

Decision No. 45308**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application )

of )

SANTA PAULA WATER WORKS, LTD., )

Application No. 31969 )

a corporation, for an Order )  
authorizing it to enter into )  
agreements under which it will )  
transfer priorities under certain )  
water rights owned by it. )OPINION AND ORDER

Santa Paula Water Works, Ltd., a corporation, on December 8, 1950, applied for authority to enter into agreements with Jergins Oil Company, Otto Ellsworth, and F. E. Fairfield, oil property operators, to lease for a period of one year certain limited priorities under water rights owned by applicant. The agreements attached to the application as Exhibits "A," "B," and "C," respectively, set forth the conditions and terms of such proposed transfer.

Applicant is a California corporation furnishing water service in, and in the vicinity of, the City of Santa Paula, Ventura County, California. It has been furnishing such service for many years, and there are now some 3,300 domestic and irrigation consumers included in its water system. The source of water supply of the water system is Santa Paula Creek and five wells.

An investigation by the Commission staff has disclosed that the lowest flow of Santa Paula Creek, which occurred in the year 1924, was 135 gallons per minute, or 194,400 gallons per day.

The combined capacity of the five wells is 4,185 gallons per minute, all of which may be utilized for the entire system, except Well No. 4 which serves consumers located in the upper portion of the service area only.

According to the terms of the agreements being considered herein, the applicant will permit the Jergins Oil Company, Otto Ellsworth, and F. E. Fairfield, each, to take and use water from the Santa Paula Creek in an amount not to exceed 850 cubic feet of water per day, or 300,000 cubic feet of water per year, such water to be used for drilling wells for oil or gas and for conducting operations for the drilling and production of oil and gas on certain premises situate in the County of Ventura, State of California, and more particularly described in Exhibits "A," "B," and "C," attached to the application. No water is to be used for domestic purposes, and applicant will not be responsible for its purity.

The agreements with Jergins Oil Company and Otto Ellsworth expire October 1, 1951, and October 17, 1951, respectively. The agreement with F. E. Fairfield expires December 31, 1951. Each of said agreements is subject to extension by mutual agreement in writing and consent and approval of this Commission.

Since it is proposed to assign the right to take water from an area substantially above and outside of applicant's service area and from along Santa Paula Creek, and, further, since the total amount of water assigned will not exceed 2,550 cubic feet per day, which is about 19,125 gallons per day, or 900,000 cubic feet per year, it is evident that the total water supply available to applicant's regular customers in and about the City of Santa Paula will in no way be jeopardized.

The agreed price of \$120 per year to be paid by each of the three oil operators for the exercise of the rights contained in the agreements appears to be reasonable..

It appearing that a public hearing is not necessary herein, and that the permissive use of said priorities under certain of applicant's water rights by Jergins Oil Company, Otto Ellsworth, and F. E. Fairfield, in accordance with the above referred to agreements, is not adverse to the public interest, and that the application should be granted subject to certain conditions.

IT IS HEREBY ORDERED that Santa Paula Water Works, Ltd., is authorized to carry out the terms and provisions of said agreements with Jergins Oil Company, Otto Ellsworth and F. E. Fairfield, as set forth in Exhibits "A," "B," and "C," respectively, attached to the application herein, which exhibits are hereby made a part of this order by reference.

Applicant shall notify this Commission of the termination of each of said agreements within thirty (30) days after the date of said termination.

The effective date of this order shall be twenty (20) days from the date hereof.

Dated at San Francisco, California, this 30<sup>th</sup> day of January 1951.

[Signature]  
[Signature]  
[Signature]  
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Commissioners.