End
M'ELMD

MELMD

Original
M'ELMD

ENTERED
MAR 8 - 1962
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
By [illegible] Deputy Clerk

FILED
MAR 8 - 1962
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
By [illegible] DEPUTY

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs

FALLBROOK PUBLIC UTILITY DISTRICT, et al.,

Defendants.

No. 1247-SD-C

FINDINGS OF FACT, CONCLUSIONS OF LAW AND INTERLOCUTORY JUDGMENT NO. 30

MURRIETA-TEMECULA GROUND WATER AREA

FINDINGS OF FACT

I

That the Murrieta-Temecula ground water area hereinafter called the "ground water area" is comprised of younger and older alluvial deposits; that the exterior boundaries of said ground water area are graphically set forth in U. S. Exhibit 277 and specifically described in U. S. Exhibit 277A which exhibits are incorporated herein and made a part of these findings by reference.

That said ground water area as depicted and described in United States Exhibits 277 and 277A is bordered on the southwest by mountains of the Santa Rosa Grant which are composed of

basement complex; that immediately northeast and adjacent to said basement complex formation there are older alluvial deposits of considerable depth.

That the geologic evidence in this case establishes that many years ago the older alluvial deposits were laid down by stream action at a time when the surface waters ran northerly into the Elsinore area; that at some point in the past said surface waters changed their course to the present stream condition by accomplishing a breakthrough of the basement complex at the place now known as Temecula Gorge, located in the NE¼ of Projected Section 24, Township 8 South, Range 3 West, S.B.B.M., and that at all times thereafter, the drainage of the waters above Temecula Gorge have been westerly down the present Santa Margarita River into the Pacific Ocean.

That said older alluvial deposits are of considerable depth and one well, the Navy well, which was drilled in 1951 and is located east of the Wildomar Fault Zone in Projected Section 17 of Township 8 South, Range 2 West, S.B.B.M. evidenced older alluvial deposits at a depth in excess of 2400 feet without encountering bedrock.

That the exterior boundaries of said ground water area have to a certain degree for practical reasons been arbitrarily fixed to conform to lines established by legal subdivisions or to existing physical conditions such as roads; that the older alluvial deposits within said ground water area feather out, i.e., show a gradual lessening in depth to bedrock as they approach the northeasterly exterior boundaries of said ground water area with the result that in the peripheral areas of the ground water area only shallow wells with limited yields can be produced from said older alluvial deposits; that the ground waters, if any, contained in the older alluvial deposits

Immediately without the arbitrarily determined exterior boundaries of said ground water area are of minor amounts and the use of such ground waters would have a de minimis or negligible effect on said ground water area and the Santa Margarita River and its tributaries.

That the areas of older alluvial deposits within said ground water area can be ascertained by reference to U. S. Exhibit 15L, which exhibit is incorporated herein, and made a part of these findings by reference.

2.

That within said ground water area and principally in Murrieta and Pauba Valleys there are extensive younger alluvial deposits; that said younger alluvial deposits were laid down by stream action and deposition of material eroded from the adjacent hills following the breakthrough of the surface stream at Temecula Gorge as found in Finding 1 above. That said areas of younger alluvial deposits are depicted on U. S. Exhibit 15L.

3.

That Murrieta Valley lies parallel to and immediately adjacent to the mountains of the Santa Rosa Grant referred to hereinabove in Finding 1; that within said Valley there exist two well-defined fault zones which are approximately parallel. One of said fault zones is located immediately to the northeast of the mountains of the Santa Rosa Grant which is known as the Elsinore Fault Zone; and the other, which runs in the identical direction and is generally parallel thereto, but located to the east, is known as the Wildomar Fault Zone; that the Elsinore Fault Zone does not terminate in Murrieta Valley but extends along the westerly portion of the alluvial deposits in Wolf-Pechanga Valley and into the San Luis Rey watershed; that said

Wildomar Fault Zone extends along the easterly portion of the alluvial deposits in Wolf-Pechanga Valley into the San Luis Rey watershed; that in fact said Wildomar Fault Zone throughout its length acts as a semi-barrier to the movement of ground waters westerly; that ground waters to a limited degree do move through said fault zone and other ground waters contained in the alluvial deposits which lie easterly and above said fault zone flow underground over said fault zone through said alluvial deposits or rise to the surface and move across said fault zone as surface waters; that said fault zones are depicted on U. S. Exhibit 15L.

4.

