

ORIGINAL

Decision No. 48458

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ERNEST B. BEALL,)	
)	
Complainant,)	
)	
vs.)	Case No. 5448
)	
SAN JOAQUIN CANAL CO., a corporation,)	
)	
Defendant.)	

William Logan, by Harold R. Densmore,
 for complainant.
 J. E. Woolley and Vincent J. McGovern,
 for defendant.

O P I N I O N

Ernest B. Beall by this complaint seeks a transfer of existing water service rights from a parcel of land in Stanislaus County to another parcel in Merced County. Each parcel contains approximately 12.6 acres.

The complaint was filed on February 25, 1953, and the answer on March 5, 1953. A public hearing was held before Examiner Gillard in Los Banos on March 17, 1953, and the matter was submitted for decision on that date.

Complainant and Leland E. Steffensen jointly own the Stanislaus County land, which is within defendant's service area and has received irrigation water for a number of years to and including 1952.

This property has been incorporated recently within the city limits of Newman and the owners have subdivided the same for residential purposes. The water service right is no longer needed thereon or beneficial thereto, and Steffensen has transferred to complainant all his interest in such water service right.

Complainant owns 230 acres in Merced County, of which 76 acres is within defendant's service area. The additional 12.6 acres sought to be served by the transfer herein is adjacent to the 76 acres and can be served from existing canals. It is similar in quality and productiveness to the Stanislaus property.

The defendant in its answer raised no objection to the transfer and in addition alleged that in its opinion the transfer would not interfere with service to any of its consumers.

The relief sought herein involves the transfer of a currently exercised water service right to another parcel which is equally accessible to defendant's distribution system. No additional supply of water is sought and no burden will be placed upon defendant. The request is, therefore, within the principles set forth in Decision No. 38355, dated October 30, 1945 (46 CRC 152), and will be granted.

O R D E R

A public hearing having been held and based upon the findings and conclusions set forth in the foregoing opinion,

IT IS ORDERED that The San Joaquin Canal Company, a corporation, be and it is hereby authorized to exclude from its service area the lands of Ernest B. Beall and Leland E. Steffensen situated in Stanislaus County and being a portion of the southwest quarter of Section 18, Township 10 South, Range 9 East, M.D.B. & M., totaling 12.6 acres, and to include within its service area, and transfer the rights to irrigation service to the lands of Ernest B. Beall situated in Merced County and being a portion of the

northeast quarter of the southeast quarter of Section 23,
Township 9 South, Range 9 East, M.D.B. & M., totaling 12.6 acres
more or less.

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

Dated at Los Angeles, California, this 7th
day of April, 1953.

[Signature]
President.
Justice D. [Signature]
[Signature]
[Signature]

Commissioners.