

**ORIGINAL**

Decision No. 48052

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

LOUIS PAMPLONA,

Complainant,

vs.

THE SAN JOAQUIN CANAL COMPANY,  
a corporation,

Defendant.

Case No. 5426

OPINION AND ORDER

Louis Pamplona, complainant herein, asks the Commission to authorize The San Joaquin Canal Company, a corporation, to discontinue irrigation service to a certain parcel of land, owned by him and comprising 79.9 acres, located within defendant's service area, and hereafter to provide irrigation service to another parcel of land also owned by him and having an area of 79.9 acres, but located outside defendant's present service area.

Complainant alleges that the land to which the irrigation rights are herein requested to be transferred is more fertile and better adapted to the production of diverse crops than the land now receiving irrigation service. Also, the land not presently receiving service is located close to the existing canals and channels of the defendant, and the topography of said land is such that it may be easily irrigated. Complainant further alleges that the nature of the soil is such that it is possible that less water may be used in irrigation than for the parcel of land herein being requested to be excluded.

Defendant in its answer to the complaint states that it has no objection 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 the complainant's request should be granted,

IT IS HEREBY ORDERED that The San Joaquin Canal Company, a corporation, be and it is hereby authorized to exclude from its service area 79.9 acres of land owned by complainant and located in Section 7, Township 10 South, Range 10 East, M.D.B.&M., Merced County, and to transfer the rights to irrigation service of said lands to, and to include within its service area, the 79.9 acres of land belonging to said complainant and located in Section 33, Township 11 South, Range 11 East, M.D.B.&M., Merced County, all of said lands being

more particularly described in the complaint, which is made part of the order by reference.

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

Dated at San Francisco California this 22<sup>nd</sup> day of December, 1952.

R. J. Dintman  
President.  
Justus J. Casseus  
Harold Kels  
Lawrence H. Fattal  
Robert L. Mitchell  
Commissioners.