

ORIGINAL

Decision No. 52256

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
SOUTHERN CALIFORNIA WATER COMPANY)
for an order granting a certificate)
of public convenience and necessity)
to construct or extend its plant or)
system and to render service in)
certain territory in Orange County,)
and for order preliminary to)
issuance of certificate of public)
convenience and necessity for)
exercise of franchise rights.)

Application No. 37172

O'Melveny & Myers, attorneys, by Lauren K. Wright and Frederick N. Edwards, for applicant.
Arlyne Lansdale, attorney, for Dyke Water Company;
Moss, Lyon & Dunn, attorneys, by George C. Lyon, for Pacific Water Co.; Jack H. Croul, Lee T. Hollopeter, secretary-treasurer and general manager, and John Amos Fleming, attorney, for Lakewood Water & Power Company; Walter Rawlings, president, for Rancho Water Company; E. T. Ibbetson, president, for Ideal Petroleum Company; Richard T. Hanna, attorney, for a group of landowners; Harry A. Keithly, attorney, for Anaheim Sugar Company, for Aldrich R. Peck as an individual, and for Aldrich R. Peck, Dorothy Thayer Peck and Charles H. Thatcher, trustees; protestants.
Cyril M. Saroyan, Charles W. Mors, Theodore Stein, and Charles W. Drake, for the Commission staff.

O P I N I O N

Southern California Water Company,^{1/} a corporation, by the above-entitled application filed July 28, 1955, seeks a certificate of public convenience and necessity to extend and construct its public utility water system in unincorporated territory in western and southwestern portions of Orange County. An order preliminary to the issuance of certificate of public convenience and necessity for

1/ Hereinafter referred to as Southern California, or applicant.

exercise of franchise rights is also sought. The area requested to be certificated is delineated on the map, Exhibit B, and is described by metes and bounds in Exhibit C of the application. The area comprises approximately 60 square miles and includes most or portions of the areas covered by Applications Nos. 36592, 37042, 37097, 37161, and 37491 (infra).

Hearings

Public hearings in this matter were held before Commissioner Justus F. Craemer and Examiner Stewart C. Warner on September 28, 29 and 30, 1955, and before Examiner Warner on October 18, 19, 20 and 21, November 14, 15, 16, 17 and 18, and December 5, 6, 7 and 8, 1955, at Santa Ana. The matter was consolidated for hearing with Applications Nos. 36592 and 37096 of Pacific Water Co.;^{2/} 37042, 37097 and 37161 of Dyke Water Company;^{3/} 37167^{4/} of Park Lane Water Company^{5/} and applicant; 37491^{6/} of Lakewood Water and Power Company;^{7/} and Case No. 5666 of Orange County^{8/} and Orange County Waterworks District No. 3 vs. Dyke. Lakewood made its affirmative showing as to its application, and its protest to the instant captioned application was heard. The matter was submitted for decision on the last-named date. Lakewood's application was continued to a date to be set. The instant captioned matter is now ready for decision.

The record contains 1,815 pages of transcript and 120 exhibits.

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- ^{2/} Hereinafter referred to as Pacific.
^{3/} Hereinafter referred to as Dyke.
^{4/} Granted by Decision No. 52834, dated March 27, 1956.
^{5/} Hereinafter referred to as Park Lane.
^{6/} Filed November 16, 1955.
^{7/} Hereinafter referred to as Lakewood.
^{8/} Hereinafter referred to as the County.

Protests

Pacific, Dyke and Lakewood protested the portions of Southern California's application for a certificate which overlap their applications; a group of landowners protested the inclusion of their properties within any area sought to be certificated; a group of Dyke's consumers representing Mountain View Terrace Community Association filed a petition of 1,000 names protesting, and an individual consumer protested, against the recommendation testified to by the chairman of the County Board of Supervisors which requested that the Commission require all public utility water companies operating in this portion of the County to install meters on all consumers' premises for conservation purposes; the County protested any portion of the application for a certificate within the boundaries of Districts Nos. 3 or 5;^{9/} and Ideal Petroleum Company and Rancho Water Company,^{10/} public utility water companies under the jurisdiction of the Commission serving comparatively small areas inside the proposed areas, protested the application in so far as it conflicted with their present certificated areas.

