

2710

August 7, 1943

Burnsworth & Van Cott
Attorneys-at-Law
The D&R.G.W.R.R. Co.
Walker Bank Bldg.
Salt Lake City, I.
Utah

ATTENTION: R. C. Jensen

Gentlemen:

Enclosed herewith are two (2) certified copies
of the Commission's Report and Tentative Order in Case No.
2710.

In conformity with the requirements of the Order,
please have the substance of the order published in a news-
paper of general circulation in Utah County, Utah, for two
issues, said publication to be completed on or before August
22, 1943.

Proof of publication should be filed with the
Commission on or before August 27, 1943.

Very truly yours,

DEPARTMENT OF BUSINESS REGULATION
Public Service Commission

Theodore Z. Thain
Acting Secretary

TNT:jp
Enclosure

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application of)
THE DENVER AND RIO GRANDE WESTERN)
RAILROAD COMPANY, a Corporation, and)
Wilson McCarthy and Henry Swan, Trus-)
tees of the property thereof, in Re-)
organization Proceedings for permis-)
sion to construct, maintain and op-)
erate a standard gauge railroad track)
over and upon a state highway, No.)
U-114, and seven county highways in)
Utah County, Utah.)

Case No. 2710

R E P O R T

and

INTERIMATIVE ORDER

DOCKETED

By the Commission:

The above-entitled application of The Denver and Rio Grande Western Railroad Company, a corporation, and Wilson McCarthy and Henry Swan, Trustees, was filed with the Commission July 16, 1943.

The Commission ordered the matter handled under summary procedure according to its rules of practice and procedure which provide for an investigation and the issuance of a tentative order, subject to the right of any interested parties to protest within the time specified in the order.

From the investigation made by the Commission, and from the record and file in this matter which are hereby made a part hereof by reference, the Commission makes the following findings:

That The Denver and Rio Grande Western Railroad Company is a corporation, organized and existing under and by virtue of the laws of the State of Delaware, and is authorized to do business in the State of Utah as a common motor carrier of property and persons; that Wilson McCarthy and Henry Swan are Trustees of the property of said railroad company in reorganization proceedings under Section 77-B of the Bankruptcy Act as amended; and that the said The Denver and Rio Grande Western Railroad Company, a corporation, is subject to the jurisdiction of the Public Service Commission of the State of Utah.

That the applicants own and operate a line of standard gage railroad, among other places, in Utah, between Provo, Utah County, Utah, and Salt Lake City, Salt Lake County, Utah; that the main line of said railroad near Geneva, Utah County, Utah, now crosses certain county roads and state highway U-114 at grade; that the applicants propose to construct a second main track near said

Geneva, Utah, parallel to the said main line track, which said second main track will, when constructed, cross at grade said highways at the following described locations:

A county highway, at m.p. 706 plus 1433 feet of the main line of the D&R.G.W.R.R., in the NW-1/4 of Sec. 2 Twp. 7 south, R. 2 E., Utah County, approximately 350 feet south and 700 feet east from the NW corner of Sec. 2, and 418 ft. southwesterly along the center line of present main track from the north line of said Sec. 2.

A county highway, at m.p. 704 plus 1203 feet of the main line of the D&R.G.W.R.R., in the NE-1/4 of Sec. 34, Twp. 5 South, R. 2 E., Utah County, approximately 1650 feet south and 475 feet east from the northwest corner of the NE-1/4 of Sec. 34, and 2100 feet southwesterly along the center line of present main track from the north line of said Sec. 34.

A county highway, at m.p. 704 plus 3230 feet, on Section line between Sec. 27 and 34, Twp. 5 South, R. 2 E., Utah County at a point 1830 feet east from the SW corner of said Sec. 27.

A county highway, at m.p. 706 plus 4597 feet, on Section line between Sec. 21 and 28, Twp. 6 South, R. 2 E., Utah County, at a point approximately 2050 feet west from the northeast corner of said Sec. 28.

A county highway, at m.p. 706 plus 3365 feet, on line between the NW-1/4 and SW-1/4 of Sec. 21, Twp. 6 south, R. 2 E., Utah County, at a point approximately 1625 feet east from the west line of said Sec. 16.

