

Decision No. 28990

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.

ORIGINAL

Application No. 20635.

BY THE COMMISSION:

ORDER

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, and J. H. Jurgens and F. Sparhawk, in words and figures as set forth in the copy thereof marked Exhibit "A" and attached to the application herein, said agreement providing, among other things, for the sale and delivery to J. H. Jurgens and F. Sparhawk, 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 Perry Canal, in Placer County, if and when requested, but not exceeding a flow of two (2) miner's inches,⁽¹⁾ to be paid for at a rate of thirty cents (\$0.30) per miner's inch day;⁽²⁾ said

(1) For the purpose of this agreement a miner's inch shall mean one and one-half ($1\frac{1}{2}$) cubic feet of water per minute.

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

water to be used on certain property located in the northwest quarter (NW $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$) of Section 12, Township 11 North, Range 7 East, M. D. B. & M., in Placer County, California, said agreement to be effective for a period of one (1) year from and after the date of its execution and thereafter until terminated at the election of either Pacific Gas and Electric Company or J. H. Jurgens and F. Sparhawk by service on the other party of written notice to that effect thirty (30) days in advance of the date on which such termination shall become effective; 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, and J. H. Jurgens and F. Sparhawk 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 "A" attached to the application herein and made a part hereof by reference.

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 16th day of July, 1936.

M. B. Harris
Matthew J. Jurgens
Frank R. Sparhawk

Commissioners.