The rival applicants protested the application on the grounds that they were, themselves, ready, willing, and able to serve larger areas than they were presently serving. Each protested the "checkerboard" public utility water system growth in this

^{9/} Orange County Waterworks District No. 5.
^{10/} Rancho Water Company filed Application No. 37579, dated December 15, 1955, too late for consolidation herein. Said application seeks authority to extend Rancho's water system into an area west of its presently certificated area and within Dyke's certificated area in Application No. 37097. Rancho also filed Application No. 38238, dated July 11, 1956, for authority to sell its water system to applicant.

portion of the County which has resulted in the creation of numerous isolated or so-called "island" water systems in separate tracts, sometimes adjacent or contiguous to operations of other public utility water companies; all leading to consumer confusion, disparity in rates and types of services, and inefficient and uneconomic operations.

Pacific objected to the "chiseling" methods employed not only by itself but by its rivals where, in efforts to obtain water service contracts, subdividers approached first one utility, then another, attempting to reduce the bid or estimate on the costs involved, resulting in one or more utilities underbidding another, not so much to render public service but, rather, to extend and enlarge, and protect their own operations against the encroachment of others.

Lakewood, in its protest and in its application, contended that although its main service area was in the City of Lakewood in Los Angeles County, its water system facilities could and would be extended to furnish any water service required by future public convenience and necessity in southwestern Orange County.

The group of consumers who protested against the installation of meters testified that they had not noticed any wastage of water in their areas, and felt that the establishment of meters would constitute a financial hardship upon them.

General Information

Southern California Water Company was incorporated on December 31, 1929, under the name of American States Water Service Company of California, a consolidation of 20 California water corporations all located in southern California, except one in the vicinity of Sacramento. Applicant operates an electric system at Bear Valley with 3,640 customers, a nonutility ice plant at

Barstow and, as of June 30, 1955, it was furnishing water service to 91,014 water consumers in 21 operating districts. The instant application involves applicant's Huntington Beach and Cypress-Los Alamitos-Stanton Districts. Although the water systems in the latter district are not interconnected, they are consolidated as a district of the company for tariff purposes.

As shown on Exhibit No. 111, applicant's balance sheet as of June 30, 1955, total fixed capital amounted to \$22,710,214 with a related depreciation reserve of \$3,834,208. Of the total fixed capital, water fixed capital amounted to \$21,727,535. Total operating revenues from water operations, for the 12 months ending June 30, 1955, was \$3,713,637. Revenue from electric and ice operations totaled \$299,046.

Description of the Proposed Area

Generally speaking, Southern California's proposed area is bounded on the north by Crescent--Olive Avenues; on the east by Dale Street to Garden Grove Boulevard; on the far east and southeast by the Santa Ana River; on the south by the Pacific Ocean including Huntington Beach; and on the west by the Orange County-Los Angeles County dividing line.

The map, Exhibit No. 23, purports to show Southern California's service areas in its Huntington Beach and its Cypress-Los Alamitos-Stanton Districts in solid brown; the Berlin Tract (infra), a tract outside its service area, in which Southern California was furnishing water service as of June 30, 1955, in brown crosshatching; and the boundaries of the area requested to be certificated by the instant application by a brown line. The certificated areas of Park Lane acquired by applicant in accordance with provisions of Decision No. 52834 (supra) are shown on said exhibit in solid green.

Growth of the Area

The evidence shows, and the Commission takes judicial notice of, the unprecedented growth^{10/} of the areas covered not only by the instant application but by the applications of Pacific, Dyke, and Lakewood^{11/} together with the manifold problems arising therefrom. Subdivisions have been and are being developed in areas formerly devoted to citrus orchards and to farm and dairy lands, and the character of the area is rapidly changing from agriculture to residential and commercial suburban. Much of the proposed areas is suitable for and is being developed as subdivisions for homesites. However, a substantial portion of the southwest section is subject to lowland conditions, and is being reserved by landowners for oil well drilling possibilities, and for agricultural purposes. It is, nevertheless, manifest from the record that all of the areas hereinafter ordered to be certificated to applicant now, or within the near future, will need water service.

