

Decision No. 11641.

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

**ORIGINAL**

In the Matter of the Application of )  
CURTIS RANCH COMPANY )  
for an order authorizing it to sell )  
and transfer its water system. )

Application No. 8056.

Carnahan & Clark by E. S. Carnahan and  
Garfield Jones, for applicant.

BY THE COMMISSION:

O P I N I O N

In the above entitled application, as amended by permission at the hearing, the Curtis Ranch Company asks for authority to transfer its public utility water system in and in the vicinity of Bloomington, San Bernardino County, California, to Henry B. Learned, as trustee for himself and for R. T. Burge, E. G. Hart and H. C. Parker as legal owners. In the amended application Learned et al. join with the Curtis Ranch Company in asking approval of the transfer.

A public hearing was held in the matter before Examiner Williams at Los Angeles, of which proper publication was made and those interested given an opportunity to appear and be heard.

It appears from the testimony submitted that the Curtis Ranch Company, incidental to its land operations, installed a water system for the convenience of its employes and residents of the adjacent village of Bloomington. Water was obtained through the ownership of shares of stock of the Citizens Land and Water Company,

a mutual company. A storage reservoir was built and distribution pipe lines installed to those desiring domestic water service under pressure.

The transfer of this utility is also incidental to the transfer of the property of the Curtis Ranch Company, known as the "Curtis Ranch," to Mr. R. T. Burge and his associates, the consideration being a ninety-nine year lease of a business block and building at the southwest corner of the intersection of Sixth Street and Grand Avenue in the City of Los Angeles. No separate agreed price was placed on the water system. However, testimony shows that the cost of the system was between \$10,000 and \$11,000.

The testimony shows Mr. H. B. Learned to be a responsible man. He intends to give the utility his personal attention. In fact, he has had personal supervision of the operation of the water system since the transfer of the ranch property on April 1, 1922.

No one appeared to protest the granting of the application; and it appears that the interests of the water users on the system will be as well if not better served if such transfer is authorized.

#### ORDER

Proper application having been made, a hearing having been held and the matter being ready for decision,

IT IS HEREBY ORDERED that Curtis Ranch Company be and it is hereby authorized to sell and convey to Henry B. Learned as trustee for R. T. Burge, E. G. Hart, H. C. Parker and himself as the legal owners, a certain water distributing system in and in the vicinity of Bloomington, San Bernardino County, California, together with lands and other property pertaining thereto, more particularly described as follows:

- I. Ten shares of capital stock of the Citizens Land and Water Company.

II. Concrete reservoir and site located on Lot No. 309 of the Semi Tropic Land and Water Company as shown upon a map thereof, recorded in the office of the County Recorder of San Bernardino County, Book 11, page 12 of Maps, and particularly described as follows:

Commencing for a point of beginning at the intersection of the common boundary line between Farm Lot 304 and 309 and the easterly line of Larch Avenue, thence easterly 320 feet along said common boundary line; thence southerly and parallel to said Larch Avenue 124.46 feet; thence westerly and parallel to said common boundary line of Lots 304 and 309, 320 feet to said easterly line of Larch Avenue; thence northerly along said easterly line of Larch Avenue 124.46 feet to place of beginning.

III. All pipes and mains used in the distribution of water in connection with its public utility business as shown upon a map thereof filed and attached to the application.

The authorization herein granted is subject to the following conditions and none other:

1. The consideration given for the transfer herein authorized shall not be urged before this Commission or any other public body as a finding of value of said property for rate fixing or any purpose other than the transfer herein authorized.
2. The authority herein granted shall apply only to such transfer as may have been made on or before April 1, 1923, and a certified copy of the instrument of conveyance shall be filed with the Commission by Curtis Ranch Company within thirty (30) days from the date on which it is executed.
3. Within ten (10) days from the date on which Curtis Ranch Company actually relinquishes control and possession of the property herein authorized to be transferred, it shall file with the Railroad Commission a certified statement indicating the date on which such control and possession was relinquished.

Dated at San Francisco, California, this 9<sup>th</sup> day of February, 1923.

*C. Seaman*  
*W. H. ...*  
*James ...*