

Decision No. 33265

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of  
ALLAN NOICE HEBBRON and GLADYS L.  
HEBBRON, his wife, for an order  
authorizing said applicants to become  
a public utility and to distribute  
and serve water to certain property  
in Monterey County, California.

ORIGINAL

Application No. 23386

Paul L. Pioda, for applicants.

BAKER, COMMISSIONER:

O P I N I O N

Allan Noice Hebbbron and Gladys L. Hebbbron, his wife, are the owners of a tract of land comprising 120 acres, more or less, abutting upon State Highway No. 101, situate approximately two miles north of the City of Salinas in the County of Monterey. In this proceeding request is made for a certificate of public convenience and necessity to operate a water system on said tract and for the establishment of rates.

A public hearing was held in this matter in Salinas.

The owners of this property, known as the Hebbbron Ranch, in 1938 subdivided approximately twelve acres thereof, designated as Rodeo Tract No. 1 and Rodeo Tract No. 2. The subdivided portion is now being sold in the open market for residential purposes. The unsubdivided areas of the ranch are being prepared for marketing in the near future. A well has been drilled on Tract No. 1, and a turbine pump and 12,000-gallon pressure tank have been installed thereon distributing water through mains of  $3\frac{1}{2}$ " casing installed throughout both tracts.

The evidence indicates that additional water may be obtained for the remainder of the ranch property through new wells to be drilled when required. The mains and pipe lines have been installed in the streets and alleys of the subdivided property prior to dedication thereof to the public use and for this reason no franchise from the county authorities will be necessary at the present time. However, applicants have agreed to furnish the Commission with a copy of a permit to be secured from the Board of Supervisors of the County of Monterey, authorizing the installation and maintenance of pipe lines in, on, through or across county roads, highways, streets and alleys throughout the said entire 120-acre tract.

No protests were made against the granting of this certificate of public convenience and necessity and as there appears to be no other source of water supply available to this property, authority to operate a public utility water works thereon will be granted.

The schedule of rates established in the following Order appears to be just and reasonable for the service as now contemplated to be rendered, said rates being basically the same as heretofore established for similar service in subdivided areas in the general vicinity of the City of Salinas.

#### O R D E R

The Railroad Commission of the State of California hereby declares that public convenience and necessity require the operation of a water system by Allan Noice Hebbroon and Gladys L. Hebbroon, his wife, in those certain portions of the El Sausal Rancho, County of Monterey, as delineated upon the map submitted

in evidence in this proceeding and marked "Exhibit No.1" which is made a part of this Order by reference, and as more particularly described as follows:

PARCEL NO. 1: A portion of the El Sausal Rancho, Monterey County, California, and being part of the 101.16 acre tract conveyed by the Salinas City Bank, a corporation, to Josephine Hebbroon, by deed dated September 25, 1890, recorded in Volume 29 of Deeds, at page 344, Monterey County Records, and also being part of the 3.048 acre tract conveyed by Vanderhurst Sanborn Company to Josephine Hebbroon by Deed dated February 24, 1891, recorded in Volume 31 of Deeds, at page 397, Monterey County Records, and also part of the 101.16 acre tract and of the 3.046 acre tract, conveyed by J. E. McDougall Co., to J. J. Hebbroon, by Deed dated September 27, 1902, recorded in Volume 70 of Deeds, at page 338, Monterey County Records, and being more particularly described as follows; to-wit:

Beginning at a 4 inch by 4 inch redwood post marked S.E., A.N.E., E.D.P., standing on the Easterly side of the California State Highway, at the Southwesterly corner of the land of E. E. Anderson Estate, shown as Lot 27 on Lou G. Hare's Map of Monterey County, 1898, and also being the Northwesterly corner of the aforementioned 3.048 acre tract conveyed by Vanderhurst Sanborn Co., to Josephine Hebbroon; thence along the line and fence between the land of the E. E. Anderson Estate, and land of Josephine Hebbroon, South  $73^{\circ} 35'$  East, 3217.0 feet to a 4 inch by 4 inch redwood post marked E.A., A.N.E., E.B.E., H.D.P., thence leaving line of land of E.E. Anderson Estate, South  $15^{\circ} 40'$  West, 1042.2 feet to a 4 inch by 4 inch redwood post marked E.D.P., A.N.E., M.E.W., E.B.E., thence North  $74^{\circ} 20'$  West, 2279.0 feet to a 4 inch by 4 inch redwood post marked A.N.E., M.E.W., H.D.P.; thence South  $81^{\circ} 26'$  West, 401.8 feet to a 4 inch by 4 inch redwood post marked S.E., A.N.E., M.E.W., H.D.P., standing in the fence on the Easterly side of the California State Highway; and thence along the fence and Easterly side of the California State Highway, North  $8^{\circ} 55'$  West, 1373.4 feet to the place of beginning, and containing 73.165 acres of land. Surveyed by Howard D. Peters, State Licensed Land Surveyor, March 5th and 6th, 1923.