Operations and Number of Consumers
in Applicant's Huntington Beach, and
Cypress-Los Alamitos-Stanton Districts

Applicant's Huntington Beach District water system was acquired from Huntington Beach Water Company in 1929, and its Cypress-Los Alamitos-Stanton District water systems from Orange County Water Company in the same year. As of August 31, 1955,

^{10/} Exhibit No. 120 is a Monthly Summary of Business Conditions in Southern California for November, 1955, published by the Security First National Bank of Los Angeles. It shows that Orange County was exceeded in growth of building permit activity for new dwelling units in the first six months of 1955 by only 11 states.

^{11/} The total area covered by these applications comprises approximately 100 square miles.

it was furnishing water service to 2,268 customers in its Huntington Beach District; and to 493 customers in Cypress, 826 in Los Alamitos, and 366 in Stanton, for a total of 1,685 customers in its Cypress-Los Alamitos-Stanton District, all as shown on Exhibit No. 63. In the Huntington Beach District applicant operated four wells with a total production capacity of 4,125 gallons per minute, and one 1,100,000-gallon concrete storage reservoir. In the Cypress-Los Alamitos-Stanton District applicant operated seven wells with a total production capacity of 2,480 gallons per minute, and one 100,000-gallon elevated tank.

Basis of Application

Southern California contended that it had received numerous telephone calls and requests from subdividers for preliminary estimates and tentative bids for water service installations in proposed subdivisions in the areas requested to be certificated. Exhibit No. 62 is a map showing 11 parcels in yellow, each of which is purported to represent a subdivider's request for water service.

The record does not show that any contracts have been made between applicant and subdividers except for Parcel No. 9, the Berlin (Clover Park) Tract located on the west side of Stanton Avenue between Chapman and Katella Avenues. Exhibit No. 21 is a map showing the relative location of the Berlin Tract to applicant's Stanton water system and to Tract No. 1593 (a portion of the water system acquired from Park Lane).

Other requests, as testified to by Southern California's vice president, included one for the so-called Huntington Vista Tract, Parcel No. 4 on Exhibit No. 62. Dyke, also, contended that it had received a request to serve said tract and had executed

a contract with the subdivider to furnish water service thereto. This tract is immediately contiguous on the east to a northerly extension of Southern California's Huntington Beach District.

Rates

Southern California proposed to apply its presently filed rates for its Cypress-Los Alamitos-Stanton District to all of its proposed area.

Operating Record

A Commission staff engineer testified that he had investigated Southern California's operations in its Huntington Beach and Cypress-Los Alamitos-Stanton Districts, and that he had found some areas where low water pressures existed, and had also found certain variations from applicant's standard filed contract form. Applicant's vice president and division manager for said districts testified that applicant would immediately correct any substandard water service conditions and that applicant would immediately apply for authority to deviate from its standard filed contract form for the contracts noted.

Metropolitan Water District Water

The record shows that a Metropolitan Water District feeder line is in the process of being constructed north and south on Dale and Stanton Avenues—Huntington Beach Boulevard (State Highway No. 39) from Katella Avenue to Huntington Beach. Southern California proposes to apply for and effect two connections with the Metropolitan Water District for a major source of water supply for the greatly enlarged proposed service areas requested to be certificated. One of such connections would be made at Dale and Katella Avenues in the vicinity of Stanton, and the other at applicant's Huntington Beach reservoir.

Landowners' Petitions for Exclusion
of their Lands.

