

Decision No. _____

ORIGINAL

Decision No. 4922

BEFORE THE RAILROAD COMMISSION
OF THE STATE OF CALIFORNIA.

In the Matter of the Application of)
NELLIE WILLIAMS and DENNY-BARR COMPANY,)
a corporation, for the order authoriz-) Application
ing the sale and purchase of the water)
system supplying the Town of Callahan,) No. 3273.
Siskiyou County, California, with water.)

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BY THE COMMISSION:

ORDER.

NELLIE WILLIAMS having applied to this Commission for authority to convey to Denny-Barr Company certain water utility property used to supply the town of Callahan, Siskiyou County, California, the transfer to be made in accordance with the form of deed attached to the application herein and marked "Exhibit D," wherein the property to be conveyed is described as follows:

"A tract of land twenty-five feet square in Lot Five of Section Twenty-one, Township Forty North, Range Eight West, Mount Diablo Meridian, located about twelve and twenty-seven hundredths chains in an Easterly direction from the quarter Section corner on the West line of said Section Twenty-one and about one chain North of the center line of said Section, said piece of land being heretofore and now used as a site for the powder house belonging to said party of the second part. Together with a right of way for a wagon road to said powder house.

"Also all their right, title and interest in and to the present water works supplying the town of Callahan with water, together with all reservoirs, reservoir sites, pipe lines used in connection therewith, together with a right of way six feet in width over all lands belonging to said parties of the first part, or either of them, together with the right to enter upon the property of the said parties of the first part at any time for the purpose of repairing said pipe line.

"TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof."

And it appearing to the Commission that this is not a case in which a public hearing is necessary and that the application should be granted,--

IT IS HEREBY ORDERED that the application herein be, and the same is hereby, granted upon the following conditions:

1. The authority herein granted to convey said property shall apply only to such property as may be conveyed on or before February 28, 1918.
2. The consideration paid for said property herein authorized to be transferred shall not be taken before this Commission, or any other public body, as representing for rate fixing or other purposes the value of the property transferred.
3. After conveyance is made, in accordance with the authority granted in this order, a copy of such conveyance shall, within ten (10) days thereafter be filed with the Railroad Commission.
4. The authority herein granted for the transfer of said property to Denny-Barr Company shall not become effective unless said company shall file with the Railroad Commission a stipulation duly authorized by its

board of directors agreeing to take said public utility property and operate the same as a public utility, furnishing as adequate and extensive service as is furnished by the present owner.

Dated at San Francisco, California, this 4th
day of December, 1917.

H. H. Howard

Edwin O. Edgerton

Franz R. Decker
Commissioners.