

ORIGINAL

Decision No. 37544

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application

of

BERTHA SHAFTER HAMILTON and BANK OF SAN RAFAEL, a corporation, for an order authorizing and approving the execution of a lease.

Application No. 26428.

BY THE COMMISSION:

ORDER

Bertha Shafter Hamilton, doing business as the Inverness Water Works, and engaged in the business of selling water for domestic and commercial purposes in the town of Inverness, Marin County, asks the Commission for authority to lease the 352 acres of public utility watershed lands to Millard Reed Ottinger for a twenty-five year period for hunting purposes.

The Bank of San Rafael and Bertha Shafter Hamilton have agreed to sell to Mr. Ottinger 361.90 acres of land, which is to be used primarily for hunting wild game, and as a part of the consideration it has been agreed to give him exclusive hunting rights upon the watershed lands, which are contiguous to the property being sold.

The lease provides for the safeguarding of the watershed lands and the water supply and water facilities thereon from pollution or damage, and relieves lessors from any and all claims of damages arising from personal injuries sustained by lessee, his guests or employees.

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 Bertha Shafter Hamilton, doing business as

Inverness Water Works, be and she is hereby authorized to enter into an agreement with Bunk of San Rafael, a corporation, and Millard Reed Ottinger, providing for hunting rights upon the public utility watershed lands under substantially the same terms and conditions as set forth in the form of agreement marked Exhibit "A" dated September 15, 1944, attached to the application.

IT IS HEREBY FURTHER ORDERED that Bertha Shafter Hamilton file with this Commission within sixty (60) days from the date of this order two copies of said agreement as finally consummated.

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

Dated at San Francisco, California, this 12th day of December, 1944.

Richard Laska  
Justus F. Coe  
Frank R. Haven  
James W. Coe  
James H. Kelle  
COMMISSIONERS.