

Decision No. _____

ORIGINAL

Decision No. 3656

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application	}	Application No. 2507.
of SARAH DAVIS and ANDREW JOHNSON		
for an order authorizing the sale		
of the JERSEY FLAT WATER WORKS,		
situated in the town of Downieville,		
County of Sierra, State of California.)	

W. I. Redding for applicants.

BY THE COMMISSION:

O P I N I O N.

SARAH DAVIS applies to the Railroad Commission for authority to sell and ANDREW JOHNSON applies for authority to buy a small water system supplying water to about one-third of the inhabitants of Downieville, Sierra County.

Water is diverted from the east fork of the north fork of the Yuba river by a log dam about a mile above the town, from which point it is carried in an open ditch in the rocky wall of the canyon to a small reservoir consisting of a widening of the ditch, and there delivered to the mains by which it is carried through the town. The ditch is now delivering about 77 miner's inches, and has a capacity of about 125 miner's inches. Water is served to 49 consumers who own and installed the service

pipes, and to a ranch of eight or ten acres for irrigation purposes upon a contract rate of \$65 per year.

Monthly rates are 50¢ for families or one each, \$1.00 for larger families, and 50¢ additional for lawns or gardens or both. There are no meters. Except for service to the county hospital at \$6.00 per month, the above rates apply. There is no industrial or commercial service. From the annual report for 1915 the average net income was \$37.00 per month.

The property was purchased by Mr. Davis about 30 years ago for \$2050, and was sold and possession delivered to Mr. Johnson, December 1, 1915, for \$2500; terms \$1500 cash and \$1000 in a one day note at 8% secured by mortgage. Since then \$600 has been paid on the principal, but no interest. Authority for the sale and mortgaging was not sought at that time because of ignorance of the requirements of the law. The parties have agreed upon a new note for the balance to become due January 1, 1917. There is no other indebtedness upon the property. The term of the note being for less than one year, no express authority therefor is required.

O R D E R

SARAH DAVIS having applied to the Railroad Commission for authority to sell to ANDREW JOHNSON a small water system supplying part of the town of Downieville, Sierra County, and a public hearing having been held thereon,

IT IS HEREBY ORDERED that Sarah Davis be and she hereby is authorized to sell to Andrew Johnson the water system described in the opinion preceding this order.

The authority hereby granted is upon the following conditions and not otherwise, to-wit:

1. The authority hereby granted shall not be considered before the Railroad Commission or any other tribunal as a determination of the value of said property for any purpose other than that of this application.

2. The authority hereby granted shall extend only to such deed as may be executed and delivered within 30 days from the date hereof.

3. Within 10 days after the execution of deed of conveyance, Andrew Johnson shall file with the Railroad Commission a copy thereof, together with a statement of the date of delivery.

Dated at San Francisco, California, this ~~22nd~~ ^{23rd} day of September, 1916.

Max Thelen
H. H. H. H. H.

Edwin O. Edgerton
James R. Dolan

Commissioners