

Decision No. _____

ORIGINAL

Decision No. 2776

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application)	
of MONTEREY COUNTY WATER COMPANY	(
for permission to discontinue)	
service in its Canal "A" between	(Application No. 1761.
the Salinas River and San Lorenzo)	
River.	(

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Morrison, Dunne and Brobeck, by Geo. E. Hatfield, for applicant.

GORDON, Commissioner,

O P I N I O N

This is an application for an order of this Commission, permitting the Monterey County Water Company to discontinue use of, and service along its Canal "A" between Salinas and San Lorenzo River, near the Town of King City, Monterey County, more particularly described in the application and exhibits in this proceeding.

A public hearing in this matter was conducted on August 31, 1915 at Salinas, California, at which time and place the Monterey County Water Company presented evidence establishing the number of consumers that had, at various times, been served with water from this canal and in the district described, the extent of the lands irrigated, and the expense that must necessarily be incurred by the company to return the canal to and continue it in service. Officials of the company testified that owners of all lands that had at any time received service had been notified at least ten days before the hearing of the anticipated action, and

the time and place of hearing.

No consumers appeared at the hearing, and the company further presented evidence that the Spreckles Sugar Company, owner of decidedly the largest area being irrigated, and Oxnard Investment Company, owner of the second largest area, had signified their acquiescence in the granting ^{of} this application. The remaining possible consumers, four in number, are believed by the company to be perfectly willing that the canal be discontinued permanently, particularly that they may be enabled to cultivate the land now occupied, and the company having signified its willingness to quit claim to the present owners of the land traversed all rights of way formerly claimed by the applicant.

Further reason given for desiring discontinuance, was the excessive cost of reconstructing the diversion works that were washed out in 1915 and not since replaced, and the annual cost of operating and maintaining the diversion works and the canal.

It seems to me definitely proven that there is no possibility of the canal being compensatory. It further appears that certainly the promoters of this system of which canal "A" is a part were at fault in having constructed this portion under consideration.

I submit herewith the following form of order:

O R D E R

The Monterey County Water Company having made application to this Commission for an order permitting it to discontinue service in its Canal "A" between the Salinas River and San Lorenzo River, and a public hearing having been conducted in the matter, and the Commission being therefore fully apprised in the premises,

IT IS HEREBY FOUND AS A FACT, by the Railroad Commission of the State of California, that conditions are such that the applicant should not, at any time be required to return to and continue the said canal in service.

IT IS HEREBY ORDERED by the Railroad Commission of the State of California that the Monterey County Water Company be and it hereby is granted permission to permanently discontinue service on its Canal "A" hereinbefore described, provided that this order shall not be effective until the Monterey County Water Company shall have transferred by quit claim deed to owners of property traversed by said canal, all rights of way claimed or owned by applicant.

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 7th day of September, 1915.

Max Thelen
H. S. ...
...
Frank ...

COMMISSIONERS.