

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute and issue a permit to Shell Oil Company, Incorporated, for the conduct of geophysical exploration operations on State submerged lands offshore between Dana Point and Point Conception, Orange, Los Angeles and Santa Barbara Counties, during the period April 1, 1948 to July 31, 1948, inclusive, subject to the agreement of the applicant to indemnify and save the State free and harmless of and from any and all liability in any way arising out of or in connection with the proposed operations, and further subject to the issuance of a permit for the operations by the Division of Fish and Game.

23. (Tide and Submerged Land Lease No. P.R.C. 189 - The California Company - San Luis Obispo County) The Commission was informed that an application has been received from The California Company, lessee of Right of Way Easement No. P.R.C. 189 over tide and submerged lands in San Luis Obispo County, for approval of an assignment of the easement to the Standard Pipe Line Company, a California corporation.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to approve the assignment of Right of Way Easement No. P.R.C. 189 from The California Company to the Standard Pipe Line Company, subject to the payment by the assignor of the statutory \$5.00 filing fee and the filing by the Standard Pipe Line Company of a surety bond in favor of the State of California in the penal sum of \$1,000.00, as required by Right of Way Easement No. P.R.C. 189.

24. (Application for Right of Way Easement - Napa River - Napa County - Napa County Board of Supervisors - W.O. 257) The Commission was informed that an application has been received from the Board of Supervisors of Napa County for permission to construct a bridge and for a perpetual easement over the lands of the State within the bed of the Napa River. The proposed bridge and requested easement is located approximately one mile southerly from the City of Napa, being a unit of Federal Aid Secondary Project No. S-776 (1). The area of the requested easement is approximately 1,000 feet in length and 100 feet in width.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the issuance of a permit and a 1,000 foot right of way easement over State tide and submerged lands in the Napa River, approximately one mile southerly from the City of Napa, at no cost to the Napa County Board of Supervisors, for the public purpose of building and maintaining a lift bridge over the Napa River in connection with the highway program involved in Federal Aid Secondary Project No. S-776 (1), said permit to contain a reversionary clause to the State to be effective when the right of way is no longer used for public purposes.

25. (Legislative claim of J. C. Oglesby vs. State of California - Survey-in Services, Marin Meadows, \$448.90) The Commission was informed that under date of June 2, 1947, there was forwarded to the principal office of the State Lands Commission, invoice of Mr. J. C. Oglesby for surveying services (Survey No. 6913, Marin County) in connection with Marin County Superior

Court Case No. 16468 involving land in which the State had interest, and received therefor a settlement of \$100,000.00.

Due to the fact that the expenditure was incurred during the 97th fiscal year (July 1, 1945 to June 30, 1946) funds of which were no longer available for encumbrance at the time this invoice was received, and also that there was insufficient evidence on the records of the Division of a request for said services, Mr. Oglesby's claim was referred to the Board of Control.

By letter dated March 3, 1948, the Board of Control has requested that the matter be referred to the State Lands Commission for action prior to their approval of said claim.

There is now on file in the principal office of the Commission, a letter from Mr. R. G. Nadey, staff Assistant Civil Engineer, who states that Mr. Oglesby's services were requested in this matter by Mr. C. F. Lynton, then Executive Officer of the Division, by means of an oral request to Mr. Phillip Bush, President of California Packing Corporation, which concern was also interested in this case. Mr. Nadey further states that said services were performed and he believes are a just charge against the State.

Upon motion duly made and unanimously carried a resolution was adopted to the effect that favorable recommendation on the legislative claim of Mr. J. C. Oglesby in the amount of \$448.90 be made to the State Board of Control.

26. (Quitclaim of Oil and Gas Lease No. P.R.C. 132 - Marine Exploration Company - Seal Beach) The Commission was informed that the Marine Exploration Company, lessee under State Oil and Gas Lease No. P.R.C. 132, Seal Beach, have submitted a proposed quitclaim of said lease as of June 16, 1947, reserving, however, all rights in and to the area heretofore acquired and now held by the Marine Exploration Company under Oil and Gas Lease No. P.R.C. 186, dated September 24, 1945.

The quitclaim was executed and acknowledged last June, but was not submitted at that time for two reasons; the first being the desire of the State Lands Division to give study to the situation which arose as a result of the decision of the United States Supreme Court in the case of United States vs. California, and the second reason being that the lessees felt that formal surrender of the lease was unnecessary in that the interest created by Lease No. P.R.C. 132 was merged in that created by the issuance of the subsequent Lease No. P.R.C. 186, covering the identical land.

The office of the Attorney General has reviewed all of the factors involved and has suggested that the best way to clear the situation would be for the lessee to quitclaim Lease No. P.R.C. 132 and that under the circumstances the Commission should accept the quitclaim already executed as of the date thereof and thereby avoid any further payment of double rental for the same areas included in both leases.