Exhibits Nos. 12, 12-A, 13, 13-A, 60 and 60-A are petitions of landowners, requesting that specifically described lands be excluded from Southern California's proposed certificated areas. These landowners urged that their lands were not yet ready for or susceptible to subdivision development owing to oil exploration activities, present agricultural uses, and lowland conditions. They requested that the Commission honor their desire to be independent to develop their properties without regard to any previously determined water service obligations, and to form public utility water companies of their own, or to organize municipal water districts to serve their lands if and when they were subdivided.

County Franchise Ordinance

Exhibit No. 22 is a copy of Ordinance No. 767 of Orange County, dated October 4, 1955, granting Southern California a franchise in three large areas described in detail in said ordinance; said franchise areas include all of applicant's proposed area herein being considered.

Findings and Conclusions

Consideration of the evidence received in the hearings on the consolidated record as to the applications hereinbefore referred to demonstrates that the competitive practices of public utility water companies, the authorized and the unauthorized extensions, and operations of water systems in southwestern Orange County as of June 30, 1955, have resulted in the following conditions:

1. Southern California was furnishing water service in four systems;
2. Pacific was furnishing water service in nine systems;

3. Dyke was furnishing water service in at least two systems;
4. Ideal Petroleum Company and Rancho Water Company, public utility water companies, were each operating a system;
5. Orange County Waterworks Districts Nos. 3 and 5 were each operating a system; and
6. Lakewood was not operating, but now has an application pending (supra).

Unhealthy, uneconomic and improper competition existed and exists between public utility water companies; unauthorized extensions have been made; extensions of existing operations were not established and are not being established in an orderly manner nor in the normal sphere of operations of the respective applicants and protestants; a variety of types of services and operations existed and now exists; and the respective consumers were and are being charged various levels of rates. There is no question but that uncontrolled competition for subdivision contracts for water system installations among public utility water companies, and the resultant variety of installations, services and rates, are contrary to the public interest and must cease.

It is the fundamental responsibility of the Commission to bring about a correction of the present conditions which are manifestly adverse to the public interest, and to establish stability of water system installations and operations in the general area under consideration. If the present activities of the utilities subject to regulation are not now checked by the Commission, the anticipated further increases in population will exaggerate the varieties of services, operations and rates, and uncontrolled and uneconomic competition will continue adversely to the public interest.

The Commission finds, concludes and declares that a state of emergency adverse to the public interest exists in the public utility water company practices and operations in southwestern Orange County. The orders which follow are designed to meet this emergency and to correct the existing intolerable conditions.

The Commission takes judicial notice of the creation, existence and operation of the Metropolitan Water District of Southern California, its contract rights with the Government of the United States for the use of the waters of the Colorado River, and the existence of its main transmission line commonly known as the "Colorado River Aqueduct", extensions of which are laid in the areas of Orange County under consideration. The Commission likewise takes notice of the semi-arid character of the areas under consideration, and of the fact that their ground water supplies are being mined and seriously depleted because of the unprecedented population growth and attendant use of water. This Commission accepts the predicate that water from the Colorado River, supplied through the medium of the Metropolitan Water District, and the known proposed development of other supplies, will meet the water needs of the areas under consideration for the foreseeable future. The record shows that each of the applicants has applied for and can obtain its needed water from the Metropolitan Water District. Due to the relatively high basic costs and special conditions of delivery of water from the Metropolitan Water District, logical spheres of operations in more or less concentrated and large areas in southwestern Orange County are prerequisites to the economic utilization of such water.

The Commission has carefully considered the exact locations and characters of the present operating water systems of

each applicant in its respective certificated areas, together with areas contiguous thereto in which it was furnishing water service as of June 30, 1955, and also areas contiguous to such contiguous areas in which it was furnishing water service as of that date. The Commission has considered the locations and characters of the operations of each applicant and protestant in connection with which certificates of public convenience and necessity have been granted, and in connection with which, and to the extent identifiable, no certificate of public convenience and necessity has been granted. In addition, the Commission has considered the boundaries of Orange County Waterworks Districts Nos. 3 and 5 as they existed on June 30, 1955, the boundaries of the presently certificated areas of Ideal Petroleum Company and Rancho Water Company, the known boundaries of government military reservations, and the lands which have been requested to be excluded. The Commission has also considered the operating record of each applicant, its management practices and its financial capabilities.