A county highway, at m.p. 707 plus 173 feet, on Section line between Sec. 16 and 21, Twp. 6 South, R. 2 E., Utah County, at a point approximately 310 feet east from the southwest corner of said Sec. 16.

State highway U-114 at m.p. 707 plus 835 feet on Section line between Sec. 16 and 17, Twp. 6 South, R. 2 E., Utah County, at a point approximately 560 feet north from the southwest corner of said Sec. 16.

At county highway crossing to Geneva Steel Plant at m.p. 708 plus 995 feet, on Section line between Sec. 8 and 17, Twp. 6 South, R. 2 E., Utah County, at a point approximately 2700 feet west from the northeast corner of said Sec. 17.

as shown by blueprint attached to application, and by reference hereby made a part hereof.

That the construction, operation and maintenance of the proposed second main track will be in the public interest and will not create any undue hazards to motorists or others using the crossing, and will facilitate the movement of traffic to the Geneva Steel Plant at Geneva, Utah, without interruption of traffic moving on the main line of said applicants.

STATE OF UTAH
DEPARTMENTAL MEMORANDUM

From
DEPARTMENT

"LW R710"
DATE: July 20, 1943

DIVISION Inspection

FILE:

To
DEPARTMENT Public Service Commission
DIVISION

SUBJECT: Report of investigation
made regarding applica-
tion made by The Denver
and Rio Grande Western
Railroad Company to con-
struct a second main
line track paralleling
their present main line
track in Utah County.

To the Commission:

On July 16, 1943, the Denver and Rio Grande Western Railroad Company filed an application with the Public Service Commission requesting permission to construct a second main line track parallel to their present main line track in Utah County between mile post 702 plus 3,136 feet and mile post 708 plus 2,240 feet. In the application the Railroad Company asks for permission to cross eight highways six of which are designated as County Roads and two of which are designated as State Highways; namely, Ull4 and SR78. The purpose of this second main line track is to serve the Geneva Steel Plant without interruption to their main line of traffic.

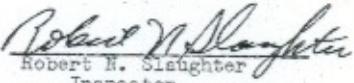
On July 19, 1943, I made an inspection of the crossing sites, and I recommend to the Public Service Commission that this application be granted; that the Denver and Rio Grande Western Railroad Company be required to properly bond the tracks in order that the crossing signals will give the necessary warning to motorists; and that the new track be constructed at grade with the other main line track in case of the necessity of improvement to the present State Highway.



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I was informed by officials of the State Road Commission that there was no objection to this work being done providing this track was built at grade with the present track. I have also been informed that the officials of Utah County will approve this program as outlined by the Denver and Rio Grande Western Railroad Company.

Respectfully submitted,


Robert N. Slaughter
Inspector

COMMISSIONERS
R. J. NORDOL, PRESIDENT
W. L. JONES
A. W. CLARK
C. A. GRANT, CHAS. CLARK
FRANCIS H. KARSEN
ATLANTIC CITY, NEW JERSEY



EDWARD G. TALL, SECRETARY
FRANK T. BENNETT, TREASURER
DALE E. FISHER, MEMBER
LAWRENCE H. ATWOOD, MEMBER
ARNOLD C. ROLAND, MEMBER
LESTER D. SPEDD, MEMBER

UTAH COUNTY
STATE OF UTAH

PROVO, UTAH

July 23, 1943

Honorable Board of County Commissioners
City & County Building
Provo, Utah

Gentlemen:

I went over the D. & R.G. RR. today, from the viaduct on West Center Street north to the Geneva plant and inspected grade crossings as indicated on the blueprint, and report and recommend as follows:

