

Decision No. 7716.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application
of George F. Cokely for a cer-
tificate of public convenience
and necessity.

Application No. 5255.

Harry L. Huston for applicant.

MARTIN, Commissioner.

O P I N I O N

George F. Cokely, applicant herein, is the owner of certain water rights on Panoche and Silver Creeks in Fresno County, California, also the owner of 6720 acres of land which he proposes to irrigate from a dam and irrigation system now under construction on Panoche Creek. He proposes later to subdivide this land into smaller tracts and put it on the market, and continue irrigation service to the purchasers thereof.

In the above entitled proceeding applicant asks the Railroad Commission for authority to operate the above described irrigation system as a public utility and for a certificate declaring that public convenience and necessity require the same.

Heretofore, as provided in this Commission's General Order No. 50, George F. Cokely submitted plans and specifications to the Commission for the construction of the dam on Panoche Creek, whereby the flood waters will be stored to provide water for irrigation under this system. The Commission's engineers have made a

detailed study and investigation of the plans and specifications submitted and have inspected the structure under construction, and it appears that the requirements of the Commission have been complied with.

A public hearing was held in this application, and it appears that the land which it is proposed to irrigate under this system is fertile and adapted to cultivation. An irrigation system such as applicant proposes to construct would provide water for the irrigation of the lands in question and would inure to the benefit of the territory. There is no other competing public utility irrigation system operating there at the present time, and at the public hearing in this matter no objection was filed to the construction or operation of the proposed irrigation system.

The Commission has not been furnished with any specific information showing how applicant intends to raise the money to pay for the construction of the dam and irrigation system. Though the necessary authority permitting applicant to proceed with the construction of the dam and irrigation system is herein granted, such authority should not be interpreted as committing the Commission to approve any financial plan which applicant, his successors or assigns may hereafter submit to the Commission. Not until a formal application has been filed with the Commission and a hearing had thereon can the Commission determine what amount of stock, bonds or notes may be issued for the purpose of financing this project.

O R D E R

George F. Cokely having made application to the Railroad Commission for a certificate declaring that public convenience and necessity require the operation of a certain public utility irrigation system,

THE RAILROAD COMMISSION HEREBY DECLARES that public convenience and necessity require the operation of said public utility

water system for the irrigation of lands comprising 6,720 acres now owned by George F. Cokely in Townships 14 and 15 South, Ranges 12 and 13 East, M. D. B. & M., and

IT IS HEREBY ORDERED that on or before the date when George F. Cokely inaugurates the operation of said irrigation system as a public utility, that he shall file with the Railroad Commission for its approval a schedule of the rates proposed to be charged by him for service and a copy of the Rules and Regulations under which he proposes to operate said system.

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 16th day of June, 1920.

Edwin O. Edgerton

H. D. Loveland

George Martin

Commissioners.