

ORIGINAL

Decision No. 14984.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

GROVELAND WATER USERS ASSOCIATION,
Plaintiff,

Vs.

Case No. 1742.

YOSEMITE POWER COMPANY, a corpora-
tion,
Defendant.

Rowan Hardin for complainant.
J. B. Curtin for defendant.
A. B. Coffman for Zendall or Little Gap Mines.

BY THE COMMISSION:

OPINION ON REHEARING

The Groveland Water Users Association, an organization of land owners in Groveland and vicinity in Tuolumne County, filed a complaint as entitled above, requesting the Railroad Commission to issue an order requiring the Yosemite Power Company, a corporation, defendant herein, to deliver water for irrigation, mining and domestic purposes to the inhabitants located along the defendant's Golden Rock Ditch, particularly in the vicinity of Groveland. After public hearings had been held on this complaint the matter was submitted and the Commission on July 27, 1923, in its Decision No. 12414, found that Yosemite Power Company, a corporation, was not a public utility subject to the jurisdiction of the Commission and that under the then existing water supply and operating conditions the irrigation of lands from the system of defendant, Yosemite Power

Company, was an economic impossibility. Wherefore the complaint was dismissed.

The complainant thereupon filed a petition for rehearing which was granted by order of the Commission and further public hearings were held for the purpose of receiving additional evidence. Careful consideration of testimony and evidence in this proceeding convinces the Commission that the original decision heretofore made should stand; that the evidence presented at the rehearing by complainant is not sufficient to justify this Commission in changing or modifying its said original Decision No. 12414.

ORDER ON REHEARING

Croveland Water Users Association having filed a petition for rehearing in the above entitled matter, a rehearing therein having been granted and public hearings having been held thereon, briefs having been filed, the matter having been submitted and now ready for decision,

IT IS HEREBY ORDERED that for the reasons set out in the preceding opinion this Commission's Decision No. 12414, dated July 27, 1923, be and the same is hereby affirmed and shall remain in full force and effect.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 28th day of May, 1925.

H. B. Brundage
C. L. Lacey
Eugene Shaw

Commissioners