



and Colusa Counties, California, and now being operated by the Glenn-Colusa Irrigation District under a lease authorized by the Commission on April 3, 1920, Decision No. 7332 on Application No. 5454, and the discontinuance and withdrawal from public service by said applicants of the property heretofore operated by said applicants, or any of them, in the distribution and sale of water as a public utility.

Written protests have been filed herein by certain persons, former water users under the system proposed to be conveyed, but who have either declined to have their lands included in the Glenn-Colusa Irrigation District, or who, for other reasons, are not included therein. These protestants assert their rights in the past to receive water from the system in question, and object to its being transferred, under the sanction of this Commission, free and clear and divested of any public utility features.

It appears from the evidence herein that the Glenn-Colusa Irrigation District was proposed and organized for the purpose of taking over the entire distribution system and of supplying water to all of the lands theretofore supplied thereunder by the Sacramento Valley West Side Canal Company. Insofar as it was reasonably possible, this has apparently been done. The number of protestants and the total acreage owned by them is a very small percentage of the total number of land owners and acreage included within the Glenn-Colusa Irrigation District. It further appears that protestants have been requested by the officers of the district to take proper steps to be included within the district, and that notwithstanding their refusal to do so in the past, the opportunity, insofar as it can be presented, remains open to them at the present time. The evidence also shows that some of the protestants

have an alternative supply of water from wells upon their own lands. It thus appears that if the application for discontinuance of service as a public utility by applicants be granted, the protestants herein will not be deprived of their only available source of water. On the other hand, the conveyance of the irrigation system in question to the Glenn-Colusa Irrigation District will terminate the receivership of the utility now owning the system and at the same time enable the land owners served by the system to manage and control their own water supply.

The proposed transfer contemplates that practically the entire system of canals formerly operated by the Sacramento Valley West Side Canal Company shall be conveyed to the Glenn-Colusa Irrigation District. There are, however, minor portions of this system which were not included in the description of properties to be transferred to the Glenn-Colusa Irrigation District and which it is proposed shall be transferred to Jacinto Irrigation District, the Directors of Jacinto Irrigation District, the Directors of Glenn-Colusa Irrigation District and Merle B. Moon. The respective properties proposed to be conveyed to these transferees are fully set forth and described in the application.

The Commission concludes from the evidence herein presented that it is in the public interest that the proposed transfer of the irrigation system in question to the Glenn-Colusa Irrigation District and other above-mentioned transferees and the discontinuance and withdrawal of this system from public service should be approved. Reasonable conditions, however, should be imposed upon the discontinuance of public service to permit all prior users under the system to adjust themselves to the changed condition and secure their water supply, either under the new district or from some alternative source.

O R D E R

Application having been filed herein for the approval by this Commission of the proposed transfer by the Sacramento Valley West Side Canal Company, a corporation, and Alger Fast, the Receiver thereof, and other parties in interest, of certain properties comprising the public utility irrigation system described in said application, to the Glenn-Colusa Irrigation District and others, free and clear of public utility obligations; protests thereto having been filed by certain former users under said system, a public hearing having been held, testimony taken and other evidence received and the matter submitted,---

IT IS HEREBY ORDERED:

1. Authorization is hereby granted for the sales and transfers by the SACRAMENTO VALLEY WEST SIDE CANAL COMPANY, a corporation, and ALGER FAST, Receiver thereof, and other persons beneficially interested, to the GLENN-COLUSA IRRIGATION DISTRICT and other transferees, of the respective properties proposed to be transferred as set forth and described in said application, and the forms of conveyances attached to said application are hereby approved.

2. Approval and authorization of this Commission is hereby granted for the discontinuance and termination of service as a public utility by the Sacramento Valley West Side Canal Company, a corporation, and Alger Fast, Receiver thereof, in the sale and distribution of water for compensation to the public by means of the properties, or any portion thereof, the sales and transfers of which are herein authorized, upon the filing with this Commis-

sion by said Sacramento Valley West Side Canal Company and Alger Fast, Receiver thereof, of a certified statement showing that said sales and transfers authorized herein have been consummated.

3. Approval and authorization by this Commission is hereby granted for the withdrawal from public service by the Glenn-Colusa Irrigation District as to all properties herein authorized to be transferred to said district, and as to all territory heretofore served by means thereof, subject, however, to the following conditions:

(a) Any land owner, user or consumer heretofore supplied by means of such properties, or any portion thereof, shall be entitled to receive water therefrom at the same rates and upon the same terms of service as heretofore until January 1, 1922.

(b) If at any time prior to January 1, 1922, any land owner, user or consumer formerly supplied by that portion of the public utility system herein authorized to be transferred to the Glenn-Colusa Irrigation District shall have made application to said Glenn-Colusa Irrigation District to have his land included therein, and such application is denied, this order, insofar as it authorizes the withdrawal from public service by said district of said property herein authorized to be transferred to the Glenn-Colusa Irrigation District, shall be null and void.

4. Approval and authorization is hereby granted by this Commission for the withdrawal from public service by Jacinto Irrigation District, the Directors of Jacinto Irrigation District, the Directors of Glenn-Colusa Irrigation District, and Merle B. Moon as to all property herein authorized to be transferred to said Jacinto Irrigation District, the Directors of Jacinto Irrigation District, the Directors of Glenn-Colusa Irrigation District, and Merle B. Moon, and as to all territory heretofore served by said properties.

The effective date of this order, as to authorization of the proposed transfer of properties, is hereby fixed as of June 30, 1921. As to the authorization herein granted for the discontinuance of service as a public utility or withdrawal from public service, as to any part of the territory herein referred to, the effective date is hereby designated as July 15, 1921.

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 30<sup>th</sup> day of June, 1921.

H. P. Rundle  
A. S. Loveland  
Erving Martin  
J. H. Benedict  
Commissioners.