

MINUTE ITEM

16. \*REQUEST FOR DEFERMENT OF OPERATING REQUIREMENTS, MINERAL EXTRACTION LEASE P.R.C. 2036.1, MOE SAND COMPANY, MARIN AND SAN FRANCISCO COUNTIES - W.O. 5874.

After consideration of Calendar Item 6 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

AS REQUESTED BY MOE SAND COMPANY, THE COMMISSION WAIVES THE OPERATING REQUIREMENTS SPECIFIED IN SECTION 10 OF MINERAL EXTRACTION LEASE P.R.C. 2036.1 FOR THE LEASE YEAR ENDING NOVEMBER 11, 1960. ALL OTHER TERMS, CONDITIONS AND PERFORMANCE REQUIREMENTS UNDER THE SUBJECT LEASE, INCLUDING RENTAL PAYMENT, ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment

Calendar Item 6 (1 page)

CALENDAR ITEM

6.

REQUEST FOR DEFERMENT OF OPERATING REQUIREMENTS, MINERAL EXTRACTION LEASE P.R.C. 2036.1, MOE SAND COMPANY, MARIN AND SAN FRANCISCO COUNTIES - W.O. 3874.

Moe Sand Company, lessee under Mineral Extraction Lease P.R.C. 2036.1, issued November 12, 1957, pursuant to competitive public bidding, has reported that no material has been removed from the lease during the operating year ending November 11, 1960. Lease P.R.C. 2036.1 requires an annual advance rental of \$239, which has been paid, and minimum royalty of three cents per cubic yard for all sand extracted, together with the performance of a specified minimum of at least 100 shifts of extraction operations during each year of the term of the lease.

The Commission previously granted a deferment of operating requirements to Moe Sand Company for the lease year ending November 11, 1959, for the reason that the lessee's application for authority to dredge in navigable waters had been rejected by the Corps of Engineers on the grounds that the proposed operation would endanger navigation.

The lessee is interested in continuance of the lease and requests a deferment of operating requirements for the lease year ending November 11, 1960. An operational procedure that, in the opinion of the lessee, will not be hazardous to navigation has been submitted by the lessee to the Corps of Engineers for review. The lessee is hopeful that authority to dredge in the lease area will be granted.

IT IS RECOMMENDED THAT, AS REQUESTED BY MOE SAND COMPANY, THE COMMISSION WAIVE THE OPERATING REQUIREMENTS SPECIFIED IN SECTION 10 OF MINERAL EXTRACTION LEASE P.R.C. 2036.1 FOR THE LEASE YEAR ENDING NOVEMBER 11, 1960. ALL OTHER TERMS, CONDITIONS AND PERFORMANCE REQUIREMENTS UNDER THE SUBJECT LEASE, INCLUDING RENTAL PAYMENT, ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.