

Decision No. 9232

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
NEW MANZANITTA GOLD MINING COMPANY,
a corporation, and EXCELSIOR WATER
AND MINING COMPANY, a corporation,
for authority enabling the said
EXCELSIOR WATER AND MINING COMPANY
to take over property heretofore
operated by NEW MANZANITTA GOLD
MINING COMPANY under lease.

APPROVED
Application No. 6985

BY THE COMMISSION

ORDER

Excelsior Water and Mining Company herein makes application to purchase and hereafter operate two ditches in Nevada County, California, known as the "Texas Ditch" and the "New Manzanitta Ditch". These ditches have heretofore been operated by New Manzanitta Gold Mining Company as a public utility supplying some four consumers with water for irrigation purposes, the total area served being approximately ten acres.

New Manzanitta Gold Mining Company desires to retire from this business and to disincorporate.

Excelsior Water and Mining Company states in the application that it is in a position to serve the consumers under the ditch in question more satisfactorily than they are at present being served.

It appearing that this is not a matter in which a public hearing is necessary and that the application should be granted,

IT IS HEREBY ORDERED that the New Manzanitta Gold and Mining Company be, and it is hereby authorized to discontinue the operation of the ditches known as "Texas Ditch" and

"New Manzanitta Ditch" in Nevada County, California, and

IT IS HEREBY FURTHER ORDERED that the Excelsior Water and Mining Company be, and it is hereby authorized to purchase the ditches known as the Texas Ditch and the New Manzanitta Ditch in Nevada County, California, subject to the following conditions:

1. The Authority herein granted Excelsior Water and Mining Company to purchase real property shall apply only to such conveyance as may have been made on or before January 1, 1922, and a certified copy of the instrument of conveyance shall be filed with the Commission by Excelsior Water and Mining Company within thirty (30) days from the date on which it is executed.

2. Within ten (10) days from the date on which the Excelsior Water and Mining Company actually take possession of the property herein authorized to be purchased said company shall file with the Railroad Commission a certified statement indicating the date upon which said control and possession was acquired.

3. The consideration given for the purchase of said public utility shall not be urged before this Commission or any other public body as a finding of value of said properties for rate fixing or any purpose other than the transfer herein authorized.

Dated at San Francisco, California, this 15th day of July, 1921.

W. B. F. F. F.
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Commissioners.