

ORIGINAL

Decision No. 56829

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
agreement with George M. Atmore
and Helen M. Atmore, husband and
wife, under which it will transfer
priorities under certain water
rights owned by it.

Application No. 40077

OPINION AND ORDER

Santa Paula Water Works, Ltd.,^{1/} a corporation, by the
above-entitled application filed May 12, 1958, seeks authorization
of this Commission to carry out the terms and conditions of an
unexecuted agreement with George M. Atmore and Helen M. Atmore,^{2/} his
wife, dated May 1, 1958.

The agreement provides that the Atmores may take water from
Bear Canyon, a tributary of Santa Paula Creek, for the purpose of
irrigating their garden and yard. The amount to be taken is not to
exceed 65,340 cubic feet of water per year or 179 cubic feet in any
24 hour period. The consideration for the right to take such water
is to be \$45.31 per year. The agreement is to remain in effect from
year to year until terminated by either party on the anniversary
date of the agreement, providing thirty days' notice has been given
prior to such date.

Under the terms of the agreement, the Atmores will not use
the water taken from Bear Canyon for human consumption and they waive

^{1/} Sometimes herein called Santa Paula.

^{2/} Sometimes herein called Atmores.

any right or claim to water service on the same basis as customers within the area served from the distribution system of the utility.

The agreement contains a provision that it shall, at all times, be subject to change or modification by this Commission in the exercise of its jurisdiction.

The application states that Santa Paula owns an appropriate right to water from Santa Paula Creek and that the premises of the Atmores are located above Santa Paula's distribution system.

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 George M. Atmore and Helen M. Atmore, his wife, as set forth in Exhibit A attached to the application, which exhibit is made a part of this order by reference.

IT IS HEREBY FURTHER ORDERED that Santa Paula Water Works, Ltd., 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 17th day of June, 1958.

John E. Mitchell
President

Paul W. [unclear]

William [unclear]

E. [unclear]

Theodore [unclear]
Commissioners