

upon discontinuance of such use and maintenance for a period of _____ days" shall terminate. It also states "Unless said right of way easement is sooner terminated as heretofore provided, it shall in any event terminate and cease _____ years from date hereof---". Right of renewal is provided for.

Upon motion duly made and unanimously carried, a resolution was adopted rescinding the Commission's action of September 15, 1949, item 26, and authorizing the Executive Officer to issue to the County of San Joaquin a right of way easement across Middle River in Sections 3 and 4, T. 1 N., R. 4 E., M.D.B. & M., San Joaquin County, for the purpose of constructing, maintaining and using a bridge and approaches for only so long as the same shall be used, utilized and maintained for the purpose specified, upon termination of such use the right of way easement to revert to the State.

45. (Division of Highways - Request for Permit for Crossing State Tide and Submerged Lands - Anaheim Bay, Orange County - W.O. 594, P.R.C. 485) The Commission was informed that the Division of Highways rerouted Highway 101 Alternate at Anaheim Bay, Orange County, to provide the Navy with a larger harbor at the Naval Ammunition and Net Depot, and it now requests that a permit be granted for the new crossing 150 feet in width and approximately 360 feet in length over an arm of Anaheim Bay in accordance with Section 101.5 of the Streets and Highways Code.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to issue to the Division of Highways a right of way across an arm of Anaheim Bay, Orange County, on Highway 101 Alternate otherwise designated VII-Gra-60-S1 B.A.

46. (Application for prospecting permit - Tide and Submerged Lands, Santa Barbara County - J. Russell Peery - W.O. 579, P.R.C. 486) The Commission was informed that an application has been received from Mr. J. Russell Peery of Pasadena for a permit to prospect for gold and platinum on forty acres of tide and submerged land in Santa Barbara County, approximately 2 1/2 miles south of the town of Surf, that inspection of the records of the Division of Mines and the State Lands Commission, together with field reconnaissance have not established that the land is known to contain commercially valuable deposits of minerals,

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute and issue a two-year prospecting permit to Mr. J. Russell Peery for forty acres of tide and submerged lands in Santa Barbara County, two and one-half miles south of Surf, pursuant to the Public Resources Code, with royalty payable under any preferential lease issued upon development of commercially valuable mineral deposits to be in accordance with the following schedule:

$$R = 5 + 0.5 (V)$$

where

R = royalty rate in per cent

V = value of ore shipped above \$20.00 per ton

Minimum royalty rate 5% (applicable to all values of shipments up to and including \$20.00 per ton)

Maximum royalty rate 50%

The issuance of the prospecting permit is to be subject to notice to the Department of the Interior and the provisions, if any, of the stipulation entered into between the Attorney General of the United States and the Attorney General of California dated July 26, 1947, as extended in 1948 and 1949.

47. (Sacramento Yacht Club, Inc., - Application for lease of tide and submerged lands in Sacramento River adjacent to Miller Park, Sacramento - W.O. 570, P.R.C. 487) The Commission was informed that the Sacramento Yacht Club, Inc., a non-profit corporation, has applied for a lease of approximately 2.41 acres of tide and submerged lands in Sacramento River adjacent to the Sacramento City owned Miller Park. The City of Sacramento by Resolution No. 854 has granted the Yacht Club the right of ingress and egress across the park. The lease is desired for the purpose of constructing and using floating wharves and anchoring a club house barge for recreational purposes. A permit for the installation has been issued by the United States Corps of Engineers.

Mr. G. A. Tilton appeared before the Commission and advised that the Sacramento Yacht Club is a non-profit organization; the location desired is temporary; that a short term lease should be issued; that rental should be nominal; and that no performance bond should be required.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the issuance of a lease to the Sacramento Yacht Club for one year with the right of renewal, at an annual rental of \$50.00, subject to the filing of a bond in the amount of \$200.00.

48. (Sale of Vacant School Land, Application No. 4707, Sacramento Land District, Inyo County - City of Los Angeles - Sac.W.O. 191) The Commission was informed that an offer has been received from City of Los Angeles (through its Department of Water and Power) to purchase the SW $\frac{1}{4}$, Lot 1 of NW $\frac{1}{4}$, W $\frac{1}{2}$ of Lot 2 of NW $\frac{1}{4}$ of Section 3, E $\frac{1}{2}$ of Lots 1 and 2 of NE $\frac{1}{4}$ of Section 4, NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 10, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{2}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15, NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of E $\frac{1}{2}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 34, and SW $\frac{1}{4}$ of Section 35, T. 20 S., R. 37 E., M.D.M., containing 1599.43 acres in Inyo County.

The Commission was further informed that this school land (lieu land) was acquired by the State from the Federal Government and is impressed with the trust for the benefit of schools set forth in Section 4 of Article 9 of the Constitution. The Legislature by Chap. 352 of the State, of 1909 granted municipal corporations rights of way over public lands of the State for maintenance of water works. Under this statute, which requires no rental for the State land used, the City of Los Angeles has constructed its Haiwee Reservoir, the lower Owens Valley terminal reservoir of the Los Angeles Aqueduct. Because it is school land, from time to time requests have been made to the State by private persons for purchase of lands adjoining the reservoir. The right to fish in the waters has been denied citizens by the City of Los Angeles because of possible water contamination. In order to obtain unquestionable control the City of Los Angeles has made an offer of \$7,997.15 or \$5.00 per acre. The Assessor of Inyo County has assessed contiguous land at \$2.00 per acre, thus indicating an appraised value of the land of \$4.00 per acre. An appraisal by the Commission's staff indicates that the offer as made is adequate.

That portion of the land not covered by water is strictly desert land, very rough, broken and cut by washes, unsuitable for cultivation, very poor grazing, and except for the value to the City of Los Angeles for reservoir purposes, the land is practically worthless.