

**ORIGINAL**Decision No. 49566

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 authoriz- )  
 ing it to enter into agreements )  
 under which it will transfer priori- )  
 ties under certain water rights )  
 owned by it. )

Application No. 34931

OPINION AND ORDER

Santa Paula Water Works, Ltd., a corporation, asks the Commission for authority to carry out the terms of an agreement, to become effective as of January 1, 1954, with Joseph Augustus Rafferty and Marilyn Helen Rafferty, his wife, permitting them to take 65,340 cubic feet of water per year, but not in excess of 179 cubic feet of water in any 24-hour period, of surface flow from Santa Paula Creek for garden purposes. The price to be paid for the right to take water is \$36.25 per year. The agreement will expire on December 31, 1954, unless extended by further written agreement.

Prior agreements covering the sale of water by this utility to other parties under substantially the same conditions have been approved by the Commission from time to time.

The agreement does not, however, contain a clause providing that it be subject at all times to change or modification by this Commission in the exercise of its jurisdiction as is required by General Order No. 96. Appropriate revision of the agreement will be ordered.

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 authorized to carry out the terms and conditions of the agreement with Joseph Augustus Rafferty and Marilyn Helen Rafferty, his wife, executed January 1, 1954, as set forth in Exhibit A attached to the application, which exhibit is made a part of this order by reference, provided it is appropriately revised to include substantially the following language:

"This contract shall at all times be subject to such changes or modifications by the California Public Utilities Commission as said Commission may, from time to time, direct in the exercise of its jurisdiction."

IT IS HEREBY FURTHER ORDERED that:

(1) Applicant shall file with this Commission, within thirty days after the effective date of this order, two certified copies of the agreement as heretofore ordered revised and as finally executed, together with a statement of the date on which the revised agreement is deemed to have become effective.

(2) Applicant shall notify this Commission of the date of termination of said revised contract within thirty days from and after said date of termination.

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

Dated at San Francisco, California, this 18<sup>th</sup> day of January, 1954.

A. E. [Signature]  
President  
[Signature]  
[Signature]  
[Signature]

Commissioners