

Decision No. 32075

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 of the State of California granting and conferring upon applicant all necessary permission and authority to consummate, in accordance with its terms, a written agreement with JOHN E. PAYNE, dated May 1, 1946, (Exhibit "A" hereof).

Application No. 27556

ORDER

In this application Pacific Gas and Electric Company, a corporation, asks for authority to enter into an agreement with John E. Payne for the sale and diversion of such quantity of excess water as the Pacific Gas and Electric Company may have available in its Lower Banvard Canal, Placer County. Deliveries are to be made from said canal and the flow is not to exceed six (6) miner's inches.⁽¹⁾ The water to be purchased is to be used exclusively for mining purposes and is to be the water which is in excess of that required by the Pacific Gas and Electric Company to provide for its regular irrigation and domestic service. 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 excess water to John E. Payne under the same terms and conditions substantially as set forth in Exhibit "A" which is attached to the application herein and made a part hereof by reference. The amounts and the period of diversion provided therein

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

are at all times to be subject to the authority of the Commission in the exercise of its jurisdiction.

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 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 11th day of June, 1946.

Harold Anderson

Justus J. Green

Frank Powell

Harold Hild

Commissioners.