

Decision No. 32332

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of W. J. PECKWITH and ERA G. PECKWITH, his wife, to transfer certain water rights, head dams, ditches, reservoirs and distributing system to Gordon Lewis, and for approval of a certain agreement entered into between the said W. J. Peckwith and Era G. Peckwith, his wife, and the said Gordon Lewis.

Application No. 23302

BY THE COMMISSION:

O R D E R

W. J. Peckwith and Era G. Peckwith, his wife, own and operate two water systems at Downieville in Sierra County, one known as the Jersey Flat Water System, the other Durgan Flat Water Works. Application as above entitled having been made to this Commission for authority to sell and transfer only the Jersey Flat Water System to Gordon Lewis who joins in the application, 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 W. J. Peckwith and Era G. Peckwith, his wife, be and they are hereby authorized to sell and transfer to Gordon Lewis that certain water plant known and designated as Jersey Flat Water System together with the properties

appurtenant thereto used in supplying water for domestic and other purposes to the residents of a portion of the Town of Downieville and in the vicinity thereof, in Sierra County, said property being more particularly described in the application herein and in the agreement attached thereto, marked Exhibit "A," which are hereby made a part of this Order by reference, subject to the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of July, 1940, and a certified copy of the final instrument of conveyance shall be filed with this Commission by W. J. Peckwith and Era G. Peckwith, his wife, within thirty (30) days from the date upon which said instrument is executed.
2. Within ten (10) days after the date on which W. J. Peckwith and Era G. Peckwith, his wife, actually relinquish control and possession of the property herein authorized to be transferred, they shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.
3. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or for any purpose other than the transfer herein authorized.
4. On or before the first day of July, 1940, W. J. Peckwith and Era G. Peckwith, his wife, shall refund to such consumers as may be entitled thereto all amounts, if any, deposited for main extensions, meter or service connections, and/or any other purposes, and not later than said date they shall file with this Commission a certified statement to the effect that all such refunds, if any, have been duly made.
5. That on or before the first day of July, 1940, W. J. Peckwith and Era G. Peckwith, his wife, be and they are hereby directed to re-file, in quadruplicate, with this Commission the schedule of rates presently effective on the Durgan Flat Water Works, together with four sets of revised rules and regulations to cover service within said area, each set of which rules and regula-

tions shall contain a suitable map or sketch, drawn to scale, upon a sheet approximately 8-1/2 by 11 inches in size, delineating thereupon in distinctive markings the boundaries of said service area, provided further, however, that such map or sketch shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

IT IS HEREBY FURTHER ORDERED that upon due compliance with the above terms and conditions said W. J. Peckwith and Era G. Peckwith, his wife, shall thereupon and thereby stand relieved of all further public utility obligations and liabilities in connection with the Jersey Flat Water System authorized to be transferred herein.

IT IS HEREBY FURTHER ORDERED as follows:

- A. That Gordon Lewis be and he is hereby authorized and directed to file, in quadruplicate, with the Railroad Commission within thirty (30) days from the date of this Order the following schedule of rates now in effect on the Jersey Flat Water System, said schedule to be charged for all water service rendered to his consumers through and by means of the Jersey Flat Water System in and in the vicinity of the Town of Downieville, Sierra County:

RATE SCHEDULE

Sprinkling or irrigation of lawns, shrubbery, trees and gardens, per 100 square feet irrigated-----	\$0.02 per month
County Hospital-----	\$6.00 per month
Individuals and families with lawn or small garden, having 3/4-inch to 1-inch pipes-----	\$1.50 per month

- B. That within thirty (30) days from the date of this Order said Gordon Lewis shall submit to this Commission for its approval rules and regulations, in quadruplicate, governing relations with his consumers, each set of which rules and regulations

shall contain a suitable map or sketch, drawn to scale, upon a sheet approximately 8-1/2 by 11 inches in size, delineating thereupon in distinctive markings the boundaries of the service area of the Jersey Flat Water System and the location thereof with reference to the surrounding territory, provided further, however, that such map or sketch shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.

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

Dated at San Francisco, California, this 9th day of April, 1940.

Ray L. Rice
Frank W. ...
Robert ...
H. ...
Justus J. ...
Commissioners.