All other matters being equal, an existing utility should have the first right to the normal extension of its service as the public convenience and necessity requires and as contemplated by Section 1001 of the Public Utilities Code.

To those ends, and in the light of the existing emergency, respective spheres of operations of the public utility water companies involved in these consolidated proceedings will be created in the orders being issued by the Commission in the applications before us. Each utility will be limited and restricted to its respective spheres of operations, subject to certain exceptions.

The Commission finds and concludes that the boundaries of the respective spheres of operations of the applicants shall be delimited as follows:

1. The spheres of operations of Southern California Water Company, generally, shall consist of the City of Huntington Beach and its environs; and an area bounded by Garden Grove Boulevard on the south to Crescent Avenue on the north, Dale Street on the east to the Orange County-Los Angeles County dividing line on the west (excluding the United States Naval Reserve Air Base); except there are excluded therefrom all operations of other water utilities lawfully operating within said boundaries, lands within the boundaries of Orange County Waterworks Districts Nos. 3 and 5, and lands specifically requested by landowners to be excluded (Appendix B attached hereto). The Commission finds and concludes that the areas above referred to are the logical, economic and geographical spheres of operations within which Southern California Water Company shall operate in southwestern Orange County.

2. The spheres of operations of Pacific Water Co., generally, shall consist of the area south of Garden Grove Boulevard to Smeltzer Avenue and east of Verano Street to the Santa Ana River; and an area south of Garden Grove Boulevard to Hazard Avenue east of Cedarwood/Arizona approximately to Bushard Street; and its Colonia Juarez system; except there are excluded therefrom all operations of other water utilities lawfully operating within said boundaries, lands not heretofore or herein certificated within the boundaries of Orange County Waterworks Districts Nos. 3 and 5, and lands specifically requested by landowners to be excluded (Appendix B attached hereto). The Commission finds and concludes that the areas above referred to are the logical, economic and geographical spheres of operations within which Pacific Water Co. shall operate in southwestern Orange County.

3. The spheres of operations of Dyke Water Company, generally, shall consist of the area located north of Garden Grove Boulevard to the limits of the Cities of Buena Park and Anaheim,

and east of Dale Street to Lewis Street including Tracts Nos. 1425, 2519 and 2419 south of Garden Grove Boulevard, west of Lewis Street; and an area south of Garden Grove Boulevard to Bolsa Avenue, east of Bolsa Chica Road to Hoover Street; and an area north of Westminster Avenue to Trask Avenue between Wright and Verano Streets including Tract No. 2010; except there are excluded therefrom all operations of other water utilities lawfully operating within said boundaries, and lands not heretofore or herein certificated within the boundaries of Orange County Waterworks Districts Nos. 3 and 5, and lands specifically requested by landowners to be excluded (Appendix B attached hereto). The Commission finds and concludes that the areas above referred to are the logical, economic and geographical spheres of operations within which Dyke Water Company shall operate.

As noted hereinbefore, the Commission has considered the factors and elements justifying the establishment of the respective spheres of operations of Southern California, of Pacific, and of Dyke. The Commission has noted that in each of said spheres of operations there are one or more isolated or "island" water systems being lawfully operated by one or more of the other applicants and protestants in these consolidated proceedings. Such lawful operations are the result of the issuance in the past by the Commission of certificates of public convenience and necessity. In the establishment of the respective spheres of operations, the Commission has excepted therefrom all operations of other water utilities lawfully operating within the boundaries thereof. In furtherance of the policy hereinbefore expressed in the establishment of spheres of operations, the Commission urges upon and recommends to each of the water utilities involved in these consolidated proceedings that it voluntarily negotiate and deal

with the respective water utility certificated by the order which follows within a specific sphere of operations for the sale and purchase of such "island" water systems. This will permit and facilitate the establishment and maintenance of one homogeneous and economic water system in each of the spheres of operations hereinbefore created. The Commission invites applications seeking authority for such sales and purchases.

