

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

ORIGINAL

In the Matter of the Application of  
E. E. KNIPE and wife, GRACE E. KNIPE,  
and W. C. CLARK and wife, ELIZABETH  
CLARK, owners of a water plant, for  
discontinuance of public utility  
water service. )

) Application No. 5705.

E. E. Knipe and W. C. Clark for applicants.  
W. M. Witty, J. E. Dill, M. Guyon and O. Brunsky  
in propria persona.

BRUNDIGE, Commissioner.

O P I N I O N .

Applicants in the above entitled matter are the owners of a public utility water system located approximately  $1\frac{1}{2}$  miles southwest of the town of Garden Grove, Los Angeles County, California, from which system they are serving water for irrigation purposes to five consumers, and in this proceeding authority is asked to discontinue such public utility service, it being alleged by them that there is an insufficient supply of water produced by the system to enable them to continue as a public utility.

A public hearing in this matter was held in Los Angeles on June 14, 1920, and a field investigation was made by a representative of the Commission's Engineering Department.

It appears that about two years ago applicants purchased the water system in question together with the lands upon which it is situated, but did not understand at the time their obligations as a public utility. At the time of the purchase only a small portion of their own land was under cultivation or had received water from

the system. At the present time, however, applicants have made arrangements to plant the remainder of their land to oranges and lemons, and they express a doubt that their present pumping plant is adequate to continue service to their five consumers and supply sufficient water for the development of their own lands, for which purpose they claim the pump was originally installed. It was stated as a fact and admitted by applicants that there is not a shortage of water at the present time.

At the hearing certain consumers, most of whom were recent purchasers of land, testified that they had bought said land with the understanding that water had always been furnished from the irrigation system in question, and applicants themselves had assured the purchasers that such service would be continued. It appears that the only other supply of water available would be by means of wells and pumping equipment installed by the land owners, which is a financial burden which it is claimed they are unable to assume.

Taking into consideration the opposition expressed at the hearing, and the fact that it is admitted that a shortage of water does not exist at the present time, it does not appear to be just and reasonable to permit applicants to discontinue a public utility service to consumers who are wholly dependent thereon for the purpose of transferring water service to lands owned by applicant which have not heretofore required such service. An additional water supply can be obtained if needed to develop additional lands by the installation of pumping equipment of greater capacity.

I submit the following form of order:

#### ORDER

Application having been made to the Railroad Commission as entitled above, a public hearing having been held and the Commission being fully apprised in the premises,

It is hereby found as a fact that no good and sufficient reason has been presented for the granting of said application, and

Basing its order upon the foregoing finding of fact and upon the other statements of fact set out in the opinion which precedes this order,

IT IS HEREBY ORDERED that the above entitled application be and it is hereby denied.

The foregoing opinion and order are hereby approved and ordered filed as the opinion and order of the Railroad Commission.

Dated at San Francisco, California, this 7<sup>th</sup> day of ~~August~~ <sup>September</sup> 1920.

Edwin C. Edgerton

H. A. Brundage

Irving Martin  
Commissioners.