

ORIGINAL

Decision No. 45749

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

V. FAGUNDES,

Complainant,

vs.

THE SAN JOAQUIN CANAL COMPANY,

Defendant.

Case No. 5294

OPINION AND ORDER

The above complainant, V. Fagundes, asks the Commission to authorize The San Joaquin Canal Company, engaged in the business of supplying water from the San Joaquin River for irrigation purposes to lands located in Fresno, Merced, and Stanislaus Counties to discontinue irrigation service to 13.6 acres of his lands now located within the company's service area and hereafter to provide service to certain other lands of said V. Fagundes, containing 13.6 acres, now located outside said Canal Company's service area boundaries.

The transfer of service rights is requested because the lands desired to be served are far more productive and better adapted to the beneficial growth and production of divers crops than the lands presently irrigated.

The complainant alleges that the lands desired to be served are so located that water can be made readily available thereto from existing canals and laterals owned and operated by said Canal Company and that this exchange of water service will not increase nor cause any additional burden upon the existing users of water or upon the water service of said defendant.

Defendant has notified the Commission that it does not intend to oppose complainant's request to exchange service rights. It is clear that the proposed exchange will not interfere with the service to any of the other consumers. It is apparent that this is not a matter in 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 certain lands of V. Fagundes, consisting of 13.6 acres, designated as Fields No. 26 and No. 28 of the records of The San Joaquin Canal Company, and to transfer the rights to irrigation service of said lands to, and to include within its service area, certain other lands belonging to said V. Fagundes, being 13.6 acres in area, situate adjacent to Field No. 30, as designated in the records of said Canal Company, all of said lands being situate in and being a part of the southwest one-quarter of Section 1, Township 11 South, Range 10 East, M. D. B. & M., County of Merced, State of California.

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

Dated at San Francisco, California, this 22nd day of May, 1951.

A. T. Anderson
Justice Z. C. Walker
Harold J. Hill
John E. Mitchell

Commissioners.