

ORIGINAL

Decision No. 49723

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
PALM SPRINGS WATER COMPANY )  
for authority to sell operative )  
real property. )  
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Application  
No. 35166

O P I N I O N

Palm Springs Water Company has filed this application for authorization to sell to Mt. San Jacinto Winter Park Authority, for the sum of \$5,000, a parcel of land located in the County of Riverside and described as follows:

Section 3, T4S, R3E, S.B.B. & M.

Subject to reservations, rights, rights of way easement of record, and current taxes not delinquent.

According to the verified application, said Section 3 consists of unimproved mountainous land located on the east slope of Mt. San Jacinto. It is traversed by Falls Creek a short distance above its juncture with Snow Creek and above the head-works and diversion facilities of the utility system. Upon acquiring the property, Mt. San Jacinto Winter Park Authority proposes to transfer it to the United States Forest Service, whereupon it will become a part of the National Forest.

From a review of this application it appears that the transfer will not be adverse to the public interest. With the ultimate acquisition by the United States Forest Service, it is anticipated that the water in Falls Creek will continue to flow

through said Section 3 and down to the headworks and point of diversion without diminution in quantity or quality. Subject to the conditions set forth in the following order, we will approve the transfer as requested.

The action taken herein shall not be construed to be a finding of the value of the property herein authorized to be transferred.

ORDER

Palm Springs Water Company having applied to the Commission for authorization to sell real property, and the Commission being of the opinion that a public hearing is not necessary and that the application should be granted, as herein provided; therefore,

IT IS HEREBY ORDERED as follows:

1. Palm Springs Water Company may sell to Mt. San Jacinto Winter Park Authority, for the sum of \$5,000, the parcel of land referred to in this application and described as follows:

Section 3, T4S, R3E, S.P.B. & M.

Subject to reservations, rights, rights of way easement of record, and current taxes not delinquent.

2. The authority herein granted is subject to the following conditions:

(A) The property herein authorized to be sold shall be used by Mt. San Jacinto Winter Park Authority for no other purpose than transfer to the United States Forest Service. Unless so transferred, said property shall be reconveyed to Palm Springs Water

Company at the same price at which it herein is authorized to be sold.

(B) The grantee or any subsequent transferee shall not put the property referred to in this proceeding to any use which may be prejudicial to the continued use by the grantor in the discharge of its public duty as a public utility.

3. The authority herein granted will become effective upon the date hereof and will expire unless exercised on or before March 31, 1954.

Dated at San Francisco, California, this 25<sup>th</sup> day of February, 1954.

*R. Z. [Signature]*  
President

*Justin F. [Signature]*  
*Dennis [Signature]*

Commissioners