

15. (SUMMARY REPORT, STATUS OF PROPOSED OIL AND GAS LEASE, TIDE AND SUBMERGED LANDS, RINCON, VENTURA COUNTY - W.O. 1436.) The following report was presented to the Commission:

"In the last report on the status of the offer of an oil and gas lease on 1175 acres of tide and submerged lands at Rincon, Ventura County, the Commission was informed that the date of March 10, 1955 had been set for hearing by the Appellate Court on the petition of the State for a writ of prohibition against the writ of mandate sought by Mr. Hugh B. Martin to restrain the issuance of the lease authorized (Minute Item 8, pages 2247-2248). Hearings were held on March 10, 1955 on the petitions of the State and the Richfield Oil Corporation for writs of prohibition. On March 21, 1955, the opinion of the Third District Court of Appeals was issued, stating in part as follows:

'Since in the instant case the Commission has found that existing conditions are such that a lease ought to be given to prevent loss to the State, and since artificial filled land islands constitute filled lands within the meaning of Section 6873 of the Public Resources Code, and since the Commission has followed all of the requisite statutory provisions, and in the language of the state has provided for the very contingencies which real party asserts may come to pass, it necessarily follows that prohibition will lie to prohibit further action in the mandamus proceeding now pending in the respondent court.

'By reason of what has heretofore been said, we deem it unnecessary to discuss any of the remaining matters raised by the parties.

'The writ will issue.'

"The defendant, Hugh B. Martin will have sixty (60) days within which to complete any appeal to the Supreme Court failing in which a writ of prohibition would be issued and following which the subject lease could be issued as authorized December 17, 1954."

16. (BID FOR MINERAL EXTRACTION LEASE, CORTE MADERA CANAL, MARIN COUNTY - W.O. 1936.) The following report was presented to the Commission:

"One bid for a lease to permit extraction of sand, gravel and fill material from a portion of Corte Madera Canal, Marin County, has been received from Schultz Investment Co. in accordance with an offer for standard lease bid pursuant to the Rules and Regulations and authorization by the Commission. The lease offer required a minimum bid of one cent per cubic yard for all material extracted, in conformance with the established policy of the Commission for areas where dredging is done at private cost so as to have concurrent benefits to navigation and flood control (Minute page 1472). The bidder has offered the minimum royalty of one cent per cubic yard for all sand, gravel and fill material extracted under the lease."