

Decision No. 38212

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the matter of the application of PACIFIC GAS AND ELECTRIC COMPANY, a corporation, for an order of the Railroad Commission authorizing it to enter into a certain agreement with WINTON LUMBER COMPANY in words and figures as written in the form therefor which is annexed hereto.

Application No. 26859

BY THE COMMISSION:

ORDER

In this application Pacific Gas and Electric Company, a corporation, asks for authority to enter into an agreement with Winton Lumber Company to sell and deliver water for industrial use at its mill located at Martel, Amador County. Deliveries are to be made from Pacific Gas and Electric Company's canal near the intake of Oneida Siphon, the flow is not to exceed twenty (20) miner's inches,<sup>(1)</sup> except during the months of February and March when additional flow not to exceed thirty (30) miner's inches may be taken if and when such water is available. The rate is twenty-five (25¢) cents per miner's inch day. Service is furnished on an accommodation basis only. This agreement is to be effective for a period of one (1) year and thereafter until terminated at the election of either party on thirty (30) days' written notice.

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 water to Winton Lumber Company under substantially the same terms and conditions as set forth in Exhibit "A" of Exhibit No. 1 which is attached to the application herein and hereby made a part of this Order by reference.

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

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 this agreement as finally consummated.

IT IS HEREBY FURTHER ORDERED that Pacific Gas and Electric Company, a corporation, notify this Commission of the date of the termination of said agreement within thirty (30) days thereof.

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

Dated at San Francisco, California, this 12<sup>th</sup> day of September, 1945.

David C. ...  
Justice F. ...

Frank ...

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Commissioners.