That between said fault zones there are both younger and older alluvial deposits; that in fact the major portion of the younger alluvial deposits in Murrieta Valley lie between these two fault zones; that said deposits of older and younger alluvium which lie between said fault zones are depicted on U. S. Exhibit 15L.

5.

That the younger and older alluvial deposits within Murrieta Valley consist of sedimentary materials; that said younger alluvial deposits are of a relatively high water-bearing capacity and permeability as contrasted to the older alluvial deposits.

6.

That the younger alluvial deposits within said Murrieta Valley contain ground waters the source of which are the surface waters of Murrieta Creek and its tributaries and ground waters which pass over the Wildomar Fault Zone as found in Finding 3 above, and to a limited extent rainfall upon said area.

7.

That under natural conditions, i.e., in a state of nature, the surface flow of Murrieta Creek is over and upon the younger alluvial deposits in Murrieta Valley lying generally in the area between the fault zones; that upon said areas of younger alluvial deposits between said fault zones the location of said surface flow has varied and may vary considerably and it is quite common for the surface stream to shift its surface bed during periods of considerable surface flow; that the floor of Murrieta Valley is a flood plain rising in elevation as it proceeds in a northwesterly direction. That at times in the past during periods of floods the surface flow over said areas of younger alluvial deposits between said fault zones has been extensive and said flood waters on occasions have extended over and upon the younger alluvial deposits.

8.

That under natural conditions, i.e., in a state of nature, Murrieta Creek does not flow continually on the surface except during periods of considerable precipitation, but on the contrary flows intermittently in its course as a surface stream, then disappears and flows underground and then again rises to the surface; that the points where said waters of Murrieta Creek rise to the ground and flow as a surface stream may vary from year to year and within each year; in recent times, and as late as 1959, the perennial surface flow of Murrieta Creek commences at a point northwest of the Vail Company boundary and flows through an incised channel to that point where said Murrieta Creek joins Temecula Creek to form the Santa Margarita River; that as a result of a prolonged drought and increased pumping in Murrieta Valley and the northerly portion of the

ground water area there has been caused to exist a pumping depression which, as of October, 1959, was located in Projected Sections 17, 34 and 35 of Township 7 South, Range 3 West, S.B.B.M.; that said pumping depression resulted in a temporary reverse gradient of the ground water movement, and to some extent ground waters which were contained in the alluvial deposits adjacent on all sides to said temporary pumping depression under such temporary condition moved down the hydraulic gradient toward and into the pumping depression and not downstream to Temecula Gorge.

9.

That one of the principal causes for the changes in the areas of rising surface flow is the lowering of the ground waters within the younger alluvial deposits between said fault zones resulting from pumping from wells which tap said ground waters.

10.

That the younger alluvial deposits in Murrieta Valley which, as found hereinabove, were laid down by stream action and deposition of material eroded from the adjacent hills rest upon and are confined laterally on each side by older alluvial deposits and basement complex; that said older alluvial deposits and basement complex are of considerably more compacted material and less permeability than the younger alluvial deposits; that the ground waters within said older alluvial deposits are in hydrologic continuity with the ground waters contained in the younger alluvial deposits; that said older alluvial deposits and basement complex, because of their more compacted characteristics and limited permeability, except as to limited amounts of ground waters which do percolate from the younger alluvial deposits into the older alluvial deposits, impede ground waters

contained in the younger alluvial deposits from moving into the older alluvial deposits and basement complex; that under natural conditions said ground waters contained in said younger alluvial deposits move in a general southeasterly direction within the younger alluvial deposits, i.e., in the same direction as the surface flow of Murrieta Creek; that throughout the course of Murrieta Valley, the ground waters which are contained in the younger alluvial deposits rise to the surface and then disappear and flow within the area of younger alluvial deposits as said waters move downstream in said southeasterly direction; that when said ground waters reach the area of Temecula Gorge their movement downstream as ground waters is effectively prevented by basement complex which is essentially bedrock; that as found above in Finding 8, under present conditions, ground waters do rise to the surface and pass over Temecula Gorge as surface flow.

11.

That the said areas of older alluvial deposits and basement complex which lie beneath and on either side of the areas of younger alluvial deposits are, as found hereinabove, composed of considerably more compacted materials than the younger alluvial deposits, and do in fact form the beds and banks of an underground stream and the ground waters contained in said younger alluvial deposits under natural conditions move in a southeasterly direction within said bed and banks and said older alluvial deposits serve the same purpose as a semi-permeable bed and bank of a surface stream channel.