Highway Crossing at M.P. 703+1433'. Visibility clear, except for a few useless trees on the East side of track. Highway road grade good. Highway Crossing at M.P. 704 + 1203'. Visibility clear. County Road grade both sides of R.R. track should be raised to grade of track for a distance from tracks of at least 100 feet. Highway Crossing M.P. 704 + 3880'. Visibility clear, except for a few trees on east side of R.R. track. County road grade on West side should be raised to grade of tracks. Highway Crossing M.P. 705: 4597'. Visibility clear. Highway grade should be raised to level of R.R. tracks on the west side. Highway Crossing M.P. 706 + 2365'. Visibility clear, Highway grade ok. Highway Crossing M.P. 707 + 173'. Visibility clear, except for beet loading station on West side of tracks. Highway grade from the west and between the two R.R. tracks should be raised to grade of R.R. track. Highway Crossing 707 + 635' ok. Highway crossing 708 + 995', Entrance into Steel Plant. Visibility clear. Highway grade should be raised on west side.

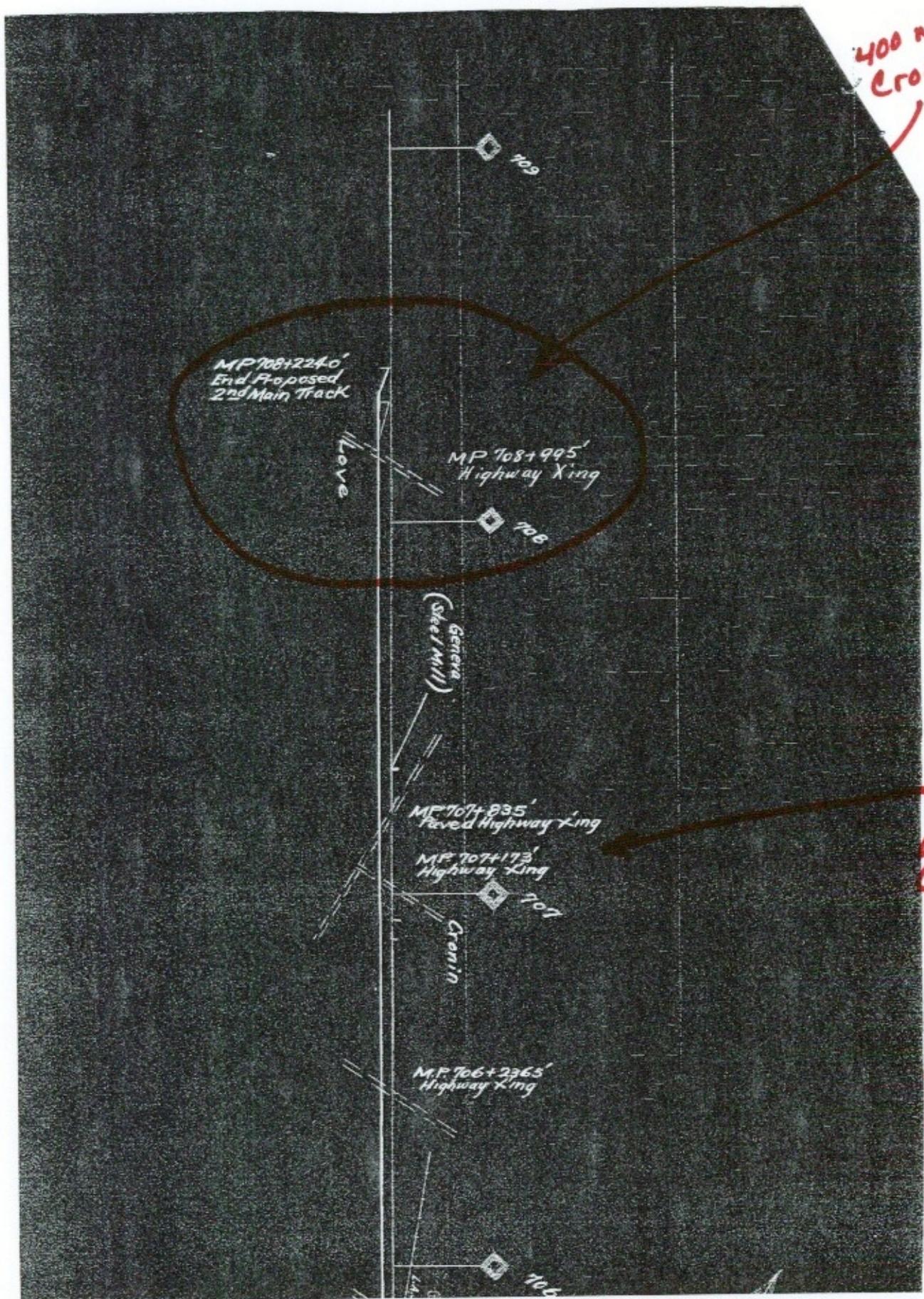
I find no reason why the request of the Denver & Rio Grande Western R.R. Company should not be granted.

