, from the surface lease as applied for by the Pittsburgh Plate Glass Company and approved by the Commission on September 13, 1946, would present operating difficulties to the lessee.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the inclusion of 8.21 acres of the recession lands of Owens Lake, as described in cancelled Owens Lake Lease No. 462, in the surface lease to be issued to the Pittsburgh Plate Glass Company as previously approved September 13, 1946, (see Minute Item 26, Page 678).

14. (Claim for Refund of Rental - Corte Madera Lease No. P.R.C. 45 - Mrs. Ethel Stoneburn). The Commission was informed that the judgment has been rendered in the action People vs. Copeland, et al., Superior Court, County of Marin No. 14851, declaring that only $\frac{3}{7}$ ths of the property leased under Corte Madera Ark Site Lease No. 45 is in fact State Land.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the adjustment of the rental to be charged under lease No. P.R.C. 45 in the proportion that the occupancy of State land bears to the area of the total ark site, specifically $\frac{3}{7}$ ths; and further authorizing the application of any rental credit computed on this basis to the account of Mrs. Ethel Stoneburn on any ensuing lease agreement covering the subject ark site.