

Decision No. 46711

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of)
SANTA PAULA WATER WORKS, LTD.,)
a corporation, for an Order)
authorizing it to enter into)
agreements under which it will)
transfer priorities under certain)
water rights owned by it.)

Application No. 32995.

OPINION AND ORDER

Santa Paula Water Works, Ltd., a corporation, asks for authority to carry out the terms and conditions of an agreement with Otto Ellsworth, an individual, doing business as Santa Paula Drilling and Development Company, providing for the sale of water from Santa Paula Creek for drilling and oil well operations.

Santa Paula Water Works, Ltd., furnishes domestic water service in and in the vicinity of the City of Santa Paula, Ventura County. One of the sources of the company's water supply is Santa Paula Creek in which it has an appropriative right to use water. The company depends on wells for the balance of its water supply. This source can supply all of the demands of the consumers without the use of the creek water.

The premises of Otto Ellsworth are located far above the company's distribution system and outside its service area and therefore it is unable to serve the property.

The agreement provides that during its term Otto Ellsworth has the right as against the company to take from the surface flow of Santa Paula Creek a maximum of 300,000

cubic feet of water per year, but not in excess of 850 cubic feet in any 24-hour period. The use of the water is limited to drilling and oil well operations on three parcels of land described in the agreement and shall not be used for human consumption. The price to be paid for the right to take water is \$120 per year.

The agreement expires on October 17, 1952, but may be extended by mutual agreement in writing and with the consent and approval of this Commission.

The Commission having considered the request of the company and being of the opinion that the application should be granted and that a public hearing is not necessary; therefore,

IT IS HEREBY ORDERED that Santa Paula Water Works, Ltd., a corporation, be and it is authorized to permit Otto Ellsworth, doing business as Santa Paula Drilling and Development Company, to receive the quantities of water set forth in the agreement attached to the application herein and marked Exhibit A, and made a part hereof by reference, and to render the service described therein subject to the following conditions:

1. Santa Paula Water Works, Ltd., shall file with this Commission within thirty (30) days after the effective date of this order, two certified copies of the agreement as executed, together with a statement of the date on which the agreement is deemed to have become effective.

- 2. Santa Paula Water Works, Ltd., shall notify this Commission of the date of termination of said agreement within thirty (30) days from and after said date of termination.

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

Dated at San Francisco , California, this 5th day of February, 1952.

R. Z. [Signature]
President.

Justice F. Cassese
Harold Huls

[Signature]
[Signature]
Commissioners.