

Decision No. _____

ORIGINAL

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

Decision No. 5396

In the Matter of the Application)
of WILLIAM F. FOWLER, as Receiver)
of the Canal and Irrigation System)
formerly owned by Sacramento Val-)
ley West Side Canal Company, for)
an order authorizing the lease of)
a portion of the QUINT LATERAL to)
P. B. CROSS.)

Application No. 3686.

Bacigalupi and Elkus for Petitioner.

BY THE COMMISSION.

O P I N I O N.

William F. Fowler, Receiver of the property formerly owned and operated by Sacramento Valley West Side Canal Company, in Glenn and Colusa Counties, asks authority to lease to P.B. Cross for the term of 40 years, specified rights in that portion of the Quint Lateral which is described in the order herein. A copy of the lease to be executed by Mr. Fowler is attached to the petition herein as Exhibit "A" and is substantially in the form of the lease referred to in Decision No. 4655, made on September 21, 1917, in Application No. 3190, being application for authority to lease to P. B. Cross another portion of the Quint Lateral. Reference is hereby made to Decision No. 4655.

There is on file in this proceeding a letter from Mr. C. L. Donohoe, dated May 8, 1918, stating that California Midland Realty Company, over whose property the affected portion of the Quint Lateral runs, has no objection to the granting of the petition. No one, other than the parties to this petition, appears to have any interest in the matter.

O R D E R.

WILLIAM F. FOWLER, Receiver of the property of Sacramento Valley West Side Canal Company, having filed herein his petition asking authority to lease to P. B. CROSS the right to use the portion of the QUINT LATERAL, hereinafter more particularly described, under the terms and conditions of the form of lease hereinafter referred to, and the Railroad Commission being fully advised,

IT IS HEREBY ORDERED that William F. Fowler, Receiver of the public utility water system formerly owned and operated by Sacramento Valley West Side Canal Company, be and he is hereby authorized to lease to P. B. Cross, for the period of forty (40) years, and under the terms and conditions which are set forth in copy of proposed lease which is attached to the petition herein, that portion of the Quint Lateral which is described as follows:

A strip of land 50.0 feet in width, the west boundary line of which is east of parallel to and 20.0 feet from, the center line of the Willow Creek Levee, said center line being described as follows:

BEGINNING at the point where the center line of the Willow Creek Levee intersects the line between the Sacramento Valley Colony No. 1 and the Peter Barnes Tract, both being portions of the Larkin's Children's Rancho, in Colusa County, California, said point being north $89^{\circ} 47'$ west 5560.0 feet from the southeast corner of the said Peter Barnes Tract, thence north $3^{\circ} 45'$ east 519.6 feet, thence north $1^{\circ} 44'$ east 2343.5 feet to the intersection with the line between the said Peter Barnes Tract and the Hart Tract, and north $89^{\circ} 17'$ west 5492.5 feet from the northeast corner of the said Peter Barnes Tract, containing 3.3 acres, situate in the County of Colusa, State of California.

Within ten (10) days after the execution of the lease herein authorized, petitioner shall file with the Railroad Commission a certified copy thereof.

Dated at San Francisco, California, this 16th day of May, 1918.

Max Sherman

Alfred J. Jones

Edwin U. Edgerton

Stuart R. Dickson

Commissioners.