

Decision No. 32760

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Palm Springs Water Company, a corporation, for authority to execute a contract with the Southern Pacific Railroad Company, a corporation, and the Southern Pacific Company, a corporation.

Application No. 19831

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER

Palm Springs Water Company, a corporation ⁽¹⁾ engaged in the business of supplying water for domestic use in and in the vicinity of Palm Springs, Riverside County, has applied to the Railroad Commission for an order authorizing it to enter into and execute a supplemental agreement with the Southern Pacific Railroad Company, a corporation ⁽²⁾, and Southern Pacific Company, a corporation ⁽²⁾.

On March 8, 1935, the Commission by Decision No. 27801 (Application No. 19831) authorized the said Water Company to enter into a certain agreement with Southern Pacific providing for the diversion of water from Snow Creek in Riverside County and the con-

(1) Hereinafter referred to as Water Company.

(2) Hereinafter referred to as Southern Pacific.

struction of diversion works thereon and pipelines therefrom. It was also agreed that Southern Pacific had the preferential right to 3.2 second feet of water in said Snow Creek over and above any rights of Water Company.

Since the execution of said agreement Water Company has purchased other water rights and lands along Snow Creek, and now controls the headworks and diversion point on the stream. In accordance with the terms of a new and supplementary agreement, the Water Company now has secured 1.2 second feet of water from Southern Pacific's preferential right of 3.2 second feet in Snow Creek which, under the original agreement, constituted surplus water. This additional quantity of water materially increases Water Company's supply.

An investigation having been made in the above entitled matter and it appearing that a public hearing is not necessary, and that the authority sought should be granted,

IT IS HEREBY ORDERED that Palm Springs Water Company, a corporation, be and it is hereby authorized to enter into a supplemental agreement with Southern Pacific Railroad Company, a corporation, and Southern Pacific Company, a corporation, in substantially the same form and manner as set forth in the copy of the proposed supplemental agreement by and between said parties, marked Exhibit "B" and attached to the supplemental application herein, which is hereby made a part of this Order by reference.

IT IS HEREBY FURTHER ORDERED that Palm Springs Water Company, a corporation, file with this Commission, within twenty (20)

days from the date of its execution, two certified copies of the agreement as finally consummated.

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

Dated at Los Angeles, California, this 23rd day of January, 1940.

Ray L. Kelley
Franklin
Richardson
Justin J. Brewer
Commissioners