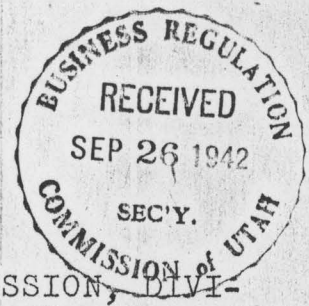


ORDER



At a Session of the INTERSTATE COMMERCE COMMISSION, DIVISION 4, held at its office in Washington, D. C., on the 11th day of September, A. D. 1942.

Finance Docket No. 13771

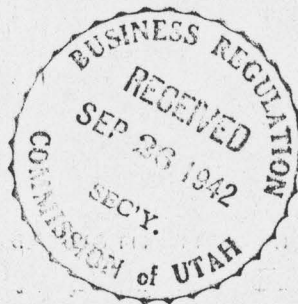
APPLICATION OF LOS ANGELES & SALT LAKE RAILROAD COMPANY AND UNION PACIFIC RAILROAD COMPANY, LESSEE, FOR PERMISSION TO ABANDON THE LINE OF RAILROAD EXTENDING FROM DELTA TO FILLMORE, IN MILLARD COUNTY, UTAH.

Upon consideration of the record in the above-entitled proceeding, and of the motion made by the applicants at the hearing to dismiss the application herein without prejudice:

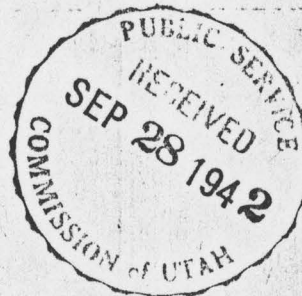
It is ordered, That the said application be, and it is hereby, dismissed without prejudice.

By the Commission, division 4.

(SEAL.*



W. P. BARTEL,
Secretary.



MEMO - I.C.C. FINANCE DOCKET
No. 13771
Fillmore Branch

This matter was set for hearing at the Hotel Utah at 9:30 A.M., August 25, 1942, after appearances were entered, Dana T. Smith, Attorney for applicant, requested an indefinite postponement of the hearing stating that it had just recently been discovered this line was necessary in order to transport certain materials to defense plants located in Utah. I objected to the postponement and suggested that the case be dismissed. This suggestion was supported by Mr. Milton A. Melville, County Attorney for Fillmore, and, after some discussion Commissioner Porter denied Mr. Smith's motion to indefinitely postpone the hearing and stated that Mr. Smith's motion would be considered as one to dismiss without prejudice. Mr. Smith acquiesced in this matter and Commissioner Porter stated that Division 4 of the Interstate Commerce Commission would undoubtedly follow his recommendation to dismiss the application without prejudice. The hearing was thereupon discontinued.

car

Pacific Sulphur Company

PRODUCERS OF CRUDE SULPHUR

433 SOUTH SPRING STREET . . . LOS ANGELES, CALIFORNIA

Sulphurdale, Utah.

August 21, 1942.

Milton A. Melville
Millard County Attorney,
Fillmore, Utah.

Copy

Dear Sir:-

This company wishes hereby to join with the people of your district in protesting the contemplated abandonment of the Fillmore--Delta Branch of the Union Pacific Railroad.

During the past 2 $\frac{1}{2}$ years we have been carrying on an intensive campaign to develop an economical means of recovering the sulphur from the extensive sulphur beds of Millard and Beaver Counties. Expenditures in excess of \$250,000 have already been made, and this amount, we feel, is fully justified in view of the potential recoveries indicated by the results of our test runs to date. These tests are on a scale of 350 to 500 tons of ore per day.

This campaign is nearing culmination now and it is expected that the shipment of 2 to 3 carloads per day will be required to take care of production and meet commitments already made to sulphur users on the Pacific Coast.

Sulphur, as you know, is an important war material and in order to meet the West Coast demand for nearly 300,000 tons of brimstone annually, local production is in a very strategic position from a ton-mile standpoint over Texas Gulf sources now cut off from ocean transport.

We consider Fillmore our nearest shipping point in trucking time and cost, inasmuch as the highway is well paved, with few grades and can be travelled all year. Whereas, Black Rock station on the main line, though nearer in net road distance, is accessible by a road entirely unsuited to all year hauling.

We find it difficult to plan to send a representative to the hearing before the Interstate Commerce Commission in Salt Lake City on Aug. 25th and take this means of expressing hope that our more or less immediate shipping needs will help to assure sufficient traffic to make the proposed abandonment inadvisable at this time.

Yours very truly,

T. M. A.

COMMISSIONERS
C. E. FREER, CHAIRMAN
LYNN DYLL
MARK S. JOHNSON
HOLDEN
WILL KILLPACK
DELTA

MILTON A. MELVILLE
ATTORNEY

COUNTY OF MILLARD
OFFICE OF ATTORNEY
FILLMORE, UTAH

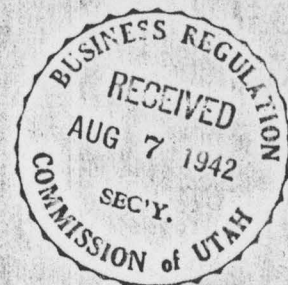


R

Aug. 6, 1942

Public Service Commission
c/o Mr. Slaughter
Utah State Capitol
Salt Lake City, Utah

Re: Delta-Fillmore Branch R. R.



