

Decision No. 31129

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION
OF CALIFORNIA LANDS, INC., and NORTH
FORKDITCH COMPANY FOR AN ORDER
AUTHORIZING THE FORMER TO SELL, AND
THE LATTER TO BUY, A CERTAIN PIPE
LINE WITH ALL OF ITS APPURTENANT
WORKS LOCATED IN THE COUNTY OF PLACER,
STATE OF CALIFORNIA, AND HEREINAFTER
IN "EXHIBIT 1" ATTACHED HERETO PARTIC-
ULARLY DESCRIBED

ORIGINAL

APPLICATION NO. 22062

BY THE COMMISSION:

O R D E R

In this application California Lands, Inc., a corporation, asks for authority to sell to North Fork Ditch Company, a corporation which joins in the application, all of its water distribution system and appurtenant facilities situate in Placer County.

This application was filed in settlement of negotiations resulting from the request of California Lands, Inc. in Application No. 21036 for authority to abandon irrigation service. By written agreement the water distribution system owned by California Lands, Inc. is to be deeded to the North Fork Ditch Company which will consolidate it with its own irrigation properties and take over and assume all public utility obligations and liabilities for the service of irrigation water in the area involved, as well as certain adjacent territory. For greater detail in connection with this

water plant and its history reference is hereby made to Decision No. 31121 rendered in connection with the above mentioned Application No. 21036, and also Case No. 4214 involving the same matters.

For the reasons set forth above it is clear that this is not a matter in which a public hearing is necessary and that the application should be granted; now, therefore,

IT IS HEREBY ORDERED that California Lands, Inc., a corporation, be, and it is, hereby authorized to sell and convey to North Fork Ditch Company, a corporation, all of its rights, title and interests in and to all of its water distribution system and appurtenant facilities situate in Placer County, substantially in accordance with the terms, conditions and descriptions set forth in Exhibit "1," Exhibit "A" and Exhibit "B" attached to the application herein and which are hereby made a part of this Order by reference.

IT IS HEREBY FURTHER ORDERED that the above authority is granted subject to the following terms and conditions:

1. The authority granted herein shall apply only to such transfer as shall have been made on or before the first day of November, 1938, and a certified copy of the final instruments of conveyance shall be filed with this Commission by California Lands, Inc., a corporation, within thirty (30) days from the date on which they are executed.
2. Within ten (10) days from the date on which said California Lands, Inc., a corporation, actually relinquishes control and possession of the property herein authorized to be transferred, it shall file with this Commission a certified statement indicating the date upon which such control and possession were relinquished.

3. On or before the thirty-first day of September, 1938, California Lands, Inc., a corporation, shall refund all amounts, if any, due consumers for deposits made for main extensions, meter or service connections, and/or any other purposes.
4. On or before the first day of October, 1938, California Lands, Inc., a corporation, shall file with this Commission a verified statement to the effect that the terms and conditions of Paragraph 3 above have been complied with.
5. The consideration for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value for rate fixing or any purpose other than the transfer herein authorized.
6. Upon full compliance with the terms and conditions of this Order, California Lands, Inc. be, and it is, hereby relieved of all public utility obligations and liabilities now/or heretofore incurred in connection with the operation of all or any part of the irrigation system involved herein.

The authority herein granted shall become effective on the date hereof.

Dated at San Francisco, California, this 25th day of July, 1938.

Walter W. Ware

Paul W. W. W.
Paul W. W.
 Commissioners