

**ORIGINAL**

Decision No. 50905

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )	
SANTA CLARA WATER AND IRRIGATING CO. )	
to abandon its public utility business )	
and status, and joint Application of )	
SANTA CLARA WATER AND IRRIGATING )	
COMPANY and UNITED WATER CONSERVATION )	Application No. 36549
DISTRICT for SANTA CLARA WATER AND )	
IRRIGATING COMPANY to sell and trans- )	
fer to UNITED WATER CONSERVATION )	
DISTRICT certain real property and )	
easement. )	

OPINION AND ORDER

The Santa Clara Water and Irrigating Company,<sup>(1)</sup> a corporation, and the United Water Conservation District<sup>(2)</sup> have joined in this application, filed December 11, 1954, in which authority is requested for Santa Clara to sell and transfer to United, certain real property and an easement described in Exhibits Nos. "H" and "I", respectively, which exhibits are attached to the application. The terms and conditions of the sale are set forth in the body of the application. Santa Clara also asks authority to abandon its public utility service.

Santa Clara was incorporated on January 5, 1871, under the laws of the State of California, and has been engaged in the business of furnishing public utility irrigation service from water obtained by diversion from the Santa Clara River. The application states in recent years that the utility has operated only on a limited basis.

The principal assets of Santa Clara are stated to be approximately 455 acres of land in the river bottom of the Santa Clara River, Ventura County, and a right of way for ditch or flume

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(1) Hereinafter sometimes called Santa Clara.  
 (2) Hereinafter sometimes called United.

purposes extending intermittently from a point adjacent to the Santa Clara River to a point near the City of Port Hueneme.

United proposes to acquire from Santa Clara approximately 23.2 acres of land to be used in extending its water storage and spreading facilities. Said 23.2 acres of land are not necessary, according to Santa Clara, for its public utility operations as now performed and are presently leased to United.

The present estimated value of all of Santa Clara's assets is \$99,937.37, of which the land and easement proposed to be transferred have been appraised at \$11,090 and \$750, respectively. On a pro rata basis, the original costs of the said land and easement are stated to have been \$717.36 and \$250, respectively.

The application states that the spreading of water by United has increased the underground supply available to landowners formerly served by Santa Clara. Further, this additional supply has been a substantial factor in causing former customers of Santa Clara to discontinue use of the utility irrigation service. Copies of Santa Clara's records, attached to the application as Exhibit "G", show that only five customers were being served in 1944 and that by the end of 1953, service was furnished to but one customer who is the principal stockholder in Santa Clara. Santa Clara further alleges that due to its limited operations it has been operating at a loss.

Additional water conservation and distribution facilities to be constructed by United will be financed by a bond issue in the amount of \$10,930,000 authorized by an election held in October 1953. The territory of United is stated to include almost all of the irrigable land in the Santa Clara Valley and the area known as the Oxnard Plain and Pleasant Valley area in Ventura County.

The action taken herein shall not be construed to be a finding of the value of the properties herein authorized to be transferred.

The Commission has considered the request of applicants and is of the opinion that the proposed transfer of property, and the abandonment of service by Santa Clara will not be adverse to the public interest; that a public hearing is not necessary and that the requests should be granted; therefore,

IT IS HEREBY ORDERED that:

1. Santa Clara Water and Irrigating Company, a corporation, may, on or after the effective date hereof and on or before July 31, 1955, sell and transfer the real property and easement described in Exhibits Nos. H and I, respectively, attached to the application to United Water Conservation District pursuant to the terms stated in said application.
2. On or before the actual date of transfer Santa Clara Water and Irrigating Company shall refund all deposits which customers are entitled to have refunded, and within thirty days thereafter shall notify this Commission in writing of the completion of such refunding.
3. If the authority granted herein is exercised, Santa Clara Water and Irrigating Company shall, within thirty days thereafter, notify this Commission, in writing, of the date of such completion of the property transfer herein authorized and of its compliance with the conditions herein.
4. Upon due compliance with all of the conditions of this order, said Santa Clara Water and Irrigating Company shall stand relieved of all further public utility obligations and liabilities in connection with the public utility water system which it now operates.

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

Dated at Santa Ana, California, this 28th day of December, 1954.

John E. Mitchell  
 President  
James J. Campbell  
Joseph H. Potter  
Roger L. Lawrence

Commissioners