ORIGINAL

Decision No. <u>69574</u>

`A.47654 MON

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

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IN THE MATTER OF THE APPLICATION OF:

YUBA INVESTMENT COMPANY EARL W. GATES LAWRENCE SANTI

For an Order (1) approving encumbrance of Utility property, and (2) determining that acreage surrounding lake, dam and flume are not necessary or useful in performance of duty to public. Application No. 47654 Filed June 9, 1965 and Amendment Filed July 30, 1965

## $\overline{O \ D \ I \ N \ I \ O \ N}$

In this application, as amended, Yuba Investment Company requests an order of the Commission authorizing it to sell certain real property.

Applicant is a California corporation engaged in business as a public utility in Yuba County. The company reports that it supplies irrigation water to approximately six agricultural users through its own facilities which include the Los Verjels Dam, Lake Mildred and a distribution system located on Dry Creek.

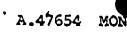
Exhibit E, attached to the amendment to the application, is a copy of an Agreement whereby the company has consented to scll certain real property to Earl W. Gates and Lawrence Santi, the holders of applicant's outstanding capital stock. According to said Agreement, the consideration for the sale will be the cancellation of indebtedness in the amount of \$25,188 owed by the corporation to its shareholders. The Agreement further indicates that the property to be sold consists of the real property set forth in Exhibit C annexed to the application, excluding said lake and dam and the flume described in Parcel 2 of said Exhibit C.

Applicant asserts that the real property which it proposes to sell is not necessary or useful in the performance of its duties to the public, which assertion is consistent with the results of a field investigation conducted by a staff engineer.

The Commission has considered this matter and finds that the sale and transfer of real property, as proposed in this proceeding, will not be adverse to the public interest. On the basis of this finding we conclude that the application, as amended, should be granted. A public hearing is not necessary.

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

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## $O \underline{R} \underline{D} \underline{E} \underline{R}$

IT IS ORDERED that Yuba Investment Company, on or after the date hereof and on or before December 31, 1965, may sell and transfer all of the property designated as Parcel 1 in Exhibit C attached to the application, except that property commonly known as Lake Mildred and Los Verjels Dam to the extent that the lake and dam may be located in said parcel. The sale and transfer shall be in accordance with the provisions of an Agreement, a copy of which is filed in this proceeding as Exhibit E.

The effective date of this order is the date hereof.

Dated at <u>San Francisco</u>, California, this <u>Lata</u>day of <u>AUGUST</u>, 1965.

Holdest Commissioners