

**ORIGINAL**

Decision No. 45633

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Clark Bros., Joaquin S. Brazil,  
M. M. Bento, John Erreca, Hal G. Davis,  
Costa Bros., Joe S. Sanches, A. E. Martin,  
Geo. Delaney, Earl Wood, and Frank Silva,

Complainants,

vs.

The San Joaquin Canal Company,  
a corporation,

Defendant.

Case No. 5280

OPINION AND ORDER

The above complainants ask the Commission to authorize The San Joaquin Canal Company, which is engaged in the business of supplying water for irrigation purposes to lands located in Fresno, Merced, and Stanislaus Counties, to discontinue irrigation service to certain of their lands now located within the company's service area, and hereafter provide service to certain other lands now located outside its service area boundaries. The area of the lands requested to be excluded totals 386.65 acres and consists of 16 parcels, and the area of the lands to be included totals 384.45 acres and consists of 12 parcels.

The reasons for requesting the transfer of service rights are as follows: (1) that lands of certain complainants located in the vicinity of Dos Palos and Los Banos have been subdivided for residential purposes and cannot be used further for growing of irrigated crops, (2) that lands of certain other complainants have been acquired by the United States for the construction and operation

of spillways in connection with its Delta-Mendota Canal and additional land therefor is required by said complainants to replace the property sold; (3) that certain of the land proposed for exclusion from the service area can be irrigated from existing wells and their adjoining land can be readily supplied with canal water; (4) and that certain lands heretofore irrigated have been separated by a large drain and transfer of service rights will permit consolidation of irrigable lands into one operating unit; (5) that a regrouping of irrigated land in one area is more desirable than present arrangement.

Defendant's answer to the complaint having expressed agreement to the proposed exchange of service rights, and having alleged that the transfer will not interfere with the service to any of its regular consumers, and it appearing that this is not a matter on which a public hearing is necessary, and that the request should be granted, now, therefore,

IT IS HEREBY ORDERED that The San Joaquin Canal Company, a corporation, be and it is hereby authorized to exclude from its service area the lands of the complainants, consisting of 16 parcels and totaling 386.65 acres, and transfer the rights to irrigation service and include within its service area 12 other parcels of land, respectively, belonging to the same property owners, and totaling 384.45 acres, all of said lands being more particularly

described in said complaint and delineated upon a map attached to the complaint, and described generally in Exhibit A attached to and made a part of this order.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 1<sup>st</sup> day of

May, 1951.

R. T. [Signature]  
Justice J. Coleman  
Harold P. Hild  
[Signature]  
[Signature]  
Commissioners.

## EXHIBIT A

C-5280 EL

: Service Rights Transferred				: Service Rights Transferred			
: from These Lands				: to These Lands			
: Parcel	: Number	: Landowners	: Location:	: Parcel	: Number	: Landowners	: Location:
: from	: of		: All Within	: from	: of		: All Within
: Complaint:	: Parcels:		: Acres : M.D.B.&M.	: Complaint:	: Parcels:		: Acres : M.D. B.&M.
1A	3	Clark Bros.	17.62 Sec.11 T.11S.,R12E 19.99 Sec.11 T.11S.,R.12E 18.24 Sec.11 T.11S.,R.12E	1B	1		55.85 Sec.16 T.11S.,R.12E
2A	1	Joaquin S. Brazil	9.4 Sec.32 T.9S.,R.9E	2B	1		9.4 Sec.32 T.10S.,R.10E
3A	1	M. M. Bento	23.1 Sec.33 T.8S.,R.9E	3B	1		23.1 Sec.33 T.8S.,R.9E
4A	2	John Erreca	19.12 Sec.23 T.10S.,R.10E 23.30 Sec.32 T.9S.,R.9E	4B	1		42.42 Sec.19 T.10S.,R.11E
5A	1	Hal. G. Davis	84.68 Secs.33-34 T.9S.,R9E	5B	1		84.68 Sec.34 T.9S.,R.9E
6A	2	Costa Bros.	68.9 Sec.29 T.11S.,R.11E 10.8 Sec.29 T.11S.,R.11E	6B	1		79.7 Sec.29 T.11S.,R.11E
7A	1	Joe S. Sanches	12.5 Secs.29-30 T.7S.,R.9E	7B	1		12.5 Sec.20,T.7S.,R.9E
8A	1	Allen E. Martin	22.7 Sec.26 T.11S.,R.13E	8B	1		22.7 Sec.26 T.11S.,R.13E
9A	1	Geo. Devaney	27.5 Sec.3 T.9S.,R.9E	9B	2		7.1 Sec.3 T.9S.,R.9E 19.8 Sec.2 T.9S.,R.9E
10A	1	Earl Wood	18.7 Sec.8 T.10S., R.10E	10B	1		18.5 Sec.17 T.10S.,R.10E
11A	2	Frank Silva	7.3 Sec.9 T.10S., R.10E 2.8 Sec.8 T.10S., R.10E	11B	1		8.7 Secs.8-9 T.10S.,R.10E
Total			386.65				384.45