12.

That on occasions and particularly during or immediately after periods of precipitation, Murrieta Creek does flow as a continual surface stream; that at such times the

ground waters within the younger alluvial deposits are directly connected with said surface flow of Murrieta Creek; that under natural conditions, i.e., in a state of nature, except during or immediately after periods of precipitation, Murrieta Creek does not flow as a continual surface stream, but, as found hereinabove, flows on the surface for a short distance, disappears underground, then rises to the surface and again disappears throughout its course to Temecula Gorge; that during such periods the ground waters within the younger alluvial deposits are in fact those waters which rise and flow on the surface for short distances and then disappear.

That under natural conditions, i.e. in a state of nature, said ground waters within the younger alluvial deposits within Murrieta Valley move in the identical direction of Murrieta Creek when in fact it physically flows; that said ground waters within said areas of younger alluvial deposits in Murrieta Valley as depicted on U. S.Exhibit 15L are in a known and definite channel, to wit: the areas of younger alluvial deposits, and are in fact a part of Murrieta Creek and said ground waters within said younger alluvial deposits in Murrieta Valley and said surface flow of Murrieta Creek as it may physically exist do constitute a single stream herein referred to as Murrieta Creek.

13.

That there exists in the most northwesterly portion of Murrieta Valley, to wit, Sections 27 and 34, Township 6 South, Range 4 West, S.B.B.M., a barrier which effectively prevents all ground waters which are located northeast of Palomar Street and west of Orange Street as said streets are presently depicted on U. S. Exhibit 15L from moving southeasterly toward Temecula Gorge; that in fact said ground waters flow out of the Santa Margarita

watershed and into the San Jacinto watershed and said ground waters contained in said area are not a part of the Santa Margarita River or its tributaries, but are in fact a part of the waters of San Jacinto watershed.

14.

That while it is known and certain and definite that said younger alluvial deposits rest upon older alluvial deposits or basement complex, the exact extent of the depth of said younger alluvial deposits to contact with said older alluvial deposits or basement complex is not in most areas of Murrieta Valley subject to exact ascertainment; that it is true that the evidence in this case would indicate that said younger alluvial deposits extend in various depths to a maximum of approximately thirty (30) feet from ground surface; that it is impossible, based on the evidence available today, to enter a finding determining the depth of younger alluvial deposits throughout said Valley with exactness, but as this Court will keep continuing jurisdiction of this cause, jurisdiction will be reserved to determine such a fact in the event it becomes necessary to do so in any particular factual situation which might arise in the future.

That although the contact line on the surface between the younger and older alluvial deposits and the basement complex throughout the ground water area has not been determined with absolute exactness, the determination of said contact line was sufficient for the United States of America to prepare maps and exhibits showing said contact line, and saidcontact line as established by said maps and exhibits prepared by the United States of America has been accepted by this Court as being the contact line between younger alluvial deposits and older alluvial deposits and basement complex on ground surface.

15.

That attached hereto, marked Exhibit I, and incorporated herein, is a master alphabetical index of the apparent owners of the parcels of land within the said Murrieta-Temecula Ground Water Basin, together with the parcel numbers of the lands owned by the respective parties, the exhibits in which these parcels are located, and the page number in Exhibit H where the legal description of the respective parcels may be found.

That attached hereto, marked Exhibit H, and incorporated herein, is a tabulation setting forth, among other things, specific descriptions of all lands within the ground water area.

16.

That hereinafter a reference to the term "parcel number" is explained as follows:

In those exhibits which commence with the figure "19" the first two numbers of the first three numbers separated by a dash refer to Riverside County Assessor's Maps page; the final number is the numerical description assigned to the parcel. Thus: Parcel 20 - 4 - 1 - 74 refers to Riverside County Assessor's Maps Book 20, page 4-1, parcel 74.

In all other instances, the parcel numbers are explained as follows: the first number refers to the Township; the second number refers to the Range; the next number or numbers refer to the Section or Sections or parts of Sections; the final numbers separated by the Section number or numbers by a dash or diagonal is the numerical designation assigned to the parcel; thus: Parcel 8S2W-33-31 refers to Township Eight (8) South, Range Two (2) West, Section Thirty-three (33), parcel 31.

17.

