

Simi Valley Unified School District (School District).

Pending such acquisition, District No. 9 was formed by property owners, and an ordinance approving such formation was adopted by the Ventura County Board of Supervisors on April 3, 1962. The high school site was within the boundaries of District No. 9. Final judgment in condemnation of the site by School District was entered on April 23, 1962. Subsequently, School District sought water service to its site from District No. 9 for construction purposes. District No. 9 advised School District that no construction or other type of water service was then available. School District then sought construction water service from applicant, and received it. District No. 9 advised School District that District No. 9 had no objection to the high school's receiving construction water from applicant. District No. 9 further advised School District that it was constructing a 14-inch supply main to connect District No. 9's sources of supply on the south with a one million-gallon reservoir on the north and that such main would be placed in Stow Street abutting the high school site on the east, and paralleling applicant's 8-inch main. District No. 9 further advised School District that a connection charge of \$300 per acre would be assessed, plus \$900 for a meter; a total assessment of \$15,900 for water service by District No. 9 to the high school. Since applicant's transmission main was already in place, applicant did not assess School District any connection or meter charge.

The record shows that at no time has District No. 9 held a permanent water supply permit from the State Department of Public Health, although applied-for.

District No. 9 in its petition for rehearing, claimed unlawful invasion of its boundaries by applicant. We find no such

invasion. On the contrary, the record shows that although District No. 9 was lawfully formed after applicant's existence in the area, District No. 9, itself, duplicated applicant's facilities.

The record shows that applicant's water service to the high school has been and is satisfactory.

We find no good reason and are not persuaded to alter Decision No. 66039, and we conclude that it should be reaffirmed.

ORDER ON REHEARING

IT IS ORDERED that Decision No. 66039 is reaffirmed.

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

Dated at San Francisco, California, this 28th day of April, 1964.

William M. Beards
President

John C. Mitchell

George J. Trover

Frederick B. Halaloff
Commissioners