

Decision No. 16,066

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
E. W. OTIS and HARVEY W. OTIS, )  
co-partners doing business under the )  
firm name and style of E. W. OTIS & )  
SON, for an order authorizing said ap- ) Application No. 12128.  
plicants to develop, sell and distrib- )  
ute water for domestic and irrigating )  
purposes. )

Saran & Thompson, by H. L. Thompson,  
for applicants.

BY THE COMMISSION:

O P I N I O N

In the above entitled application H. W. Otis and Harvey W. Otis, doing business under the fictitious name of E. W. Otis and Son, ask for a certificate of public convenience and necessity authorizing them to operate a public utility water system to supply water for domestic and irrigation purposes on certain real property located about two and one half miles southwest of Palm Springs, in Riverside County.

A public hearing in this matter was held before Examiner Williams at Palm Springs after due notice thereof had been given so that all interested parties might appear and be heard.

The applicants in this matter are engaged in the business of selling lots in a recently subdivided tract of land containing approximately forty acres and known as the Araby Tract. A water system has been installed to provide the necessary water service to the entire property. The water supply is obtained by pumping

from a well located on land outside of the tract but belonging to applicants. Water is pumped by electrically driven equipment either directly into the distribution system or into a galvanized iron storage tank of 32,000 gallons capacity. The territory in which this land is located is arid and water is not abundant. However it appears that the present well will serve the needs of the tract for several years and that when necessity demands additional wells may be drilled.

The evidence indicates that the streets in the Araby Tract have not yet been dedicated to the public. A letter from the District Attorney of Riverside County was submitted in evidence to the effect that in his opinion no franchise is required by the County Board of Supervisors for the construction and installation of a water distribution system on private tracts of land such as the Araby Tract. It appears therefore that in this case no franchise or permit from the county authorities will be necessary.

No one appeared to protest this application, and it appears that the authority requested should be granted.

### ORDER

H. W. Otis and Harvey W. Otis, doing business under the fictitious name of H. W. Otis and Son, having made application as entitled above, a public hearing having been held thereon, the matter having been duly submitted and now being ready for decision,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA HEREBY DECLARES that public convenience and necessity require and will require that H. W. Otis and Harvey W. Otis, doing business under the fictitious name of H. W. Otis and Son, construct and operate a water system for the purpose of supplying water to the South half (S.½) of the Northeast Quarter (N.E.¼) and the Southeast Quarter

(S.E.  $\frac{1}{2}$ ) of Section 25, Township 4 South, Range 4 East, San Bernardino Base and Meridian, in Riverside County, as described in the application herein.

The effective date of this order shall be twenty (20) days from and after the date hereof.

Dated at San Francisco, California, this 3<sup>rd</sup> day of March, 1926.

H. B. Randall  
Albany  
Ernest  
Leon A. Kelly

Commissioners.