

E. C. PHOENIX, Receiver, and FAIR OAKS WATER TAKERS ASSOCIATION, a corporation,

Complainants,

v.

AMERICAN IRRIGATION COMPANY, AMERICAN CANON WATER COMPANY, NORTH FORK DITCH COMPANY, CALIFORNIA CORPORATION, F. D. DESMOND and W. E. TRAINOR, doing business under the firm name of TRAINOR-DESMOND COMPANY, D. W. CARMICHAEL and CAPITAL BANKING AND TRUST COMPANY, a new trustee,

Defendants.

ORIGINAL

Case No. 652.

- J. M. Inman for complainants.
- O. G. Hopkins for American Irrigation Company, American Canon Water Company and California Corporation.
- Dunn, Cowan and Brand for F. D. Desmond and W. E. Trainor.
- E. S. Derby for Capital Banking and Trust Company.
- R. L. Shinn for D. W. Carmichael
- George and Hinsdale for North Fork Ditch Company

THELEN, Commissioner.

O P I N I O N

A public hearing in this case was held at Fair Oaks, Sacramento County, on January 6, 1915. At the conclusion of the hearing, complainants asked leave to withdraw the complaint, without prejudice. I recommend that the case be disposed of in accordance with this request and submit the following form of order:

O R D E R

A public hearing having been held in the above entitled proceeding and complainants having asked leave to withdraw the complaint without prejudice,

IT IS HEREBY ORDERED that the complaint herein be and the same is hereby dismissed without prejudice.

The foregoing opinion and order are hereby approved and

ordered filed as the opinion and order of the Railroad Commission  
of the State of California.

Dated at San Francisco, California, this 8<sup>th</sup>  
day of January, 1915.

Man Helen

She Gordon

Edwin O. Edgerton

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Commissioners.