Very truly yours,

Robert L. Wilson
Utah County Surveyor

RLN/bob





(General
Sheet Mill)

M.P. 7074+835'
Paved Highway X-ing

M.P. 7074+173'
Highway X-ing

707
Cronin

M.P. 706+3365'
Highway X-ing

706

M.P. 705+4507'
Highway X-ing

705+367' W.R. X-ing.

Lakota

705

M.P. 704+3280'
Highway X-ing

M.P. 704+1203'
Highway X-ing

Cronin
M.R.

Legend
2nd Main Track Ext'n ----- Yellow
Highways to be crossed --- Shaded Yellow
The Denver & Rio Grande Western R.R.
Salt Lake Division
Proposed 2nd Main Track Extension
MP 702+3136 to MP 706+2240, and
Crossings of Public Highways.
No Scale
Div. Eng'g Office

6-30-43

TO DENVER →

MP 702+3136
Present end of
2nd Main Track

Denn

Highway
MP 703+4133

Highway
MP 704+11203

Highway
MP 704+1280

Construct 2nd Main Track
MP 702+3136 to MP 706+2240

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application
of UNION PACIFIC RAILROAD COMPANY,
a corporation, for permission to
construct an industry track at [redacted] AMENDED
grade over and across a public highway in the vicinity of Geneva, [redacted] APPLICATION
Utah County, Utah, known and de- [redacted] Case 2714
signated as U-114a [redacted]

Came now the Union Pacific Railroad Company and re-

spectfully shows:

1. That it is a corporation organized under and existing by virtue of the laws of the State of Utah, and owns and operates over a large number of tracks in the State of Utah as well as in other states and is a common carrier for hire of freight, passengers, baggage and express.

2. That in the vicinity of the town of Geneva, Utah, Antoinette L. Bunker and E. Carlyle Bunker, a copartnership doing business under the name and style of Bunker Farms, own and operate a feed mill known as the Bunker Feed Mill; that said copartnership receives shipments of grains from Utah and eastern points, including the soya bean meal from the East, fish meal from California, flour from all Utah points and salt from Salt Lake City, and grinds and mixes the same into feed which is sold direct to the farmers.

3. That at the present time said copartnership hereinbefore referred to have no rail facilities which serve their warehouse and feed mill and they receive shipments from time to time in car-load lots and are required, because of a lack of rail connection, to truck the same for approximately one mile to their place of business; that they have made application to the Union Pacific Railroad Company for the construction of a spur track over and across Utah Highway No. 114, at a point more particularly described as follows:

A 17 ft. strip of ground (8.5 ft. on each side of the center line of said spur track), located in the NE 1/4 of the SW 1/4 of section 8; also in the SW 1/4 of the SW 1/4 of section 9, T. 6 S., R. 2 E., S.L.B.& M. The center line of said track and said strip of ground is described as follows:

Beginning at a point which is 35 ft. perpendicularly distant easterly from the center line of the U.P. R.R. Co.'s

