

Decision No. 37239

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF David J. Bayne of Alturas, County of Modoc, State of California, for permission to Buy and Purchase, of "Thomas & Raker Ditch Company" of Alturas, County of Modoc, State of California, to sell and convey to David J. Bayne, an undivided one-half interest in and to the Reservoirs and Ditches, and all rights appertaining thereto, of the sellers, a Public Utility, of the State of California.

ORIGINAL

Application No. 2444

BY THE COMMISSION:

FIRST SUPPLEMENTAL OPINION AND ORDER

In the original decision in this matter, Decision No. 34754, dated November 12, 1941, C. A. Raker and Iva S. Raker were authorized to sell, on or before the first day of February, 1942, their undivided one-half interest in the Thomas & Raker Ditch Company to David J. Bayne who joined in the application. The authority granted therein was never consummated and a Supplemental Application has been filed herein to transfer the same undivided one-half interest in the Thomas & Raker Ditch Company to David J. Bayne and Elsie K. Bayne, his wife.

The Commission being of the opinion that this is not a matter in which a public hearing is necessary and that the request of applicants should be granted, now therefore,

IT IS HEREBY ORDERED that C. A. Raker and Iva S. Raker be and they are hereby authorized to sell, on or before the thirtieth day of September, 1944, all their rights, title and interests in and to the water system known as the Thomas & Raker Ditch Company serving irrigation water to an area northeast of Alturas,

Modoc County, to David J. Bayne and Elsie K. Bayne, his wife, subject to the following terms and conditions:

1. C. A. Raker and Iva S. Raker shall file or cause to be filed with this Commission, within thirty days after the date of the transfer herein authorized, a certified copy of the deed or other instrument of conveyance by which they convey to David K. Bayne and Elsie K. Bayne, his wife, their rights, title, and interest in the Thomas & Raker Ditch Company.
2. The action taken herein shall not be construed to be a finding of value for any purpose other than the proceeding herein involved.

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

Dated at Los Angeles, California, this 26th day of July, 1944.

Richard Raker
Justice J. Caenen
Francis D. Havens
Francis D. ...
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 Commissioners.