

Decision No. 37837

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 THE SAN JOAQUIN CANAL COMPANY, a
 corporation, for an Order fixing the
 gross area to which service may be
 rendered for the growing of rice,
 and for a formula determining the
 annual net acreage which may be
 served for the growing of rice under
 varying conditions of water supply,
 and the acreage which may be irrigated
 by each rice grower.

ORIGINAL

Application No. 26276

J. E. Woolley, for Applicant, and also for
 Olsen and Fawcett, George A. Zimmerman,
 and George K. Antoine.
 J. J. Deuel, for California Farm Bureau Federation.
 Robinson & Cornell, by Samuel V. Cornell,
 for Central California Mutual Water District.
 L. M. Linneman, for Dan Carmignani and E. J. Dietz.

BY THE COMMISSION:

SECOND INTERIM ORDER

OPINION AND ORDER

A further hearing in the above entitled matter was held in Los Banos on April 11th to consider the supplemental petitions of four land owners for the right to include their acreage within the rice growing service area as fixed by the Commission's Decision No. 37712, dated March 13, 1945.

Olsen and Fawcett jointly own 329 acres of land within the general service area of The San Joaquin Canal Company and adjacent to the rice growing area. Their acreage has been producing rice for the last three years, but no formal authority heretofore has been granted for the use of water. Inclusion now in the area fixed for rice production will therefore neither add to nor take from

the acreage presently devoted to this crop, nor affect the company's water supply. The 214 acres of land owned by George A. Zimmerman are in a like situation. No protest was made to the inclusion of these lands in the rice growing area and the evidence justifies the granting of their requests.

Petitioner George K. Antoine withdrew his request to transfer the right which he now has for rice irrigation from one parcel of land to another. Petitioners E. J. Dietz and Dan Carmagnani stated through their counsel that they would not at this time present any evidence in support of their requests. Their lands are not now prepared for the planting of rice. Accordingly, their petitions will be denied.

The evidence presented by the company indicates a most favorable water supply during the present year. The evidence also indicates that by reason of the additional storage and regulation of water by the government at the Friant Dam, the water supply for irrigation purposes in future years may be materially affected. Because of this fact, representatives of both the canal company and water consumers' organizations expressed the view that the reconsideration of the water service area heretofore fixed would be necessary before the close of this year. It was agreed that water consumers' organizations would cooperate with the company in the preparation of a plan for the revision of the general water service area of the company which might be presented to the Commission for approval before the next irrigation season.

Therefore, good cause appearing,

IT IS HEREBY ORDERED as follows:

1. That the following described lands of Olson and Fawcett and George A. Zimmerman, consisting of 543.07 acres, as delineated on a map filed as Exhibit No. 2, and located in Sections 1 and 12, T. 12 S., R. 12 E., M.D.B. & M., be included within The San Joaquin Canal Company's rice growing area and be entitled to rice irrigation service subject to the conditions set forth in the Commission's Decision No. 37712, dated March 13, 1945.

2. That petitions of E. J. Dietz and Dan Carmignani for inclusion of their lands within the rice area, be and they are hereby denied.

The effective date of this Order shall be the date hereof.

Dated at San Francisco, California, this 24th day of April, 1945.

Harold Ordway
Justus F. Cravener
Richard K. Kachse
Francis Clark
Ernest Powell
Commissioners.