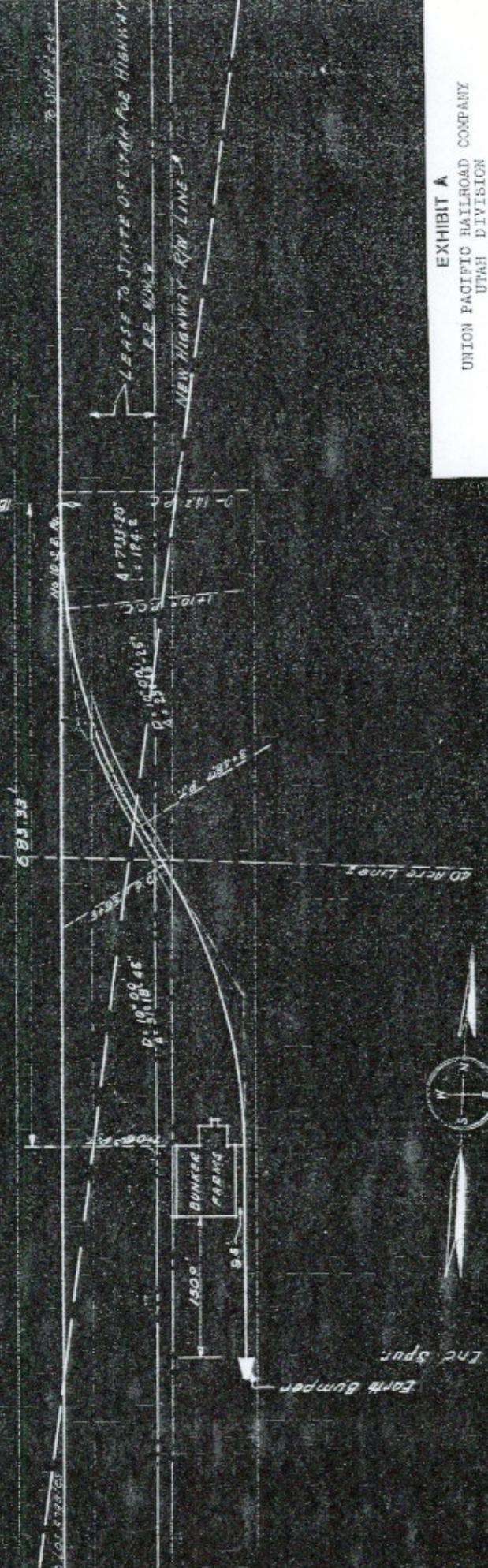
EXHIBIT A

UNION PACIFIC RAILROAD COMPANY
UTAH DIVISION
Geneva, Utah

plat to Accompany Application
for Franchise crossing State
Highway U-114, Geneva,
Utah.

