

Decision No. 28842

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC GAS AND ELECTRIC COMPANY
for an order of the Railroad
Commission of the State of California
authorizing it to enter into a written
agreement in words and figures as
written in the form therefor, which
is annexed hereto.

Application No. 20523

ORIGINAL

BY THE COMMISSION:

O R D E R

Pacific Gas and Electric Company, a corporation, having filed an application with the Railroad Commission requesting approval of a certain agreement entered into by and between Pacific Gas and Electric Company, a corporation, R. E. Anderson, a mining operator of Marysville, California, and the City of Lincoln, a California municipal corporation, in words and figures as set forth in the copy thereof marked Exhibit "One" and attached to the application herein, said agreement providing, among other things, for the sale and delivery to R. E. Anderson, as an accommodation and without dedication of same to public use for mining purposes, such quantity of excess water available in Pacific Gas and Electric Company's Caperton canal not exceeding a flow of ten (10) miner's inches ⁽¹⁾ for mining purposes on certain property located south-

1. For the purpose of this agreement a miner's inch shall mean one and one-half (1½) cubic feet of water per minute.

easterly of Lincoln within Sections 23 and 24 of Township 12 North, Range 6 East, M.D.B & M., Placer County, California, to be paid for at the rate of sixteen cents (\$0.16) per miner's inch day⁽²⁾, and

WHEREAS Lincoln owns and maintains an aqueduct consisting of ditches, pipe lines and three reservoirs through which it conveys to its city mains for distribution within its corporate limits for municipal, domestic and other purposes water which it purchases therefor from Pacific Gas and Electric Company at a point (for the purpose of this proceeding called Point A) on the latter's Caperton canal in the northeast quarter (NE $\frac{1}{4}$) of Section 30, Township 12 North, Range 7 East; and

WHEREAS Lincoln has no water available for sale to R. E. Anderson but is willing for the consideration and under the condition specified in the form of agreement marked Exhibit "One" attached to the application herein to convey for said R. E. Anderson through said aqueduct to a point (for the purpose of this proceeding called Point B) thereon above its middle reservoir and there to deliver such water, less transit losses, as R. E. Anderson shall from time to time purchase from Pacific Gas and Electric Company at said point; and

It appearing that this is not a matter in which a public hearing is necessary and that the application should be granted, now, therefore,

IT IS HEREBY ORDERED that Pacific Gas and Electric Company, a corporation, R. E. Anderson, a mining operator of

2. For the purpose of this agreement a miner's inch day shall mean one miner's inch as hereinbefore defined flowing for a period of twenty-four hours.

Marysville, California, and the City of Lincoln, a California municipal corporation, be and they are hereby authorized to enter into an agreement for the delivery of water under substantially the same terms and conditions as are set forth in the form of agreement marked Exhibit "One" attached to the application herein and made a part hereof by reference.

IT IS HEREBY FURTHER ORDERED that 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 25th day of May, 1936.

W. B. Lewis
Leon Whitted
W. A. Lee
W. B. Lewis
James R. Adams
Commissioners