Dear Sir:

The following cattle were inspected and shipped out at Fillmore for the years herein listed:

No. of Cattle	Year Shipped
1923	685
1924	1239
1925	1046
1926	4825
1927	2065
1928	2721
1929	1900
1930	1736
1931	1686
1932	1418
1933	743
1934	1448
1935	4892
1936	591
1937	1095
1938	1710
1939	2490
1940	2858
1941	2322
1942	2052 to date

These cattle would have to be taken forty miles to Delta were it not for the Branch line. This does not include the shipments from Holden, Utah.

Yours truly,

A. J. Trumble

State Cattle Inspector

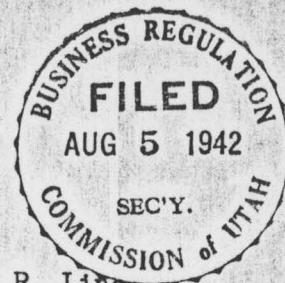
COMMISSIONERS
C. E. FREER, CHAIRMAN
LYNN DYLL
MARK S. JOHNSON
HOLDEN
WILL K. LEPACK
DELTA

MILTON A. MELVILLE
ATTORNEY

COUNTY OF MILLARD
OFFICE OF ATTORNEY
FILLMORE, UTAH



August 4, 1942



Public Service Commission of Utah
Utah State Capitol Building
Salt Lake City, Utah

Re: Delta-Fillmore Branch R. R. Line

Dear Sirs:

The Red Dome Placer Mine is located about $8\frac{1}{2}$ miles west of the Fillmore Depot of the Los Angeles and Salt Lake Railroad. It is operated by LaFayette Morrison of Delta and Fillmore.

In April of 1942 a loading ramp was erected at the Depot in order to take care of the large volume of shipments of volcanic cinders on defense projects.

During the month of April and May nine cars of cinder ash were shipped. During the month of July six cars were shipped.

Mr. Morrison tells me that he has at present contracts calling for delivery of 750,000 volcanic cinder blocks which will take approximately 300 cars and the cinders are to be delivered within the next ninety days and he has in prospect a market for another 1,000,000 cinder blocks which would take an additional 400 cars.

All of the business is and will go into defense plants and practically all business to date has gone into defense jobs. These blocks are used in place of lumber or brick and they are exceptionally good from an insulation point of view. The Bushnell Hospital at Brigham City will use much of this material.

If the branch line were removed it would necessitate a 22 mile haul to the Clear Lake Station over poorer roads, would entail the use of more rubber and cars, and be an added expense in all ways.

It is highly essential from this industry alone during the building of defense plants that the Branch Line remain intact so that this valuable building material can be delivered promptly at a low cost and at the same time conserve other building materials and wear and tear on rubber and trucks.

Yours truly,

Milton A. Melville
Millard County Attorney

copies to:
LaFayette Morrison
Fillmore Civics Club

Holden, Utah
June 2, 1942

George Baliff, Chairman
Business Regulations Commission
Capitol Building
Salt Lake City, Utah

Dear Mr. Baliff:

The purpose of this letter is to protest the Union Pacific Railroad Company's taking out a small siding at Greenwood, Utah and the selling and moving of stock corrals there.

The Holden people were all contacted at the time the branch line between Delta and Fillmore was installed and asked to furnish the right of way. Almost every family in Holden contributed from \$25 to \$100 to see that branch completed and now that this siding is being taken out we just won't feel right about it.

The siding is approximately 200 yards in length. The rails are light-weight, not suitable for main line. The siding was taken out some six months ago without any notice to the shippers of our section. The siding has been in for the past nineteen years and has been constantly used as the only loading place for shipments from Greenwood and Holden. Scipio producers also use this loading station but will be compelled to go entirely to the D & R G at Salina if this siding is abandoned.

Up until twelve months ago, there has been the worst drought in the history of that section starting in 1930 and continuing. At the present time, the drought has very definitely broken. Water in the canal irrigating that section has been approximately one acre foot per share. Last year it was considerably over that and this year the engineer reports to me there will be over three and a half acre feet per share. This, of course, will encourage considerable more farming in that area again. The dry farms in that section were almost unable to produce successfully during the drought. At the present time, they are producing a large amount of grain and more dry land is being put into production this year.

With normal moisture, there will be considerable additional activity in livestock feeding which will require shipping in of supplementary feeds such as dried beet pulp. I am informed that two carloads of dried beet pulp was unloaded at that Station this year.

Norman Hines of Hines and Company last year purchased between eighty thousand and 100 thousand bushels of wheat in the east Millard area, most of which was grown in the Holden section. Most of this grain was trucked out to different mills and poultry producers in order to secure for the farmers a little better price, but this year due to the rubber shortage, a similar tonnage will need be loaded on the railroad.

Will you please inform us what further steps should be taken to have this siding replaced at the earliest possible date.

Very sincerely yours,

Milton Stevens

Milton Stevens
President, Holden Town Board