The Commission finds and concludes that Southern California's operating record in southwestern Orange County is satisfactory; that it is financially able to meet the demands for expansion of its Huntington Beach and Cypress-Los Alamitos-Stanton Districts' water systems in its spheres of operations; that its management organization is adequate; and that public convenience and necessity justify its certification for additional areas with appropriate limitations and upon specific conditions.

The Commission finds and concludes that public convenience and necessity do not require that Southern California's application be granted in its entirety, and in the order which follows it will be granted in part and denied in part.

The Commission finds and concludes that public convenience and necessity require that Southern California be granted a certificate of public convenience and necessity, limited and conditioned as therein specified, to construct, extend and operate its public utility water systems in the areas delineated in double crosshatching, with the legend "Southern California Water Company" on the map (Appendix A) attached hereto, and which are hereby established as its authorized spheres of operations in southwestern Orange County, and to exercise the

franchise rights hereinbefore referred to. Such certificate of public convenience and necessity is subject to the following provision of law:

That the Commission shall have no power to authorize the capitalization of the franchise herein or this certificate of public convenience and necessity or the right to own, operate, or enjoy such franchise or certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State or to a political subdivision thereof as the consideration for the issuance of such franchise or certificate of public convenience and necessity or right.

The Commission finds and concludes that, in order to stabilize the public utility water system development in the areas under discussion, the public interest requires that Southern California should not, without further order of the Commission, extend its water system beyond its spheres of operations and the boundaries of the areas which are certificated to it by the order which follows.

The Commission finds and concludes that contracts or agreements offered in evidence in this record relating to contractual arrangements for extending or providing for service in any of the certificated areas are not binding on the Commission and are not acted upon herein and, therefore, the certificate granted by this decision is not to be construed in any way as authorization for the carrying out of any such contracts or agreements.

No change in applicant's present rates for water service will be authorized by the order herein, and applicant will be authorized and directed to apply its Huntington Beach District's schedules of rates to said district's sphere of operations, and its Cypress-Los Alamitos-Stanton District's schedules of rates to said district's sphere of operations. However, applicant is put

on notice that the Commission reserves the right and recognizes its duty at all times to review the reasonableness of applicant's charges for water service not only in its spheres of operations in southwestern Orange County, but in any or all of its districts.

The record shows that the applicant has not been adjusting its main extension advances for differences between the estimated and reasonable actual cost of installation as provided in its tariffs. This failure should be corrected and proper adjustments for main extension advances should be effected immediately.

The record shows that all of applicant's services in its Huntington Beach and Cypress-Los Alamitos-Stanton Districts are metered, and that applicant plans to continue to meter all services in said districts.

The protests of Pacific, Dyke, Lakewood, Ideal and of Rancho will be denied.

O R D E R

Application as above entitled having been filed, public hearings having been held, the matter having been submitted and now being ready for decision,

IT IS HEREBY ORDERED as follows:

1. That Southern California Water Company, a corporation, be and it is granted a certificate of public convenience and necessity to construct, extend and operate its public utility water systems in its spheres of operations in the areas delineated on the map attached hereto as Appendix A, and to exercise the rights and privileges granted by Ordinance No. 767 of Orange County dated October 4, 1955, subject, however, to the following limitations and conditions:
 - a. That Southern California Water Company shall not extend its water system outside its certificated service area boundaries as shown on Appendix A without further order of the Commission.

