

9. (Application for Prospecting Permit - J. H. Byrd - San Bernardino County - W.O. 201) The Commission was informed that an application had been received from Mr. J. H. Byrd of Tucson, Arizona for a permit to prospect for volcanic aggregate upon the S $\frac{1}{2}$  of Section 16, T. 6 N., R. 10 E., S.B.B. & M., San Bernardino County. The subject lands are not known to contain commercially valuable minerals, and the records of the Division of Mines do not disclose any mineral development in the immediate vicinity. The success of the venture will depend more on the establishment of a commercial value for the minerals through the development of a market than upon the development of the ore body. In consideration of the relative market values of sand and pumice, with which the minerals to be prospected for would have to compete; the difficulties of mining and the long haulages involved; the establishment of a royalty rate of one-half cent per ton of material removed for any preferential mineral lease to be issued appears to be reasonable.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to issue a permit to prospect for two years for volcanic aggregate upon the S $\frac{1}{2}$  of Section 16, T. 6 N., R. 10 E., S.B.B. & M. to Mr. J. H. Byrd of Tucson, Arizona, upon the payment of the \$320.00 permit fee as prescribed by Statute. The prospecting permit is to provide that the royalty to be paid under any preferential mineral lease issued be one-half cent per ton on the material removed.

10. (Application for Mineral Prospecting Permit - San Bernardino County - Harry F. Heather - W.O. 217) The Commission was advised that an application had been received from Harry F. Heather of Pasadena for permission to prospect for clays and other non-metallic substances on Lots 3, 4, 5 and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 36, T. 9 N., R. 4 E., S.B.M., San Bernardino County. This land has not been classified as being valuable for minerals. Mr. Heather has deposited the statutory rental of \$1.00 per acre.

On May 5, 1944, the Commission authorized the issuance of a prospecting permit on Lots 6 and 7 in this same section to Mr. Heather under No. P.R.C. 140. Said permit was not issued because Mr. Heather failed to make the statutory per acre payment for his own reasons.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to execute and issue to Harry F. Heather a prospecting permit on Lots 3, 4, 5 and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 36, T. 9 N., R. 4 E., S.B.M., in San Bernardino County, pursuant to the provisions of the Public Resources Code that the royalty payable under any preferential lease issued upon discovery will be in accordance with the following schedule:

12 $\frac{1}{2}$ %	of market value at mine on 1 to 1,999 long tons per month
15%	" " " " " on 2,000 to 3,999 long tons per month
17 $\frac{1}{2}$ %	" " " " " on 4,000 to 5,999 " " " "
20%	" " " " " on all tonnage in excess of 6,000 long tons per month which value shall not be less than the reasonable market value of all the mineral secured from the land and sold or otherwise disposed of or held for sale or other disposition.