

Decision No. 32288

## 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 EDWARD M. MARQUIS in words and figures as written in the form therefor which is annexed hereto.

Application No. 23246

BY THE COMMISSION:

ORDER

In this proceeding Pacific Gas and Electric Company asks for authority to enter into an agreement with Edward M. Marquis for the sale and delivery of such quantities of surplus water as applicant may have available in its Eureka Ditch located in Tuolumne County. There is water in said ditch from time to time in excess of that required to meet public utility water service obligations and which applicant is willing to sell to Mr. Marquis for distribution in the Twain Harte Resort Tract, situated near Confidence, Tuolumne County. The quantity of water to be diverted under the agreement herein is not to exceed a flow of one miner's inch<sup>(1)</sup> for each 500 persons served at the resort and the rate is to be fifty cents (50¢) per miner's inch day. Unless otherwise terminated, the agreement will remain in force to and including December 31, 1941. It appearing that this is not a matter in which

(1) A miner's inch for the purpose of this agreement is equal to a continuous flow of 1.5 cubic feet per minute.

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 surplus water to Edward M. Marquis substantially under the same terms and conditions as set forth in the 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.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of March, 1940.

Ray L. Riley  
Francis A. Smith  
Walter A. ...  
W. M. ...  
Justus J. Cassen  
(Commissioners)