- b. That Southern California Water Company shall continue the metering of all water services in the certificated areas shown on the map, Appendix A.
 - c. That Southern California Water Company shall immediately correct its failure to adjust its main extension advances for differences between the estimated and reasonable actual cost of installation as provided in its tariffs, proper adjustments for main extension advances shall be effected immediately, and applicant shall report in writing within ninety days after the effective date hereof that such corrections and adjustments have been made.
- 2.a. That Southern California Water Company be and it is authorized and directed to apply its presently filed rates and rules for its Huntington Beach District to its southern sphere of operations and to the area certificated by this order, as shown on Appendix A, and for its Cypress-Los Alamitos-Stanton District to its northern sphere of operations and to the area certificated by this order, also as shown on Appendix A. No change in applicant's presently filed rates is authorized.
- b. That Southern California Water Company shall, within thirty days after the effective date hereof, revise its Huntington Beach and Cypress-Los Alamitos-Stanton tariff schedules to include the areas covered by this order, including four copies each of tariff service area maps, acceptable to the Commission in accordance with the Commission's General Order No. 96. Such rates, rules and tariff service area maps shall become effective upon five days' notice to the public after filing as hereinabove provided.
 - c. That Southern California Water Company shall file, within forty days after the effective date hereof, four copies of a comprehensive map drawn to an indicated scale not smaller than 600 feet to the inch, delineating by appropriate markings the various tracts of land and territory served; the principal water production, storage and distribution facilities; and the location of the various water system properties of applicant in the areas certificated by this order.
3. That the protests of Pacific Water Co., Dyke Water Company, Lakewood Water & Power Company, Rancho Water Company, and of Ideal Petroleum Company be and they are hereby denied.

4. That the lands specifically requested by landowners to be excluded (Appendix B attached hereto), be and they are hereby excluded from the certificate herein granted.
5. That in all other respects Southern California Water Company's application be and it is denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California, this 1st day of October, 1956.

John E. Buehler
President
Justin J. Calmes
Paul J. Calmes
Walter H. Dooly
R. H. Dooly
Commissioners

PRIVATE PROPERTIES EXCLUDED FROM CERTIFICATED AREAS
SHOWN ON MAP, APPENDIX A

<u>Parcel No.</u>	<u>Name</u>	<u>Exhibit No.</u>	<u>Legal Description</u>	<u>Acreage</u>
1	Mary K. Smith and Howard K. Smith	12-A	S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 21, T5S, R11W, SBB & M	40
2	Greenwing Land and Water Co. by John A. Murdy, Jr., secty.	12-A	NW $\frac{1}{4}$ of Sec. 15, T5S, R11W, SBB & M	160
3	John A. Murdy, Jr.	12-A	W $\frac{1}{2}$ of the E $\frac{1}{2}$ of SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 22, T5S, R11W, SBB & M	10
4	"	"	E $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, T5S, R11W, SBB & M	20
5	"	"	N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 23, T5S, R11W, SBB & M	80
6	"	"	N $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 23, T5S, R11W, SBB & M	10
7	John A. Murdy, Jr.* undivided one-half interest		W $\frac{1}{2}$ of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 15 T5S, R11W, SBB & M	40
	*Other one-half interest, Home Investment Co., Long Beach, by L.S. Whaley, pres.			
8	C. O. Graham by Alvin Graham	12-A	S 30 acres of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 16, T5S, R11W, SBB & M	30
9	"	"	NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, T5S, R11W, SBB & M	40
10	"	"	W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, T5S, R11W, SBB & M	20
11	Alban Holtz and Bernadine Holtz	12-A	W 80 acres of the NW $\frac{1}{4}$ of Sec. 4, T5S R11W, SBB & M	80
12	"	"	W 80 acres of the SW $\frac{1}{4}$ of Sec. 4, T5S, R11W, SBB & M	80
13	"	"	SW $\frac{1}{4}$ of Sec. 4, T5S, R11W, SBB & M, excepting therefrom the W 80 acres	80
14	Adrian O. Hubbell, DDS	12-A	SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, T5S, R11W, SBB & M	40
15	"	"	S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 21, T5S, R11W, SBB & M, plus 3 acres at 15881 Golden West St., Rt. 3, Santa Ana	23

APPENDIX B
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PRIVATE PROPERTIES EXCLUDED FROM CERTIFICATED AREAS
SHOWN ON MAP, APPENDIX A

