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Decision No. _____

ORIGINAL

Decision No. 5323

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the Matter of the Application of)
IMPERIAL VALLEY FARM LANDS ASSOCIATION,)
an unincorporated association, and of)
IMPERIAL UTILITIES CORPORATION,)
a corporation, for an order or orders)
authorizing the sale and transfer by the)
said Imperial Valley Farm Lands Associ-)
ation to the said Imperial Utilities)
Corporation of the Calipatria Water)
Works, water plant and system, and of)
the Niland Water Works, water plant and)
system in Imperial County, State of)
California.)

Application
Number
3106

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

Imperial Utilities Corporation having filed with the Railroad Commission a certified copy of an ordinance of Imperial County authorizing it to lay water and gas pipes in the town of Niland, said copy of ordinance having been filed pursuant to the order in Decision Number 4985, dated December 26, 1917:

NOW, THEREFORE, the Railroad Commission hereby declares that public convenience and necessity require the exercise by Imperial Utilities Corporation of the rights and privileges conferred upon it by the Board of Supervisors of Imperial County in an ordinance adopted April 1, 1918, in so far as said rights and privileges relate to the installation and operation of a water plant, provided that Imperial Utilities Corporation shall first have filed with the Railroad Commission a stipulation duly authorized by its Board of Directors declaring that Imperial Utilities

Corporation, its successors and assigns, will never claim before the Railroad Commission, or any court, or other public body, a value for said rights and privileges in excess of the amount actually paid to Imperial County as the consideration for the grant of such franchise, which amount shall be set forth in the stipulation, and shall have received from the Railroad Commission a supplemental order declaring that such stipulation in form satisfactory to the Railroad Commission has been filed with the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that the order in Decision Number 4985, dated December 26, 1917, shall remain in full force and effect except as modified by this First Supplemental Order.

Dated at San Francisco, California, this 18th
day of April, 1918.

Max Thelen
H. H. Boydland
Geo. G. Jordan
Edwin O. Edgerton
Francis R. Decker

Commissioners.