

Decision No. 47461

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

JOHN MEVI,

Complainant,

vs.

THE SAN JOAQUIN CANAL COMPANY,
a corporation,

Defendant.

Case No. 5377

OPINION AND ORDER

John Mevi, complainant herein, asks the Commission to authorize The San Joaquin Canal Company, a corporation, to discontinue irrigation service to four parcels of land comprising 21.7 acres, more or less, located within defendant's service area boundaries, each parcel being presently owned by a different party, and hereafter to provide irrigation service to a 21.7-acre parcel of land owned by complainant.

Complainant alleges that the 11.9 acres of land owned by himself, located in Section 23, Township 9 South, Range 9 East, M.D.B. & M., contains alkali and has a relatively poor productive capacity; that the 5 acres of land owned by the Los Banos Grammar School District, located in Section 15, Township 10 South, Range 10 East, M.D.B. & M., cannot be used for irrigation purposes as the district is erecting a school building on the property, and the Board of Trustees of said district have relinquished and waived to complainant the rights to irrigation service to this parcel of land; that the 2.2 acres owned by H. W. Busse consists of Lots 5 and 6 of Plat 126, in Section 22, Township 10 South, Range 10 East, M.D.B. & M., are located within the City of Los Banos, and

said H. W. Busse has relinquished and waived to complainant his rights to irrigation service to this parcel of land, and that the 2.6 acres of land owned by Louise R. Paradiso, located in Section 22, Township 10 South, Range 10 East, M.D.B. & M., has not recently been irrigated, and he has relinquished and waived to complainant his rights to irrigation service to this parcel of land. Complaint further alleges that the 21.7 acres of land, located in Section 14, Township 9 South, Range 9 East, M.D.B. & M., are of a good producing quality and are located adjacent to defendant's service area boundaries, and can be served from existing canals and ditches.

Defendant in its answer to the complaint states that it has no objections to the granting of the request for exclusion from, and inclusion within, defendant's service area of the parcels of land described in the complaint. Defendant alleges that in its opinion such transfers of rights of irrigation service will not interfere with the service to any of its consumers.

It appearing that this is not a matter in which a public hearing is necessary and that complainant's request should be granted,

IT IS HEREBY ORDERED that The San Joaquin Canal Company, a corporation, be and it is authorized to exclude from its service area the 11.9 acres of land owned by complainant and located in Section 23, Township 9 South, Range 9 East, M.D.B. & M., the 5 acres of land owned by Los Banos Grammar School District and located in Section 15, Township 10 South, Range 10 East, M.D.B. & M., the 2.2 acres of land owned by H. W. Busse, and located in Section 22, Township 10 South, Range 10 East, M.D.B. & M.; the 2.6 acres of land owned by Louise R. Paradiso, and located in

Section 22, Township 10 South, Range 10 East, M.D.B. & M., and to transfer the rights to irrigation service of said four above-described parcels of land to, and to include within its service area, the 21.7 acres of land owned by complainant, located in Section 14, Township 9 South, Range 9 East, M.D.B. & M., all of said lands being more particularly described in the complaint which is made a part of this order by reference.

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

Dated at San Francisco California, this 15th day of July, 1952.

A. J. [Signature]
President.
Harold [Signature]
[Signature]
[Signature]
Commissioners.