

ORIGINAL

BEFORE THE RAILROAD COMMISSION  
OF THE STATE OF CALIFORNIA

In the Matter of the Application  
of SUTTER BUTTE CANAL COMPANY, a  
corporation, and RICHVALE LAND  
COMPANY, a corporation, for order  
authorizing said Richvale Land  
Company to make certain grants  
and conveyances to said Sutter  
Butte Canal Company.

Application No. 1770

BY THE COMMISSION:

OPINION

Sutter Butte Canal Company is a public utility water company, engaged in the business of diverting water from the Feather River and distributing the same for the irrigation of certain lands in the counties of Butte and Sutter. Richvale Land Company owns and operates a system of laterals, through which water is conveyed from the main canal of Sutter Butte Canal Company to irrigators in a certain portion of Butte County. The present application seeks authority from the Commission to the transfer, by Richvale Land Company to Sutter Butte Canal Company, of this system of laterals. The transfer is to be made by two deeds, copies of which are attached to the application in this proceeding, and marked "Exhibit A" and "Exhibit B", respectively. The property to be conveyed by deed, marked "Exhibit A", is described as follows:

All of the right, title and interest of the said party of the first part in and to the existing system of main lateral and distributing ditches for the irrigation of those certain lands in the Richvale Colonies

situated west of the Cherokee Canal in the County of Butte, State of California; also all easements, rights of way and strips of land for ditches or canals in said territory owned by said party of the first part or reserved by it for irrigation purposes, including the land described in that certain deed of conveyance from Mary A. Baynon to said party of the first part, dated March 29th, 1913, and recorded in the office of the County Recorder of the said County of Butte, on March 31st, 1913, in Book 135 of Deeds, page 84, Butte County Records, excepting a strip of land thirty (30) feet wide, running north and south along the west line of said land described in said deed from said Mary A. Baynon, which thirty (30) foot strip is reserved for a roadway; also including in this conveyance a strip of land thirty-three (33) feet wide, measured east and west, running northerly and southerly, along the easterly side of that certain piece of land described in that certain deed of conveyance from Henry H. Cutter to said party of the first part, dated December 10, 1913, and recorded in the office of the County Recorder of the said County of Butte, on December 19th, 1913, in Book 138 of Deeds, page 283, Butte County Records, the remainder of said land described in said deed from said Cutter, to-wit: The westerly eighty-six (86) feet thereof, measured east and west, being excepted from this conveyance to said party of the second part.

"There is also excepted from this conveyance that certain land described in that certain deed of conveyance from A. K. Baker, to said party of the first part, dated June 1st, 1914, and recorded in the office of the said County Recorder of Butte County on June 22nd, 1914, in Book 141 of Deeds, page 68, Butte County Records."

The property to be conveyed by deed marked "Exhibit B" is described as follows:

"All that certain piece or parcel of land situate, lying and being in said County of Butte, State of California, described as follows:

"Commencing at the southeast corner of Lot No. (873) of Richvale Colony No. (2), as per map of said Colony on file and of record in the office of the County Recorder of said Butte County, Butte County Records; and to which ~~map~~ reference is hereby made - said corner being a point on the section line 1335.7 feet east of the quarter corner between Sections 15 and 22, Township 19 North, Range 2 East, M.D.B. and M; thence south  $88^{\circ}47'$  West 180.4 feet; thence North  $0^{\circ}36'$  East 190.0 feet; thence North  $88^{\circ}47'$  East 113.8 feet; thence North  $16^{\circ}34'$  East 1060.4 feet; thence north  $89^{\circ}13'$  East 122.3 feet; thence south  $16^{\circ}34'$  West 1258.6 feet to the point of beginning, and containing 3.76 acres, more or less, and being a part of that certain tract of land known as Lot 873 of said Richvale Colony No. 2; together with the pumping plant of said Richvale Land Company situate on said parcel of land hereby conveyed, and all the appliances and equipment pertaining to said pumping plant, and all of the rights of said Richvale Land Company appurtenant to said pumping plant or pertaining thereto."

The Commission believes that public convenience and necessity will be subserved by having this system of laterals owned and operated by the Company which also owns and operates the main canal, and this application will accordingly be granted.

O R D E R

IT IS HEREBY ORDERED that this application be, and the same is hereby, granted.

Dated at San Francisco, California, this 15<sup>th</sup> day of July, 1915.

W. H. Stanford  
W. H. Gordon  
Edwin O. Edgerton  
Commissioners.