

T. 8 N., R. 23 E., S.B.M., containing 80 acres in San Bernardino County. The applicants deposited the minimum acceptable deposit of \$5 per acre, pending appraisal, together with the expense deposit of \$100.

After a conference between a member of the Staff and the Regional Officer of the Bureau of Land Management, it was determined that the most expeditious manner in which to acquire the land for Messrs. Everett and Tonjes was through the medium of an exchange under Section 8 of the Taylor Grazing Act instead of an indemnity selection under the indemnity land laws as requested by the applicants. Therefore, an exchange application, which is the subject of the following minute item, was made under the provisions of said Section 8 of the Taylor Grazing Act.

The prospective purchasers have occupied and used the land under prior United States Government land entry, but were unable to complete the purchase due to certain restrictions.

An inspection by a member of the Staff indicates that the subject land lies approximately five miles south of Needles at the junction of Highways 66 and 95. The land is quite rough, with hard, sandy soil, and is sparsely covered with sage brush and greasewood; water possibilities are very slight; agricultural potentiality is nil. Land in the immediate vicinity is assessed at approximately \$1.25 per acre. The only value of the land is for a building site for a filling station, which is now located on the land. The land was appraised on April 13, 1952, at a price of \$8,125 per acre. The applicants have deposited additional funds to meet the appraised price of \$650.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

Upon acquisition from the Federal Government of the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 20, T. 8 N., R. 23 E., S.B.M., the sale of said land to Messrs. O. Ellis Everett and Clarence J. Tonjes is authorized at the appraised value of \$650, without advertising for bids, subject to all statutory reservations including minerals. (Also see Minute Item 15.)

15. (REQUEST FOR AUTHORIZATION TO EXECUTE CERTIFICATE TO ACCOMPANY TO THE GOVERNOR'S OFFICE GRANT DEED COVERING STATE LANDS OFFERED TO THE FEDERAL GOVERNMENT IN EXCHANGE FOR FEDERAL GOVERNMENT LANDS, O. ELLIS EVERETT AND CLARENCE J. TONJES - S.W.O. 5415.) With reference to the preceding minute item (No. 14), the State, on January 26, 1952, selected in behalf of O. Ellis Everett of Kingman, Arizona, and Clarence J. Tonjes of Needles, California, 80 acres of Federal Government land in San Bernardino County, described as the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 20, T. 8 N., R. 23 E., S.B.M., in exchange for 80 acres of State school land in Inyo County described as the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 20, T. 8 N., R. 23 E., S.B.M., in exchange for 80 acres of State school land in Inyo County described as the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 16, T. 23 N., R. 1 E., S.B.M.

On November 13, 1952, the Bureau of Land Management at Washington, D.C., advised that the selected lands are available for exchange and that the values of the selected and offered lands are approximately equal for the purpose of

the exchange; that there are no outstanding contests or protests of record; that the requirements pertaining to the application have been met and publication of the exchange is therefore authorized pursuant to Department Order 2583 of August 16, 1950 (15 F.R. 5646).

In accordance with instructions from the Bureau of Land Management, the notice of the exchange application describing both the Government lands and the State lands was published for the required period in the newspapers designated by the Bureau of Land Management.

Before the Government lands desired by Messrs. Everett and Tonjes will be patented to the State, it is necessary for the State to convey to the Federal Government, by grant deed, the 80 acres of State lands in Death Valley National Monument offered in exchange.

Section 6444 of the Public Resources Code provides: "Whenever in the judgment of the Commission it is to the advantage of the State to exchange any of its public lands, as provided in Sections 6441, 6442 and 6443, the Commission shall so certify to the Governor, who shall thereupon execute, on behalf of the State, any instruments of conveyance necessary to effect the exchange."

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The State Lands Commission hereby certifies that it is to the advantage of the State to exchange the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 16, Township 23 North, Range 1 East, San Bernardino Meridian, containing 80 acres of surveyed State school lands in the Death Valley National Monument in Inyo County, offered to the United States in exchange for the E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 20, Township 8 North, Range 23 East, San Bernardino Meridian, containing 80 acres of government land in San Bernardino County, of approximately equal area and value, and authorized the Executive Officer to execute, on behalf of the State Lands Commission, the certificate provided for in Section 6444 of the Public Resources Code, certifying to the Governor that in the judgment of the Commission it is to the advantage of the State to exchange the State lands in Death Valley National Monument offered to the Federal Government for government lands of approximately equal area and value. (Also see Minute Item No. 14.)

16. (SALE OF VACANT SWAMP AND OVERFLOWED LAND, TULARE COUNTY, APPLICATION NO. 4261, SWAMP AND OVERFLOWED LAND, ELMER DUTRO AND MARY DUTRO - S.W.O. 5569.) An application has been received from Elmer Dutro and Mary Dutro to purchase that portion of Lot 7 lying in the northwest corner of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 3, T. 20 S., R. 23 E., M.D.M., containing 1.87 acres in Tulare County. Mr. and Mrs. Dutro have made an offer of \$243.10, or \$130 per acre.

The land embraced in this application was sold under contract as swamp and overflowed land. The contract of purchase was cancelled pursuant to law for the nonpayment of delinquent interest. The land has since been vacant State swamp and overflowed land. As shown by map on file in Division of State Lands, this tract of land is a part of Lot 200 of the California Farm Lands Tract and