

Decision No. 7021.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

ORIGINAL

James Beatty, Maggie J. Beatty)
and George R. Mulloy,)
Complainants,)

vs.)

CLARK COLONY WATER COMPANY,)
a corporation,)
Defendant.)

Case No. 1213.

B. V. Sargent for Complainants.

Houghton and Houghton, by Edward T. Houghton,
for Defendants.

BY THE COMMISSION.

O P I N I O N

The complaint in the above entitled proceeding alleges in effect that defendants own and operate a public utility water system and deliver water for compensation to residents of the so-called "Clark Colony", in Monterey County, and that defendant has refused to furnish an adequate supply of water. Complainants ask that defendant be ordered to install water pipes of sufficient capacity and extent to properly irrigate their lands.

Defendant, in its answer, denies all the material allegations of the complaint and asserts that its water system is operated as a mutual water company.

The testimony clearly shows that defendant herein was organized as a mutual water company and its operations are those of a mutual water company, as defined in Chapter 80, Laws of 1913, and is, therefore, not subject to the jurisdiction or control of this Commission.

O R D E R

Complaint having been made by James Beatty, Maggie J. Beatty and George R. Mulloy against Clark Colony Water Company, as outlined in the opinion preceding this order, a public hearing having been held in said matter, and the Commission being fully apprised in the premises,

It is Hereby Found as a Fact, that the Defendant herein is a mutual water company and as such is not subject to the jurisdiction of this Commission:

And basing its order on the foregoing finding of fact and upon the statements of fact contained in the preceding opinion,

IT IS HEREBY ORDERED that the complaint in the above entitled matter be, and it is hereby dismissed, for lack of jurisdiction.

Dated at San Francisco, California, this 9th day of January, 1920.

Edwin D. Edger
H. D. Loveland
H. B. Underage

Commissioners.