

Decision No. 18982**ORIGINAL**

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

In the Matter of the Application  
of IMPERIAL UTILITIES CORPORATION,  
a California corporation, and THE  
CALIFORNIA, ARIZONA AND SANTA FE  
RAILWAY COMPANY, a California cor-  
poration, for a certificate author-  
izing Imperial Utilities Corporation  
to transfer to The California, Arizona  
and Santa Fe Railway Company certain  
real estate in the town of Barstow,  
California.

Application No. 13892.

L.E. Burntrager, for Imperial Utilities  
Corporation, Applicant.

E.W. Camp, for The California, Arizona and  
Santa Fe Railway Company, Applicant.

BY THE COMMISSION:

O P I N I O N

In the above entitled application the Imperial Utilities Corporation, operating a public utility water system supplying water to the residents of Barstow and vicinity, in San Bernardino County, asks for authority to sell and transfer certain of its public utility property to The California, Arizona and Santa Fe Railway Company, which joins in the application.

A public hearing in this matter was held before Examiner Vaughan at Los Angeles after all interested parties had been duly notified and given an opportunity to appear and be heard.

From the evidence it appears that the entire business district of the town of Barstow was formerly located between the freight and passenger tracks of The California, Arizona and Santa Fe Railway Company, a situation which seriously restricted business expansion and also presented an ever increasing hazard to the public safety. To remedy this condition the town of Barstow was relocated, the railway company acquiring the properties lying between its tracks and which include certain of the public utility properties of the Imperial Utilities Corporation as well as its ice plant, a private enterprise. This general movement has left the principal utility properties at a considerable distance from the new town site and has made it necessary that the utility also move from its present location. Arrangements accordingly have been made between the railway company and the utility whereby certain properties are leased and exchanged which will not result in any disadvantage to the utility or its consumers, but will enable said utility to provide a better service than heretofore.

The present arrangements provide for a sale to the railway company of certain of the properties of the Imperial Utilities Corporation for a consideration of \$17,500., the lease to the utility for a period of five years of the present wells and the transfer to the utility of three separate parcels of land located along and near the Mojave River, which parcels are proven water-bearing lands.

There were no protests made against the request of applicant herein and the record shows that none of the present utility consumers will be injuriously affected in any way by the consummation of the plans proposed herein. On the contrary,

the record shows that the interests of the public will best be served by the granting of this application and therefore it will be approved.

O R D E R

Imperial Utilities Corporation, a corporation, having made application to the Railroad Commission for authority to sell and transfer to The California, Arizona and Santa Fe Railway Company, a corporation, certain lands more particularly set forth and described in Exhibit "B", attached to the application, and also for authority to enter into an agreement for the lease for a period of five years of the wells now located on said property, a public hearing having been held, the matter having been duly submitted and the Commission being now fully advised,

IT IS HEREBY ORDERED that Imperial Utilities Corporation, a California corporation, be and it is hereby authorized to sell and transfer to The California, Arizona and Santa Fe Railway Company those certain public utility properties as more particularly described in Exhibit "B", attached to the application, and said Imperial Utilities Corporation is also hereby authorized to enter into the agreement for the lease for a period of five years of the properties as more particularly set forth and described in Exhibit "C", attached to the application herein, and under the terms and conditions as therein provided.

IT IS HEREBY FURTHER ORDERED that the authority herein granted shall be subject to the following conditions:

1. The authority hereby granted shall apply only to such transfer and lease as shall have been made on or before December 31, 1927, and a certified copy of the final instrument of conveyance and agreement to lease shall be filed with this Commission by Imperial Utilities Corporation within thirty (30) days from the date of this order.

2. The consideration to be paid for the transfer of this property 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.

The authority herein granted shall become effective upon the date hereof.

Dated at San Francisco, California, this 3d day of November, 1927.

Edmund D. [Signature]  
[Signature]  
Leon Whitall  
[Signature]  
[Signature]  
Commissioners.