

Decision No. 26460

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of
J. W. FRANK and PACIFIC GAS AND
ELECTRIC COMPANY, a corporation,
for an order of the Railroad Com-
mission of the State of California
authorizing applicants to enter in-
to a written agreement in words and
figures as written in the form
therefor which is annexed hereto.

ORIGINAL

Application No. 19127.

BY THE COMMISSION:

O R D E R

Pacific Gas and Electric Company, a corporation, and
J. W. Frank, owner of certain mining property known as the Rising
Sun Mine located about 1.5 miles northerly from Colfax, Placer
County, and proposing to engage in mining operations thereon if
and when he can secure the necessary supply of water therefor,
having filed an application for authority to enter into an agree-
ment substantially in the words and figures as written in the
form therefor marked Exhibit "A" attached to the application
herein and made a part of this Order by reference thereto, said
agreement providing, among other things, for the sale and de-
livery to said J. W. Frank, on an accommodation basis and when
same is available and shall be required for mining purposes, of
surplus water in the company's Boardman Canal not exceeding a
flow of five (5) miner's inches (said miner's inch for the pur-
pose of this agreement to mean 1.5 cubic feet of water per minute)
at the rate of thirty cents (30¢) per miner's inch day, deliveries

of said water to be made and measured at or near said Boardman Canal at one or more points to be mutually agreed upon near the site of applicant J. W. Frank's mine, and it appearing that this is not a matter in which a public hearing is necessary and that the application should be granted,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company, a corporation, and J. W. Frank be and they are hereby authorized to enter into an agreement for the delivery of surplus waters under substantially the same terms and conditions as are set forth in the form of agreement marked Exhibit "A" attached to the application herein.

IT IS HEREBY FURTHER ORDERED that the Pacific Gas and Electric Company, a corporation, file with this Commission, within thirty (30) days from the date of this Order, two certified copies of said agreement as finally consummated.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 23rd day of October, 1933.

C. C. Lanning
Leon C. Sullivan
W. J. Linn
M. B. Harrison
W. H. Linn
Commissioners: