

Decision No. 21989

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 certain agreement with VICTORIA HUNTER in words and figures as written in the form therefor which is annexed hereto.

ORIGINAL

Application No. 22689

BY THE COMMISSION:

O R D E R

In this application Pacific Gas and Electric Company, a corporation, asks for authority to enter into an agreement with Victoria Hunter, an irrigator, substantially in accordance with the words and figures as written in the form therefor, marked Exhibit "A" of Exhibit No. 1, attached to the application herein, said agreement providing, among other things, for the sale and delivery to said Victoria Hunter, if and as requested by the latter so to do, as an accommodation and without dedication of same to public use, of such quantity of excess water that the Pacific Gas and Electric Company may have available in its Boardman Canal not to exceed a flow of two (2) miner's⁽¹⁾ inches for the irrigation of a portion of her twenty (20) acres in the north half (N $\frac{1}{2}$) of the southwest quarter (SW $\frac{1}{4}$) of the south-

⁽¹⁾ A miner's inch for the purpose hereof shall mean a continuous flow of water equivalent to 1.5 cubic feet per minute.

east quarter (SE $\frac{1}{4}$) of Section 20, Township 11 North, Range 7 East, M.D.B.&M., in Placer County, provided that irrigator, Victoria Hunter take a continuous flow of not less than one miner's inch of water for a period of not less than ten consecutive days, said water to be paid for at the rate of sixteen (16) cents per miner's inch day.⁽²⁾

Reference is made to Decision No. 31282 in which the Commission sets forth its interpretation of the time limit of this type of agreement and included a suggested clause to be inserted as a means by which the agreement might be terminated.

Inasmuch as both parties are agreeable to the signing of the proposed agreement, and it appearing that this is not a matter in which a public hearing is necessary, 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 Victoria Hunter under the same terms and conditions substantially as set forth in the form agreement marked Exhibit "A" of Exhibit No. 1 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 sixty (60) days from the date of this Order, two certified copies of said agreement as finally consummated.

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

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

Dated at Los Angeles, California, this 2nd day of May, 1939.

Rafaela Belmont
Grace D. Walsh
Rafaela Belmont
Grace D. Walsh
Justice J. Caswell
Commissioners.