That attached hereto, marked Exhibit A, and incorporated herein, is an alphabetical list of apparent owners and parcel

[illegible] concerning the smallest tract of land held under one [illegible] title, a part of which abuts upon or is traversed by [illegible] As set forth in Finding 15 above, the specific [illegible] descriptions of the smallest tract of land held under [illegible] title, a part of which abuts upon or is traversed by [illegible] is obtained by reference to Exhibit H.

18.

That Pauba Valley lies northeasterly of Temecula Gorge [illegible] as depicted on U. S. Exhibit 15L. That said Valley consist principally of younger alluvial deposits over which [illegible] natural conditions, i.e., in a state of nature, the surface water [illegible] of Temecula Creek, when in fact they do exist, flow.

19.

That the younger and older alluvial deposits within said Pauba Valley consist of sedimentary materials; that said younger alluvial deposits are of relatively high water-bearing capacity and permeability as contrasted to older alluvial deposits; that the areas of younger alluvial deposits within Pauba Valley are depicted on U. S. Exhibit 15L; that said younger alluvial deposits rest upon and are confined laterally by older alluvial deposits and in some areas deposits of basement complex or volcanic rocks.

20.

That under natural conditions, i.e., in a state of nature, the ground waters which are contained in said younger and older alluvial deposits are recharged primarily by the surface flow of Temecula Creek and its tributaries and to a lesser degree by direct precipitation thereon; that Temecula Creek is an intermittent stream (except during periods of considerable precipitation) which flows on the surface, then disappears underground and then rises again on the surface

throughout its course as it traverses Pauba Valley; that at times in the past during periods of precipitation flood waters have extended over and upon the younger alluvial deposits in Pauba Valley, and in fact, said younger alluvial deposits have in the main been laid down as aforesaid by said flood waters and deposition of material eroded from adjacent hills.

21.

That at the present time the areas of surface flow of Temecula Creek as it flows over Pauba Valley vary from year to year and within each year, and to a substantial degree said intermittent characteristics of surface flow and area fluctuations are the result of pumping of wells which have been drilled into the younger alluvial deposits; that under natural conditions the surface channel or area of surface flow of Temecula Creek over Pauba Valley is not stable, but is often changed during periods of considerable surface flow.

That the construction of Vail Dam by the Vail Company and the impoundment of the waters of Temecula Creek upstream from that dam have affected and will affect the surface flow of Temecula Creek from that which existed under natural conditions in that said dam will capture and store for subsequent release and beneficial use waters which under natural conditions would flow over and upon the younger alluvial deposits in Pauba Valley; that detailed findings of fact in Interlocutory Judgment No. 35 specifically concern Vail Dam.

22.

That the older alluvial deposits, basement complex and volcanic rocks which lie on either side of and upon which said younger alluvial deposits rest are of considerably more compacted material than the younger alluvial deposits and their permeability is substantially less than said younger

alluvial deposits; that it is true that the ground waters within the older alluvial deposits are in hydrologic continuity with the ground waters contained in the younger alluvial deposits; that said older alluvial deposits, basement complex and volcanic rocks because of their characteristics above referred to do impede, except as to limited amounts of ground waters which percolate through the younger alluvial deposits into the older alluvial deposits, the ground waters contained in the younger alluvial deposits from moving into the older alluvial deposits, basement complex and volcanic rocks; said ground waters contained in said younger alluvial deposits move within the younger alluvial deposits in a general southwesterly direction, i.e., in the same direction as the surface flow of Temecula Creek.

23.

That the said areas of older alluvial deposits, basement complex and volcanic rocks which lie beneath and on either side of the areas of younger alluvial deposits and as found hereinabove are composed of considerably more compacted materials of less permeability than the younger alluvial deposits do in fact form the beds and banks of an underground stream; the ground waters contained in said younger alluvial deposits move in a southwesterly direction within said bed and banks and said older alluvial deposits, basement complex and volcanic rocks serve the same purpose as a semi-permeable bed and bank of a surface stream channel.

24.

That during such times as there is a continual surface flow of Temecula Creek, i.e. during periods of considerable precipitation, said ground waters within the younger alluvial deposits are directly connected with said surface flow of Temecula Creek; that during those times when Temecula Creek is

an intermittent stream flowing on the surface and then disappearing underground, the ground waters within the younger alluvial deposits are in fact those waters which rise and flow on the surface for short distances and then disappear. That at all times said ground waters within the younger alluvial deposits within Pauba Valley move in the identical direction as the surface flow of Temecula Creek when in fact it physically flows; that said ground waters within said areas of younger alluvial deposits in Pauba Valley as depicted on U. S. Exhibit 15L are in a known and definite channel, to wit: the areas of younger alluvial deposits, and are in fact a part of Temecula Creek, and said ground waters within said younger alluvial deposits in Pauba Valley and said surface flow of Temecula Creek as it may physically exist do constitute a single stream herein referred to as Temecula Creek.

