

ORIGINAL

Decision No. 22778

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
 ISAIAH HARTMAN for Permission to Sell  
 and Transfer Lorenzo Water Works.

Application No. 16750.

BY THE COMMISSION:

ORDER

Isaiah Hartman having made application for permission to sell and transfer his public utility property known as "Lorenzo Water Works" and sometimes called "Hartman Water Works," located in and adjacent to the Town of Boulder Creek, Santa Cruz County, to J.D. Whitener and it appearing that this is not a matter in which a public hearing is necessary and that the authority should be granted as herein provided,

IT IS HEREBY ORDERED that Isaiah Hartman be and he is hereby authorized to transfer to J.D. Whitener his public utility property known as "Lorenzo Water Works" and sometimes called "Hartman Water Works" described more particularly in the application as follows:

"all water rights and rights to water heretofore appropriated and belonging to the Lorenzo Water Works on the southeast quarter of Section 30, Township 9 South Range 2 West, reserved by Peery in volume 86 of deeds, page 112, also the Lorenzo Water Works now and heretofore supplying the said Town of Lorenzo with water including all water and right to water, rights and easements and privileges appertaining thereto, together with all pipes, hydrants, reservoirs, tanks, flumes, aqueducts and

conduits, franchises, rights of way, and all other matters and things connected with and belonging to said Lorenzo Water Works,"

under substantially the same terms and conditions as set forth in the application herein, subject to the following terms and conditions:

1. The authority herein granted shall apply only to such transfer as shall have been made on or before the first day of October, 1930, and a certified copy of the final instrument of conveyance shall be filed with this Commission by Isaiah Hartman within thirty (30) days from the date on which it is executed.
2. Within ten (10) days from the date on which Isaiah Hartman actually relinquishes control and possession of the property herein authorized to be transferred, he shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.
3. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate-fixing or any purpose other than the transfer herein authorized.
4. On or before the first day of October, 1930, Isaiah Hartman shall refund to all his consumers entitled thereto all amounts due such consumers arising from deposits made to guarantee payment of water bills, or for main extensions, meter and/or service connections, and/or any other purposes whatsoever, and said Isaiah Hartman shall file with this Commission on or before the first day of October, 1930, a duly executed affidavit setting forth a list of all consumers to whom refunds, as set forth above, are due as of the date of this order, together with the amount of each refund and the date that each such refund has been fully paid to the consumer entitled thereto. In the event there are no consumers entitled to refunds as set out above, the affidavit should so state.
5. Within thirty (30) days from the date of this order, Isaiah Hartman shall cause to be published at least twice in a newspaper, published in or in the vicinity of the Town of Boulder

Creek, Santa Cruz County, and of general circulation in the territory served, a notice to the effect that said Isaiah Hartman will pay on or before the first day of October, 1930, to all consumers entitled thereto the amounts of unpaid deposits made by his consumers for water service. Said notice should further request all consumers having claims for unpaid deposits to present such claims at the office of the company as soon as possible. The above affidavit shall contain a statement reciting that said notice has been so published.

The authority herein granted will become effective only upon full compliance by Isaiah Hartman with the terms and conditions set out in Paragraph Nos. 4 and 5 of this order.

Dated at San Francisco, California, this 11th day of August, 1930.

Chas. J. ...  
George ...  
Leon ...  
David ...  
M. J. ...  
 Commissioners