

Decision No. 43977**ORIGINAL**

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 NORTH FORK DITCH COMPANY, a Corporation,
 for an order authorizing applicant to
 execute a contract with the United States
 providing for the transfer and temporary
 relocation of portions of utility property.

Application No. 31116

OPINION AND ORDER

North Fork Ditch Company, a corporation, engaged in the business of diverting, distributing and selling water for irrigation and domestic purposes in Placer and Sacramento Counties, asks the Commission for authority to execute a contract with the United States providing for the transfer of certain of its utility lands, and to reconstruct and replace certain storage facilities, pipe lines and buildings.

The United States Government has undertaken the construction of Folsom Dam on the American River for flood control and other purposes, and in order that the construction program may proceed in an orderly manner, it is necessary to partially relocate and rearrange certain of the company's facilities.

The contract with the company provides that the United States proposes (a) to by-pass temporarily a portion of the company's main canal and Rose Springs Ditch, (b) to construct a new reservoir in place of the present Hinkle reservoir and convey it to the company, (c) to provide a section of new Ashland pipe line to connect to the new reservoir, (d) to move the buildings at Hinkle reservoir to a location near the company's Baldwin reservoir, and to make suitable provisions for relocation of roads and other facilities of the company

which will be affected by the construction of the dam, and make possible the continued operation of all of said facilities throughout the construction period.

The contract further provides for the transfer by the company to the United States of the land on which a portion of the dam will be constructed, and a transfer by the United States to the company of the land on which the new reservoir will be located.

An investigation having been made, and it appearing that the proposed relocation and rearrangement of the company's water facilities will not adversely affect its operations and that they are in the public interest, and it further appearing 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 as follows:

1. That North Fork Ditch Company, a corporation, be and it is hereby authorized to execute a contract with the United States of America, providing for the relocation and rearrangement of facilities, and transfer of lands, substantially in accordance with the terms and conditions set forth in Exhibit B attached to the application herein, said exhibit being hereby made a part of this order by reference.
2. That North Fork Ditch Company, a corporation, shall file with this Commission two certified copies of this contract as finally consummated within thirty (30) days thereafter.
3. That North Fork Ditch Company, a corporation, shall notify this Commission of the date said relocated and rearranged facilities have been placed in satisfactory operation within thirty (30) days thereafter.

In view of the fact that the relocation and rearrangement of the company's facilities hereinabove referred to must be completed before construction can be started by the United States, and it being in the public interest to commence construction on the Folsom Dam project at as early a date as possible, the authority granted herein will become effective on the date hereof.

Dated at San Francisco, California, this 28th day of March, 1950.

R. T. [Signature]
Justus F. [Signature]
[Signature]
Harold [Signature]

Commissioners.

Commissioner.....Kenneth Potter..... being necessarily absent, did not participate in the disposition of this proceeding.