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Decision No. \_\_\_\_\_.

Decision No. 5501

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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ORIGINAL

In the Matter of the Application of )  
WINTERHAVEN IMPROVEMENT COMPANY, )  
a corporation, for an order authori- )  
zing the issue of capital stock and )  
for a certificate of public conveni- )  
ence and necessity. )

Application Number 3461.

BY THE COMMISSION:

FIRST SUPPLEMENTAL ORDER.

WINTERHAVEN IMPROVEMENT COMPANY having filed with the Railroad Commission for the purpose of complying with the condition in Decision Number 5196, dated March 11, 1918, a verified copy of Ordinance Number 45 adopted May 6, 1918 by the Board of Supervisors of Imperial County,

NOW, THEREFORE, IT IS HEREBY DECLARED that present and future public convenience and necessity require and will require the exercise by Winterhaven Improvement Company of the rights and privileges granted to it by Ordinance Number 45 adopted May 6, 1918 by the Board of Supervisors of Imperial County, in so far as said rights and privileges refer to the installation and operation of a water plant and system and an electric light plant and system, provided said rights and privileges be exercised by said Winterhaven Improvement Company within the limits of the townsite of Winterhaven and Central Addition thereto as said limits now exist, or as they may be hereafter modified by an exchange of about 40 acres in the southerly portion of said territory for an equal area on the north, extending said limits of said townsite to the Southern Pacific right of way; also within a zone half a mile wide surrounding said limits

and also including the right to serve industries on Colorado Siding of the Southern Pacific near Winterhaven, which industries may be owned or operated by Winterhaven Improvement Company or Winterhaven Townsite Company or the affiliated interests of either of them; as stipulated at a hearing on the original petition herein; provided further that the authority herein granted shall not become effective until the Railroad Commission shall first have made its supplemental order herein declaring that Winterhaven Improvement Company has filed with it, a stipulation duly authorized by its Board of Directors in form satisfactory to the Railroad Commission declaring that Winterhaven Improvement Company, its successors and assigns, will never claim before the Railroad Commission or any court, or other public body, a value in excess of the amount actually paid to Imperial County for the rights and privileges granted by Ordinance Number 45 adopted May 6, 1918, which amount shall be stated in said stipulation.

Dated at San Francisco, California, this 19<sup>th</sup>  
day of June, 1918.

Edwin D. Edgerton  
W. D. Loveland  
W. L. Gordon  
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Commissioners.