

Decision No. 9179

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

T. H. Hatchard, et al.,
Complainants,
vs.
San Gabriel Valley Water Company,
Defendant.

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CASE NO. 1533.

Edw. F. Hahn, for complainants.

Gibson, Dunn & Crutcher, by H.F. Prince,
for defendant.

BRUNDIGE, Commissioner.

C O P I N I O N

T. H. Hatchard, et al., complainants in the above entitled proceeding, own approximately 10 acres of agricultural land embracing the south half of Lots 13, 14 and 15 of the San Marino Park Tract, Los Angeles County, California.

Complainants allege in effect that the San Gabriel Valley Water Company, defendant herein, owns and operates the water system supplying domestic and irrigation water to other lands in the vicinity of the above mentioned lots; that defendant refuses to serve irrigation water to these lands, thus depriving complainants of certain revenue which could be derived from a rental of the land for agricultural purposes, providing irrigation water could be obtained; that complainants believe that defendant has an adequate quantity of water to supply the above described land for which complainants are able and willing to pay all proper

charges for making connections and for water furnished.

Defendant in its answer admits all of the allegations of the complainants except that relating to an adequate supply of water, alleging that the available supply of water is limited to such an extent that an attempt to supply complainants with irrigation water as requested, would seriously hazard the rights of other established consumers.

A hearing in the above entitled proceeding was held at Los Angeles on March 24, 1921.

The evidence shows that the land upon which complainant desires irrigation water is served by that portion of defendant's system known as the Lamanda Park System. This portion of the system is more or less distinct from the remainder of defendant's distributing system, and serves a district lying higher than the other territory served. Its principal source of supply is defendant's Well No.10, located behind the so-called Raymond Hill dike, but may also receive water by pumping from the main system, to which it is connected. The area behind the dike has for years been well known as a water-bearing district, but due to subnormal rainfall for the past few seasons, the underground water plane has gradually lowered. It was shown that the water level in Well No.10 has dropped some twelve feet since 1913. This low level, together with an obstruction in the well which prevented the lowering of the pumping equipment, caused a water shortage during the irrigation season of 1920. As these conditions still exist, defendant contends that the irrigation of the additional area requested by complainants would result in a hardship to its other consumers.

However, I am not convinced that the lowering of the water level due to the abnormal climatic conditions during the past few years is positive proof that the underground water supply back of the Raymond Hill dike is becoming exhausted. I do not feel that it

is advisable or necessary at this time to withhold from beneficial use any reserve capacity that may later occur on this system over and above the needs of the present consumers.

As there is a possibility of developing a larger water supply from the present well or from a new well in the immediate vicinity, I can see no justification at the present time in refusing the service of water to territory now within the dedicated area of the defendant.

I submit herewith the following form of order:

O R D E R

T. E. Hatchard, et al., having filed formal complaint with the Railroad Commission against San Gabriel Valley Water Company, as outlined above, a public hearing having been held and the matter having been submitted,

IT IS HEREBY FOUND AS A FACT that the complainants herein are entitled to the service of water for irrigation purposes by San Gabriel Valley Water Company.

And basing its order on the foregoing finding of fact and the other statements of fact contained in the opinion which precedes this order.

IT IS HEREBY ORDERED that San Gabriel Valley Water Company be and it is hereby directed to furnish service of water for the purposes of irrigation to said complainants.

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 29th
day of June, 1921.

H. A. Brundage

James Martin

J. H. Benedict

Commissioners.