

which land was never conveyed by the State. The plaintiffs' claim arose from a certain interpretation of United States patent for certain lands in this vicinity. In the course of many pre-trial conferences between plaintiffs' attorney and the Attorney General's office, a stipulated total cost for evidence of title to the State lands has been agreed upon in the amount of \$787.50, said agreement being based upon an appraised value of \$35.00 per acre. To settle the problem the attorneys have agreed that the case be closed by issuance of a State patent for the land at the agreed price.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE ISSUANCE OF A PATENT TO LOUIS O. WURZ AND ANNA I. WURZ FOR APPROXIMATELY 22.5 ACRES OF SWAMP LAND LYING IN LOT 3 OF SECTION 23 AND IN LOT 6 OF SECTION 26, T. 4 N., R. 4 W., M.D.M., FOR A TOTAL CONSIDERATION OF \$787.50, INCLUDING ALL FEES.

27. (FEDERAL FISH AND WILD LIFE SERVICE, MINERAL RESERVATION, CONDEMNATION CASE U.S. DISTRICT COURT (NORTHERN-NORTHERN) #4574, CIVIL, SISKIYOU COUNTY - W.O. 640, P.R.C. 511) The Commission was informed that the federal government condemned, for the purpose of enlargement of the Lower Klamath National Wild Life Refuge, in Civil 4574, Siskiyou County, 520 acres of school land in Section 16, T. 47 N., R. 3 E., M.D.M., and in the case, by stipulation, minerals were reserved to the State. The State received, under the court decision, \$2080.00, or \$4.00 per acre.

The Federal Fish and Wild Life Service have now requested permission to use rock and allied materials from the former State land for the use in dike construction on the refuge, which materials might be considered as minerals. It is suggested that consideration for the use of this rock is the public benefit to accrue from the Wild Life Refuge and, therefore, the State should permit its use on not only the State land condemned, but on the adjoining land, as shown on the map attached to the letter submitted by the Federal Fish and Wild Life Service on January 24, 1950.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE A PERMIT TO THE FEDERAL FISH AND WILD LIFE SERVICE FOR USE OF ROCK AND ALLIED MATERIALS RESERVED TO THE STATE IN JUDGMENT IN CASE U.S.D.C. (NO.-NO.) NO. 4574, INVOLVING 520 ACRES IN SECTION 16, T. 47 N., R. 3 E., M.D.M., WHICH MATERIAL IS TO BE USED FOR THE CONSTRUCTION OF DIKES IN LOWER KLAMATH NATIONAL WILD LIFE REFUGE FOR THE CONSIDERATION THAT THE USE OF THIS MATERIAL IS IN THE PUBLIC INTEREST.

28. (APPLICATION NO. 4708, SACRAMENTO LAND DISTRICT, NAPA COUNTY, CALIFORNIA MEDICAL MISSIONARY AND BENEVOLENT ASSOCIATION - SAC. W.O. 192) The Commission was informed that Honorable George R. Butters, Assemblyman from Brawley, Imperial County, had requested the State to withhold from disposition certain school land on the Colorado River described as Lots 1, 2, 3 and 4, of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, T. 13 S., R. 22 E., S.B.M., containing 163.72 acres in Imperial County. The Commission was also informed that the subject land had been designated as base for an indemnity selection of Federal Government land for which the State had received \$8.00 per acre; that a portion of the subject land lies below the operational water line of the Imperial Dam Reservoir and that the State had been requested by the Federal Bureau of Reclamation to initiate action to re-convey title to said land to the United States in exchange for other land. It was pointed out that if the State withdrew the base and substituted other school land base the Federal Government probably would file condemnation proceedings on the subject land; that the matter had been discussed with the Division of Beaches and Parks relative to the acquisition of said land by Beaches and Parks in the event the State substituted other base; and that if the substitution of base was not made before the approval

of the selection by the Interior Department, it would be too late as title to the State land would vest in the Federal Government upon approval of the selection.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE STAFF TO WORK OUT THIS MATTER IN THE BEST POSSIBLE MANNER, EVEN TO THE EXTENT OF SUBSTITUTING OTHER BASE FOR THE 163.72 ACRES IN SECTION 16, T. 13 S., R. 22 E., S.B.M., OFFERED IN LOCATION NO. 4708.

There being no further business to come before the Commission, the meeting was adjourned.