

Decision No. 30060

ORIGINAL

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 authoriz-
ing it to enter into a certain agree-
ment with J. E. PAYNE and W. R. PAYNE
in words and figures as written in
the form therefor which is annexed
hereto.

Application No. 21402

BY THE COMMISSION:

O R D E R

Pacific Gas and Electric Company, a corporation, having filed an application with the Railroad Commission of the State of California requesting approval of a certain agreement entered into by and between Pacific Gas and Electric Company, a corporation, and J. E. Payne and W. R. Payne, who are engaged in the business of mining, in words and figures as set forth in the copy of said agreement marked Exhibit "A" and attached to the application herein, said agreement providing, among other things, for the sale and delivery to J. E. Payne and W. R. Payne, as an accommodation and without dedication of same to public use, of such quantities of excess water available in Pacific Gas and Electric Company's Lower Banvard Canal not exceeding a flow of six (6) miner's inches⁽¹⁾ as said J. E. Payne and W. R. Payne shall request for mining purposes in certain territory located within the

(1) For the purpose of this agreement a miner's inch shall mean 1.5 cubic feet of water per minute.

northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section 19, Township 12 North, Range 8 East, M.D.B. & M., in Placer County, California, commonly known as the Ruby Orchard, said water to be paid for at the rate of thirty cents (30¢) per miner's inch day⁽²⁾, 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, be and it is hereby authorized to enter into an agreement for the sale and delivery of excess water to J. E. Payne and W. R. Payne under substantially the same terms and conditions as are set forth in the form of agreement marked Exhibit "A" which is 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 17th day of August, 1937.

W. J. [Signature]
Geo. [Signature]
R. [Signature]
Commissioners.

(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.