

Decision No. 53160**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. 37912)

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, by the above-entitled application filed April 7, 1956, seeks authorization of this Commission to carry out the terms of an agreement, to become effective for the period commencing February 1, 1956, with Karl G. Wollarth and Helen V. Wollarth, his wife, permitting them to take not to exceed 45 gallons of water per minute of surface flow from Sisar Creek, a tributary of Santa Paula Creek,¹ for the purpose of maintaining fish in ponds located on certain land described in the application.² The price to be paid for the right to take water is \$5 at the time of execution of the agreement and \$5 per month until the expiration of the agreement which is fixed as January 31, 1957, unless extended by the exercising by said Wollarths of annual options granted them by the agreement at the times and in the manner therein specified.³ Said agreement, by its terms, shall automatically terminate in the event said Wollarths shall cease to occupy and use the land described in the application.

¹ The agreement limits the amount of water to be taken by said Wollarths to the flow of said Sisar Creek, and they agree that such water taken will in no event be used for human consumption.

² Said land is located above applicant's distribution system.

³ Each such annual extension must have the consent and approval of this Commission.

The Commission having considered the request of applicant 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 Karl G. Wollarth and Helen V. Wollarth, his wife, as set forth in Exhibit A attached to this application, which exhibit is hereby made a part of this order by reference.

IT IS HEREBY FURTHER ORDERED that applicant shall:

1. File with this Commission within thirty 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. Notify this Commission of the date of termination of said agreement 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 28th day of May, 1956.

 President
Justin D. Calmes

Charles L. Winterstein

William J. Kelly

R. Brady

 Commissioners