<u>Parcel No.</u>	<u>Name</u>	<u>Exhibit No.</u>	<u>Legal Description</u>	<u>Acreage</u>
16	Wilford G. Lewis, Trustee	12-A	E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 22, T4S, R11W, SBB & M	20
17	"	"	E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 22, T5S, R11W, SBB & M	20
18	The Artesian Land Co., by H. K. Bagley, secretary	12-A	Sec. 21 and 28 (portions thereof), T4S, R11W, SBB & M	718.44
19	Willis L. Miller	13-A	W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 4, T5S, R11W, SBB & M	80
20	"	"	E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 4, T5S, R11W, SBB & M, except the southerly 120 ft.	(above) 45
21	Aldrich R. Peck, and Aldrich R. Peck, Dorothy Thayer Peck and Charles H. Thatcher, Trustees	58-A	Commencing in the center of Sec. 9, T5S, R11W, SBB & M, and running thence N25.60 chains to the compromise boundary line between the Ranchos Las Bolsas and La Bolsa Chica, and the Rancho Los Alamitos; thence S49° 30' W along the said comp. line 52.91 chains to the W line of Sec. 9; thence S12.29 chains thence E40.04 chains to $\frac{1}{2}$ Sec. lines; thence N20 chains to the place of beginning; est. to contain 115.5 acres	115.5
22	"	"	S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 9, T5S, R11W, SBB & M	80
23	"	"	S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 9, T5S, R11W, SBB & M	80
24	"	"	SE $\frac{1}{4}$ of Sec. 9, T5S, R11W, SBB & M	160
25	"	"	SW $\frac{1}{4}$ of Sec. 10, T5S, R11W, SBB & M	160
26	"	"	S 30 acres of the W 50 acres of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 10, T5S, R11W, SBB & M	30
27	"	59-A	SW $\frac{1}{4}$, except the easterly 40 acres of Sec. 15 T5S, R11W, SBB & M	120
28	"	"	E $\frac{1}{2}$, and the E $\frac{1}{2}$ of the W $\frac{1}{2}$ of Sec. 16, T5S, R11W, SBB & M	480
29	"	"	W $\frac{1}{2}$ of the NW $\frac{1}{4}$, except the southerly 30 acres of Sec. 16, T5S, R11W, SBB & M	50

APPENDIX B
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PRIVATE PROPERTIES EXCLUDED FROM CERTIFICATED AREAS
SHOWN ON MAP, APPENDIX A

<u>Parcel No.</u>	<u>Name</u>	<u>Exhibit No.</u>	<u>Legal Description</u>	<u>Acres</u>
30	Aldrich R. Peck, and Aldrich R. Peck, Dorothy Thayer Peck and Charles H. Thatcher, Trustees	59-A	SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 22, T5S, R11W, SBB & M	40
31	"	"	NW $\frac{1}{4}$, except 3 acres in the NE corner thereof, of Sec. 23, T5S, R11W, SBB & M	157
32	"	"	SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 23, T5S, R11W, SBB & M	40
33	"	"	W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 23 T5S, R11W, SBB & M	30
34	"	"	S $\frac{1}{2}$ of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 23, T5S, R11W, SBB & M	60
35	"	"	SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 24, T5S, R11W, SBB & M	40
36	"	"	N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 24, T5S, R11W, SBB & M	80
37	Aldrich R. Peck, and Aldrich R. Peck, Dorothy Thayer Peck and Charles H. Thatcher, Trustees	60-A	Easterly 23.94 acres of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T6S, R11W, SBB & M	23.94
38	"	"	Easterly 23.94 acres of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, except 4 acres along the east side thereof, of Sec. 1 T6S, R11W, SBB & M	19.94
39	"	"	E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T6S, R11W, SBB & M	20
40	"	"	E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 1, T6S, R11W, SBB & M	20
41	"	"	W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 1, T6S, R11W, SBB & M	80
42	"	"	NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 1, T6S, R11W, SBB & M	40
43	"	"	NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 13, T6S R11W, SBB & M	40
44	"	"	NE $\frac{1}{4}$ of Sec. 7, T6S, R10W, SBB & M	160
45	"	"	SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 7, T6S, R10W, SBB & M	40