

Decision No. 20632

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application
of MONTEREY COUNTY WATER COMPANY,
a corporation, and A.W. THOMPSON
for an order authorizing the lease
of property.

Application No. 15114.

Morrison, Hohfeld, Foerster, Shuman and Clark,
by W.T. Fitzgerald, for applicant.

BY THE COMMISSION:

ORIGINALO P I N I O N

In this proceeding, Monterey County Water Company, a corporation, engaged in the business of distributing water for irrigation uses in the Salinas Valley, near Soledad, Monterey County, asks for authority to lease its operative canal system to A.W. Thompson, a property owner and water user, who joins in the application.

A public hearing in this matter was held before Examiner Satterwhite at San Francisco.

The properties to be leased consist of approximately fifteen miles of canals, known as Canal "C" and "Branch Canal." These canals extend from a diversion point on the Arroyo Seco River to Mission Colony on the Salinas River, near Soledad. There are about thirty-five consumers, all of which have wells and pumps to supplement the river supply which normally is insufficient to furnish the demands throughout the entire irrigation season. The Monterey County Water Company is a subsidiary of the Spreckels Sugar Company and the canal system heretofore has been operated

in connection with a ranch owned by this company which has now been leased.

A.W. Thompson is a ranch owner and water user of the canal system and is in a position to operate the property and render satisfactory and adequate irrigation service to the consumers of the system. As no one protested against the proposed lease and it appears that public interest will best be served through future operation of this public utility by Mr. Thompson, the authority sought will be granted.

O R D E R

Joint application having been made as entitled above, a public hearing having been held thereon, the matter having been submitted and the Commission being now fully advised in the premises,

IT IS HEREBY ORDERED that Monterey County Water Company, a corporation, be and it is hereby authorized to lease to A.W. Thompson its operative canal system described as Canal "C" and "Branch Canal," in accordance with the terms and conditions set out in Exhibit "A" attached to the application herein and hereby made a part of this order by reference thereto, subject to the following terms and conditions:

1. Monterey County Water Company shall notify this Commission in writing of the date A.W. Thompson assumes control and operation of the property herein authorized to be leased within ten (10) days of the date thereof.

2. The consideration for the lease of the properties as authorized herein shall not be urged before this Commission as a finding of the reasonableness thereof for rate-fixing or for any purpose other than the lease herein.
3. The authority herein granted shall apply only to such lease as shall have been made on or before the first day of March, 1929, and a certified copy of the final instrument shall be filed with this Commission by Monterey County Water Company within thirty (30) days from the date on which it is executed.
4. Within thirty (30) days after relinquishing the operation of said canal system, Monterey County Water Company shall file with this Commission a complete financial statement for the year 1928, to and including the date of said relinquishment.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 28th
day of December, 1928.

Leon Whitall

Cl. Lenny

Thos. J. Latta

W. A. Cunn
Commissioners.