

Decision No. 89251 AUG 22 1978

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of ANGWIN WATER COMPANY,
a California Corporation, for
authority to relinquish an easement.

Application No. 58121
(Filed June 6, 1978)
(Amended July 11, 1978)

O P I N I O N

Angwin Water Company, a California corporation (Applicant) requests approval of Relinquishment of Easement, Annex C to the application, over a portion of the Northeast quarter, Section 36, Township 9 North, Range 6 West, Mount Diablo Base and Meridian, located in Napa County, California.

The easements were originally granted in compliance with Decision No. 81550, dated July 3, 1973, in Application No. 53359, in order to protect the watershed.

Applicant alleges that the land in question was inadvertently included in an Easement to Permit Backwaters from Dams to overflow Land and For Other Purposes, which was recorded on April 11, 1974, in Volume 933, commencing at page 124 of Official Records, Napa County Recorder, copy attached to the application. Applicant alleges that, except for access, only the northeasterly portion of said NE $\frac{1}{4}$ Sec. 36 T9N R6W should have been included in the easement. The northeasterly portion, which was properly included in the easement, is plotted on Annex B to the application, and is described on Exhibit A to the Relinquishment of Easement. It is specifically excluded from the Relinquishment of Easement. Rights of access are also specifically excluded from the Relinquishment of Easement, allowing Applicant to retain all of its existing rights of access over the entire quarter section.

Applicant desires to deliver the Relinquishment of Easement to the owners of the property affected and requests that the order be made effective on its date.

The Commission finds that the portion of the Northeast quarter of Section 36, Township 9 North, Range 6 West, MDB&M for which relinquishment is requested is not required for the operation of the Angwin Water Company except as passage over it may be necessary for access to dams and reservoirs. Approval of the Relinquishment of Easement will not be adverse to the public interest. The application should be granted, effective on the date of the order in response to Applicant's request. A public hearing is not necessary.

It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

O R D E R

IT IS ORDERED that the application is granted.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 22nd
day of AUGUST, 1978.

Robert Bateman
President
William J. Brown
Vernon L. Shugart

Commissioners

Commissioner Richard D. Gravelle, being necessarily absent, did not participate in the disposition of this proceeding.

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.