Scale: 1" = 100' 8/24/43

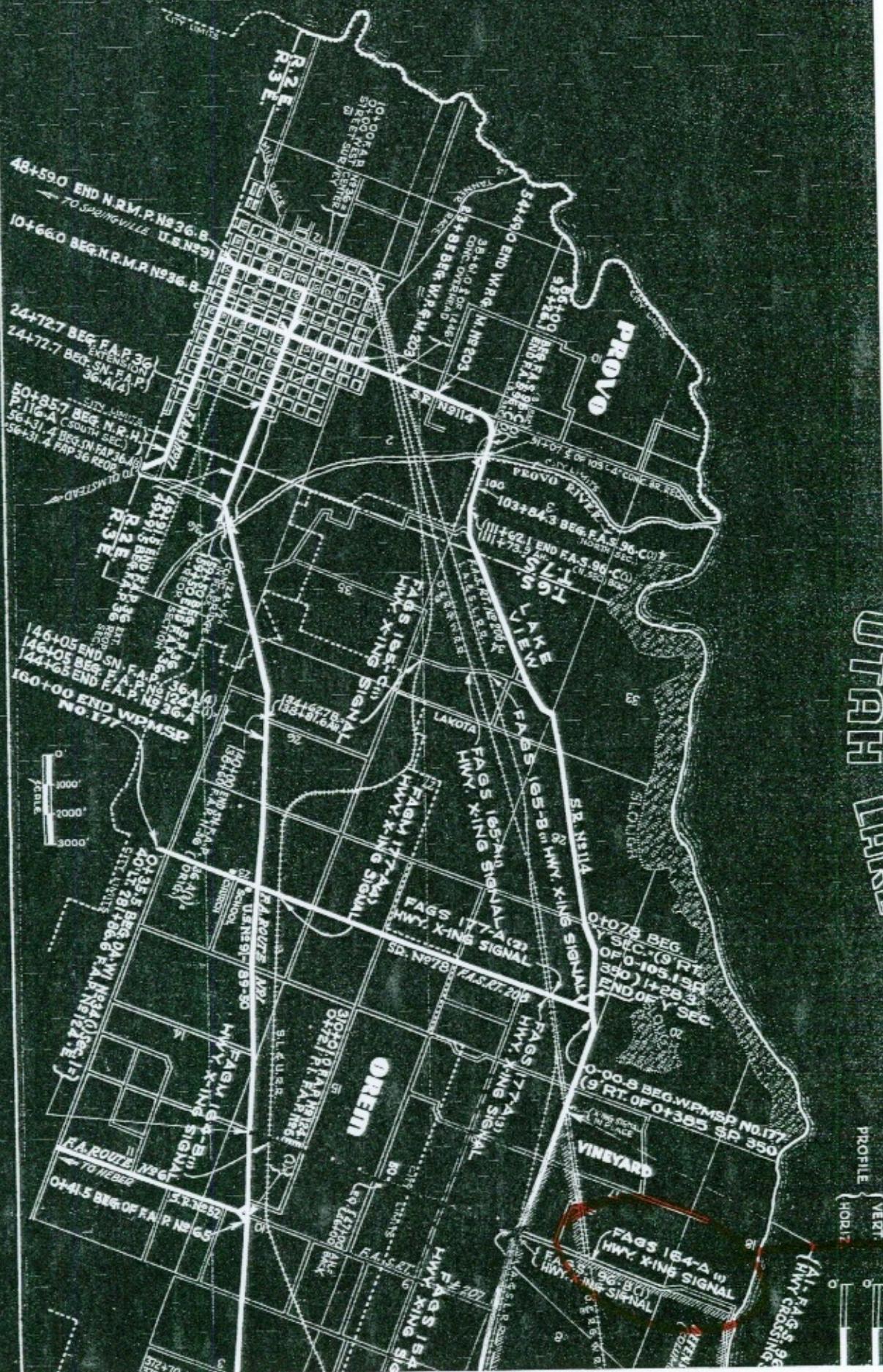
Yards 00-02' = 82' 00" Sides



UTAH LIKES

PROFILE

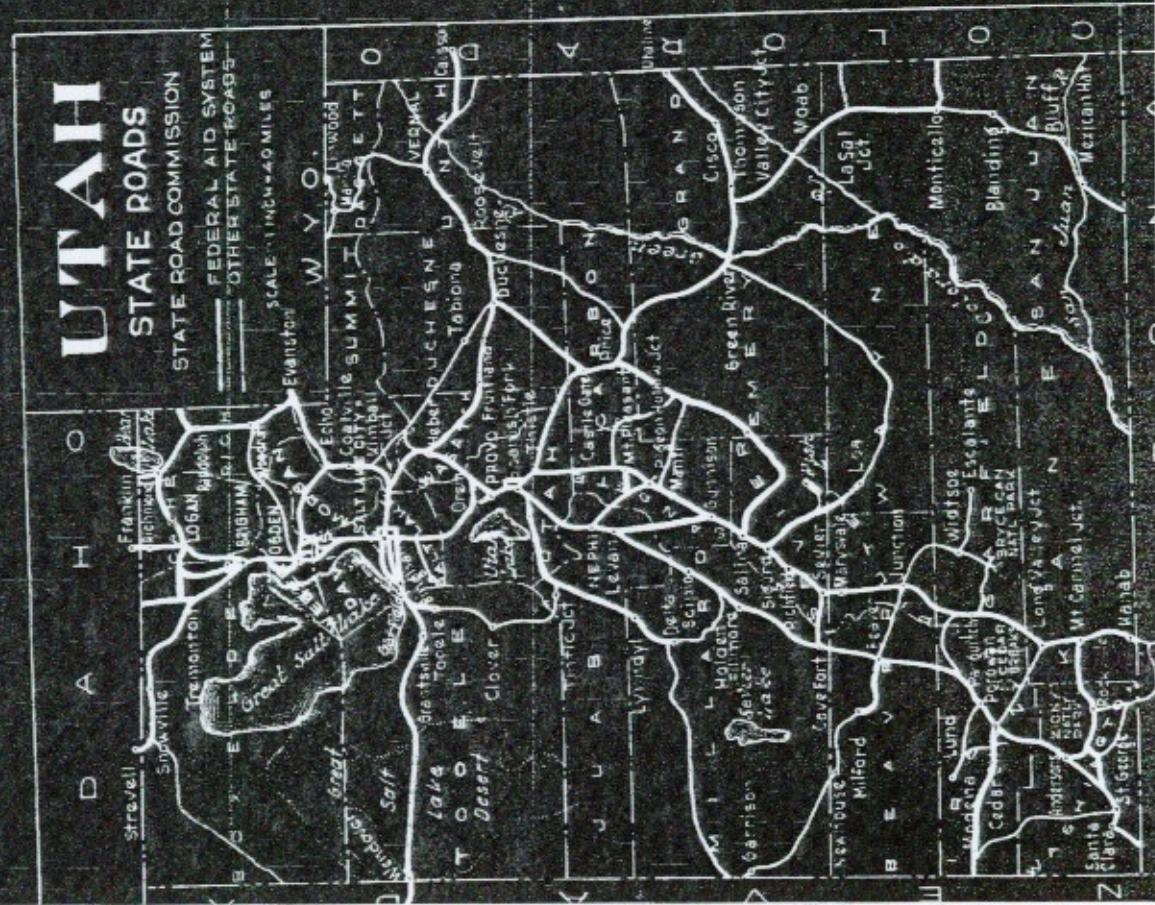
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STATE ROADS

