

Decision No. 31981

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, authorizing it to enter into a certain agreement with ANNA L. DOBBAS in words and figures as written in the form therefor which is annexed hereto.

Application No. 22688

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 Anna L. Dobbas, 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 Anna L. Dobbas, 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 Caperton Canal not to exceed a flow of fifteen (15) miner's⁽¹⁾ inches for the irrigation of a portion of her thirty-three (33) acres located in the west half ($W\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 15, Township 12 North, Range 7 East, M.D.B.&M., in Placer County, provided that

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

irrigator Anna L. Dobbas take a continuous flow of not less than two miner's inches 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⁾

This agreement will supersede that agreement between applicant and irrigator filed with the Commission in compliance with the order in Decision No. 30890 issued May 23, 1938 in Application No. 21947.

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 Anna L. Dobbas under the same terms and conditions substantially as are set forth in the form of 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

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

copies of said agreement as finally consummated.

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

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

Rafaela [unclear]
Frank [unclear]
Ray [unclear]
[unclear]
Justin J. [unclear]
Commissioners.