

ORIGINAL

Decision No. 25312

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Inverness Improvement Association,
Complainant,

vs.

Inverness Water Works,
Mrs. Julia S. Hamilton, Owner,
Defendant.

Case No. 2794.

Inverness Improvement Association,
Complainant,

vs.

Inverness Water Works,
Mrs. Julia S. Hamilton, Owner,
Defendant.

Case No. 3094.

Arthur H. Barendt, for complainant.

Chickering & Gregory, by S.R. Durhing,
for defendant.

BY THE COMMISSION:

OPINION ON REHEARING

The Commission in its Decision No. 24487, dated February 15, 1932, in the above entitled proceedings ordered defendant Julia Shafter Hamilton, owner of the Inverness Water Works, among other things, to make the necessary provisions and arrangements for the installation of a pipe line in Second Valley to connect to the existing facilities, in order to make possible the acquisi-

tion of an additional water supply for the community of Inverness, Marin County, if and when a shortage should again occur in the main supply. On February 26, 1932, defendant asked for a rehearing on this portion of the Order on the grounds that the water from the Second Valley source is not now and never has been dedicated to public use; that said defendant has no right, title or interest in, to, or on any lands within said Second Valley; that other owners in Second Valley have rights that would have to be acquired by condemnation; and that compliance with said Order would result in defendant being deprived of her property without due process of law. The Commission granted a rehearing in the above proceedings and further hearings were held at Inverness and San Francisco before Examiner Satterwhite.

From the testimony and evidence presented in these proceedings, it appears that so much of the Commission's Order as specifically directed defendant Julia Shafter Hamilton to secure an additional water supply from Second Valley should be revised and modified. The testimony presented on rehearing indicates that this utility for several years last past has not supplied its consumers with sufficient or adequate water to properly take care of their domestic and household requirements and at the same time allow a reasonable surplusage for lawn and garden irrigation uses. Although meters were installed on a large number of services, nevertheless, it has been necessary to place rigid restrictions upon the use of water throughout the system during the peak months of summer demand. The community is gradually growing and already should have available more water in order to reasonably and adequately supply the users. Under such circumstances this utility

should, without delay, make necessary arrangements to secure an additional water supply of at least fifteen thousand (15,000) gallons daily in order that proper service may be maintained throughout the year. Defendant will be directed therefore to make whatever reasonable arrangements may be necessary to secure such an additional water supply for the use of her consumers, such waters to be obtained or developed from whatever source or sources may be most logical and feasible.

ORDER ON REHEARING

The Commission having rendered its Decision No. 24487 on the fifteenth day of February, 1932, in the above entitled proceedings; a rehearing having been held thereon, granted upon request of defendant; the matters having been submitted and the Commission being now fully advised in the premises; now, therefore

IT IS HEREBY ORDERED that the following paragraph in said Decision No. 24487:

"IT IS HEREBY FURTHER ORDERED that said Julia Shafter Hamilton make necessary provisions and arrangements to install a pipe line of at least two inches internal diameter in Second Valley at sufficient elevation to force the water into the Colby Tanks and connect same either to the Colby Tanks or to the existing distribution system in Second Valley and Julia Shafter Hamilton shall file with this Commission, within ninety (90) days from the date of this Order, a statement setting forth said necessary provisions and arrangements, same to be subject to the approval of this Commission."

be and it is hereby modified to read as follows:

IT IS HEREBY FURTHER ORDERED that said Julia Shafter Hamilton file or cause to be filed with this Commission on or before the first day of April, 1933, detailed plans, together with specifications and estimates of the cost thereof, providing for the acquisition of an additional supply of water of not less than fifteen thousand (15,000) gallons daily, which supply of water shall be made available for use of the consumers of the Inverness Water Works in and in the vicinity of Inverness, Marin County, on or before the first day of July, 1933.

IT IS HEREBY FURTHER ORDERED that the Order in said Decision No. 24487 shall remain in full force and effect except as modified herein.

Dated at San Francisco, California, this 31st day of October, 1932.

W. J. Deery
Leon A. Whittell
W. J. Lee
W. B. Harris
Fred G. Stewart
Commissioners.