PLANS OF PROPOSED FAS.P NO. 340 R.R. HIGHWAY

D.A.-W.L. No. 340



STATE OF UTAH ADMISSION

PROPOSED STATE ROAD STRAY AND PROJECT

WORVELYARD
6-6(1) LENGTH 0.322 MILES
HWAY X-ing SIGNALS

(SEC. I LENGTH 1.840 MILES

TELEGRAM NO. & DATE	STATE	F.A.G. No. & NAME	VEHICAL NO.	SHEET NO.	TOTAL SHEETS
12 UTAH	UTAH	FAGS, 96-C(1)	1940	1	4
12 UTAH	UTAH	FAGS, 165-BU	1940	1	17
12 UTAH	UTAH	FAGS, 165-BU	1940	1	4
12 UTAH	UTAH	FAGS, 165-BU	1940	1	4
12 UTAH	UTAH	FAGS, 165-C(1)	1941	1	4
12 UTAH	UTAH	FAGS, 177-A(1)	1940	1	4
12 UTAH	UTAH	FAGS, 177-A(3)	1940	1	4
12 UTAH	UTAH	FAGS, 177-A(4)	1941	1	4
12 UTAH	UTAH	FAGS, 184-AU	1940	-	4
12 UTAH	UTAH	FAGS, 184-AU	1941	-	4
12 UTAH	UTAH	FAGS, 184-BU	1941	-	4
12 UTAH	UTAH	FAGS, 184-BU	1941	-	4
12 UTAH	UTAH	FAGS, 184-BU	1940	-	4
12 UTAH	UTAH	FAGS, 184-BU	1943	1	18

SHEET	DESCRIPTION	DRWG.
1	Title Sheet	
2	Situation Plan	
3	Accessories & Signal Equ.	
4	Wiring Diagram	

SHEET	DESCRIPTION	DRWG.
1	Title Sheet	
2	Situation Plan	
3	Accessories & Signal Equ.	
4	Wiring Diagram	

INDEX TO SHEETS F.A.S. NO. 961C(1)

SHEET NO.	DESCRIPTION	DRAWING NO.	SIZE IN MM
1	TITLE SHEET		515x700
2	Typical Section		
3-4	PLAN AND PROFILE	C-199	91+07
5-6	103'-4" OTO O CONE BRIDGE	J-391 RS	
7-A	EAP AND R/W MARKERS	J-479	
7-B	NIDEN AND SUPER CURVE LS		