PARCEL NO. 2: A portion of the El Sausal Rancho, Monterey County, California, and being a part of the 101.16 acre tract conveyed by Salinas City Bank, a corporation, to Josephine Hebbroon, by Deed Dated September 25, 1890, recorded in Volume 29 of Deeds, at page 344, Monterey County Records, and a part of the 101.16 acre tract conveyed by J. E. McDougall Company to J.J.Hebbroon by Deed dated September 27, 1902, recorded in Volume 70 of Deeds, at page 338, Monterey County Records, and being more particularly described as follows, to-wit:

Beginning at a 4 inch by 4 inch redwood post marked S.E., E.S., M.E.W., H.D.P., standing on the easterly side of

the California State Highway at the Northwesterly corner of the land of Emma Stirling shown as Lot 24 on Lou G. Hare's Map of Monterey County, 1898, and also being the Southwesterly corner of the above mentioned 101.16 acre tract conveyed by Salinas City Bank, a corporation, to Josephine Hebbbron; thence along the line and fence between land of Emma Stirling and lands formerly of Josephine Hebbbron, South 74° 20' East, 2351.7 feet to a 4 inch by 4 inch redwood post marked ES, MEW, EBE, EDP; thence leaving line of land of Emma Stirling North 15° 40' East, 807.0 feet to a 4 inch by 4 inch redwood post marked H.D.P., A.N.H., M.E.W., E.B.H.; thence North 74° 20' West 2279.0 feet to a 4 inch by 4 inch redwood post marked A.N.H., M.E.W., H.D.P.; thence South 81° 26' West, 401.8 feet to a 4 inch by 4 inch redwood post marked S.H., A.N.H., M.E.W., E.D.P., standing in the fence on the Easterly side of the California State Highway; and thence along the Easterly side of the California State Highway, South 8° 55' East, 706.0 feet to the place of beginning, and containing 46.147 acres of land.

IT IS HEREBY ORDERED that a certificate of public convenience and necessity be and it is hereby granted to Allan Noice Hebbbron and Gladys L. Hebbbron, his wife, to operate a public utility for the sale and distribution of water within the territory hereinabove described.

IT IS HEREBY FURTHER ORDERED that Allan Noice Hebbbron and Gladys L. Hebbbron, his wife, be and they are hereby authorized and directed to file with this Commission within thirty (30) days from the date of this Order, the following schedule of rates to be charged for all water service rendered to his consumers subsequent to the 31st day of May, 1940.

RATE SCHEDULE

FLAT RATES

	<u>Per Month</u>
For each residence which includes not to exceed 2,500 square feet of lawn or garden irrigation.....	\$1.50
For all lawn and garden irrigation in excess of 2,500 square feet, per 100 square feet....	.025

Note: Auto courts or camps shall be served under meter rates.

METER RATES

<u>Monthly Minimum Charges</u>	<u>Per Month</u>
5/8 inch meter.....	\$1.50
3/4 inch meter.....	2.00
1 inch meter.....	2.50
1 1/4 inch meter.....	3.50
2 inch meter.....	5.00

Each of the foregoing "Monthly Minimum Charges" will entitle the consumer to the quantity of water which the Monthly Minimum Charge will purchase at the following "Monthly Quantity Rates" set out below:

Monthly Quantity Rates:

From 0 to 1,000 cubic feet, per 100 cubic feet	\$0.20
Next 2,000 cubic feet, per 100 cubic feet	.15
Over 3,000 cubic feet, per 100 cubic feet	.10

IT IS HEREBY FURTHER ORDERED, as follows:

1. That within thirty (30) days from the date of this Order, Allan Noice Hebbroon and Gladys L. Hebbroon, his wife, be and are hereby directed to submit to this Commission for its approval four sets of rules and regulations governing relations with their consumers, each set of which shall contain a suitable map or sketch, drawn to an indicated scale, upon a sheet approximately 8 1/2" x 11" in size, delineating thereupon in distinctive markings the boundaries of the authorized service area hereinabove described and the location thereof with reference to the surrounding territory, provided further, however, that such map or sketch shall not thereby be considered by this Commission or any other public body as a final or conclusive determination or establishment of the dedicated area of service, or any portion thereof.
2. That Allan Noice Hebbroon and Gladys L. Hebbroon, his wife, shall file with this Commission, within sixty (60) days from the

date of this Order, four copies of a comprehensive map, drawn to an indicated scale of not less than 600 feet to the inch, upon which shall be delineated by appropriate markings the various tracts of land in the territory for which the certificate is granted herein; this map should be reasonably accurate, show the source and date thereof, and sufficient data to determine clearly and definitely the location of the various properties comprising the entire utility area of service.

For all other purposes the effective date of this Order shall be twenty (20) days from and after the date hereof.

The foregoing Opinion and Order are hereby approved and ordered filed as the Opinion and Order of the Railroad Commission of the State of California.

Dated at San Francisco, California, this 24  
day of June, 1940.

Ray L. Tracy  
Francis P. ...  
...  
Justice J. ...  
COMMISSIONERS.