

Decision No. 30265

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of  
PACIFIC GAS AND ELECTRIC COMPANY, a  
corporation, for an order of the  
Railroad Commission of the State of  
California authorizing applicant to  
enter into a written agreement with  
VICTOR ETIENNE, JR., in words and  
figures as written in the form there-  
for which is annexed hereto.

ORIGINAL

Application No. 21532

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 Victor Etienne, Jr., who is engaged in the business of mining in Tuolumne County, California, 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 Victor Etienne, Jr., as an accommodation and without dedication of same to the public use, of such quantities of excess water available in Pacific Gas and Electric Company's Phoenix Reservoir not exceeding a flow of seventy-five (75) miner's inches<sup>(1)</sup> as said Victor Etienne, Jr.,

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

shall require for mining purposes in connection with the operation of his mine commonly known as the Gertrude Mine or Old Ida Klein Mine located in Tuolumne County, California, said water to be paid for at the rate of twenty-five cents (25¢) per miner's inch day<sup>(2)</sup>, 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 Victor Etienne, Jr., substantially in 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 25<sup>th</sup> day of Oct., 1937.

W. H. ...  
John ...  
...  
...  
...  
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.