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Decision No. 48552

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of CALIFORNIA WATER & TELEPHONE COMPANY for authority to amend Rule No. 2 of its Sweetwater District Rules and Regulations.

Application No. 33946

Bacigalupi, Elkus & Salinger, attorneys, by Claude N. Rosenberg; Higgs, Fletcher & Mack, attorneys, by Dewitt A. Higgs, for applicant.
Edwin M. Campbell, for City of National City, protestant.
Paul D. Engstrand, Jr., for South Bay Irrigation District, interested party.
E. Ronald Foster, Sr., for the Commission staff.

O P I N I O N

California Water & Telephone Company, by the above-entitled application, filed December 15, 1952, seeks authority to amend Rule No. 2 of its Sweetwater District Rules and Regulations by the elimination of the last paragraph of said rule, which reads as follows:

> "No application for service will be granted except for strictly domestic use upon tracts of one-half acre or less, upon which a dwelling has been erected or will be erected in the immediate future. This Rule and Regulation does not apply when application is for service upon land heretofore using water as a part of a larger tract and which has a recognized right to water for irrigation, nor does it apply to applications for industrial or temporary uses."

This paragraph was incorporated in Rule No. 2 in accordance with Decision No. 9514, dated September 14, 1921, in Application No. 6715 and Case No. 1627 (20 CPUC 562). Its effect was, and has been since 1921, to prohibit applicant from accepting applications

for irrigation water service to lands not receiving such service as of the date of the order. By individual orders of the Commission certain separate exceptions have been granted, over the years, but these exceptions are not material to this proceeding.

A public hearing on this application was held before Examiner Warner on March 31, 1953, at San Diego. The application was supported by the South Bay Irrigation District, but was protested by National City.

Applicant alleged that the above-quoted paragraph was no longer necessary for the reason that a substantial supplemental water supply has been available for service in the Sweetwater District since February 24, 1948, through the medium of so-called agency contracts with National City and the South Bay Irrigation District as members of the San Diego County Water Authority, which, in turn, is a member of the Metropolitan Water District of Southern California. The record shows that construction of the so-called "second barrel" of the San Diego Aqueduct of the Metropolitan Water District is expected to be completed in the fall of 1954.

Still another condition affecting the application was the completion of applicant's Lake Loveland Dam in 1945, which impounds water for use in its Sweetwater District. The storage capacity of Lake Loveland is 25,000 acre feet, and that of Sweetwater Reservoir is 27,000 acre feet. Also, in 1931 applicant drilled a total of 15 wells in Sweetwater Valley which provided additional local sources of water supply.

As of March 27, 1953, 10,800 acre feet of water were held in storage behind Sweetwater Dam, and 7,900 acre feet behind Loveland Dam, or a total of 18,700 acre feet. The total actual use of water by all consumers in Sweetwater District was 11,440 acre feet in 1950, 11,064 acre feet in 1951 and 10,565 acre feet in 1952.

Applicant estimated that if the restriction on furnishing irrigation service were lifted, approximately 980 acres of potentially irrigable land, not heretofore irrigated, would be added to areas presently receiving irrigation and other service from applicant. The record shows, in Exhibit 2, that 1,120 acres of land are presently being irrigated with private water supplies. These might also become potential irrigation consumers if the owners of such land elect to apply for applicant's service, and if the restriction were lifted, making a total of 2,100 acres.

Applicant's Exhibit 1 shows the water use, acreage receiving water, and the water duty in acre feet per acre per year, segregated between irrigated lands and all other water using lands, for the years 1948 to 1952, inclusive. From this exhibit it may be observed that the acreage water duty on irrigated lands is in the neighborhood of 1-3/4 acre feet per acre per year, while on all other lands the acreage water duty is approximately 1-1/4 acre feet per acre per year. Therefore, if all of the 2,100 acres of potentially irrigable land not now being served with water by applicant were to be supplied with water for irrigation purposes, the additional demand on the applicant would amount to about 3,675 acre feet per year. Adding this amount to the highest water use of 11,440 acre feet previously mentioned for the year 1950 would make a total water requirement of slightly more than 15,000 acre feet per year.

Furthermore, the record shows that most of the aforementioned nonirrigated but potentially irrigable land, and the land presently being irrigated with private water supplies, could be developed for domestic, commercial, or industrial purposes, and that there is no restriction in applicant's Rules and Regulations against furnishing water service to such lands for those purposes.

The additional requirement, were all of these lands to be irrigated, would be 1/2 acre foot per acre per year, or 1,050 acre feet annually. Therefore, it is evident that the potential total demand on the applicant's supply would not be materially increased (less than 10 per cent) if the restrictive portion of the rule were eliminated as requested in this application.

Exhibit 4 is a graph showing water use and total reasonable supply with Colorado River water entitlement for the years 1948 through 1952. It shows the yearly total reasonable supply from local sources to be 8,500 acre feet, the total reasonable supply from Colorado River water entitlement to be 9,000 acre feet, a total of 17,500 acre feet annually from all sources.

The Commission has carefully considered the record in this proceeding and is of the opinion that the evidence clearly indicates that applicant's water supply from all sources for the foreseeable future, including the year 1954, is adequate to meet the demands of its present consumers. It is further of the opinion that the water supply necessary for such demands would not be jeopardized by the lifting of the restriction on furnishing irrigation service to lands not presently being irrigated, and the application will be granted by the order which follows.

O R D E R

Application as above-entitled having been filed, a public hearing having been held, the matter having been submitted, and the Commission being fully advised in the premises,

IT IS HEREBY ORDERED that the California Water & Telephone Company be, and it is, authorized to refile in quadruplicate with this Commission after the effective date of this order, in conformity with the Commission's General Order No. 96, Rule and

Regulation No. 2 of its Sweetwater District tariff schedules as now on file, eliminating the last paragraph thereof, quoted hereinbefore, and on not less than five days' notice to the Commission and the public, to make such revised rule and regulation effective for service rendered thereafter.

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

Dated at San Francisco, California, this 28th day of April, 1953.

R. J. Dwyer
President.

Harold P. Hulse

Everett W. Potter

Thos. E. Stanley

Commissioners.