

**ORIGINAL**

Decision No. 69574

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION )  
OF: )

YUBA INVESTMENT COMPANY )  
EARL W. GATES )  
LAWRENCE SANTI )

Application No. 47654  
Filed June 9, 1965  
and Amendment  
Filed July 30, 1965

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. )

O P 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 Milred 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 sell 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.

O R D E 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 San Francisco, California, this 25<sup>th</sup> day of AUGUST, 1965.

Frederick B. Holcomb  
President

John S. Mitchell

George T. Crover

Augustine

William A. Berwick  
Commissioners