25.

That while it is known, certain and definite that immediately underlying the area of younger alluvial deposits there are older alluvial deposits, the exact extent of the depth of said younger alluvial deposits is not in most areas of Pauba Valley subject to exact ascertainment; that it is true that the evidence in this case would indicate that younger alluvial deposits extend in various depths to a maximum of approximately one hundred thirty feet (130') from ground surface; that generally the deepest areas of younger alluvial deposits in Pauba Valley are in the most easterly portion thereof and said younger alluvial deposits decrease gradually in depth towards its shallowest area which is located in the most westerly portion of said Pauba Valley.

That it is impossible, based on the evidence available today, to enter a finding determining the depth

of the younger alluvial deposits within said Valley with exactness, but as this Court will keep continuing jurisdiction of this cause, jurisdiction will be reserved to determine such a fact in the event it becomes necessary to do so in any particular factual situation which might arise in the future.

26.

That attached hereto, marked Exhibit B, and incorporated herein is an alphabetical list of apparent owners and parcel numbers concerning the smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by Temecula Creek within the ground water area. As set forth in Finding 15 above, the specific property description of the smallest tract of land held under one chain of title a part of which abuts or is traversed by Temecula Creek and is within the ground water area, is obtained by reference to Exhibit H.

27.

That immediately downstream from Nigger Canyon and primarily in Projected Sections 5, 6 and 7,Township 8 South, Range 1 West, S.B.B.M., there is an outwash area where under natural conditions the surface waters of Temecula Creek, when in fact they do exist, flow; that at said point some of said surface waters of Temecula Creek disappear and flow through the younger alluvial deposits of Pauba Valley as aforesaid; at said point andwithin the older alluvial deposits there exist certain substantially impervious lenticular bodies of older alluvial deposits; that some of said waters which enter the ground at said outwash area pass under said lenticular bodies and are semi-confined beneath said lenticular bodies and move downstream toward the semi-barrier of the Wildomar Fault Zone.

That upstream from said fault zone an area of artesian pressure is produced; said area of artesian pressure

is below the level of all present irrigation wells in Pauba Valley except the Navy Well which is located in Projected Section 17 of Township 8 South, Range 2 West, S.B.B.M.; that said artesian area is pierced only by wells in excess of four hundred feet (400') in depth; that said artesian waters are a part of the Santa Margarita River system; that said waters from said area of artesian pressure may be easily identified by their characteristic high sodium content as compared to the low sodium content that is found in the waters contained in the younger alluvial deposits; that in addition to the Navy Well, which as found hereinabove is an irrigation well, the following wells in Pauba Valley are artesian wells which pump waters contained beneath the impervious lenticular bodies referred to herein:

Studley	Township	8	South,	Range	2	West,	Well	17	G1,	S.B.B.M.
Headquarters	"	8	"	"	2	"	"	16	G1,	"
Dairy	"	8	"	"	2	"	"	16	A1,	"
China Garden	"	8	"	"	2	"	"	15	C1,	"
Wind Mill	"	8	"	"	2	"	"	12	H1,	"

That the Wind Mill well is used for measuring and stock watering purposes; that the Headquarters well is for domestic use; that the Dairy well is for stock watering purposes; that the Studley and China Garden wells are not presently used; that all of the said wells as listed hereinabove are on properties owned by the Vail Company.

28.

That within said ground water area there are areas of younger alluvial deposits which underlie a surface stream tributary to either Murrieta or Temecula Creeks. That such areas of younger alluvial deposits underlie Santa Gertrudis Creek, Warm Springs Creek, Cole Canyon Creek and Slaughterhouse

Creek, tributaries to Murrieta Creek, and Pechanga Creek, tributary to Temecula Creek. That said areas of younger alluvial deposits within said ground water area are depicted on U. S. Exhibit 15L.

29.

That in each instance said surface streams referred to in Finding 28 above (except during periods of considerable precipitation) are intermittent in character and the surface flow will disappear underground, rise to the surface, and then disappear as it traverses the areas of younger alluvial deposits within said ground water area as depicted on said U. S. Exhibit 15L; that in each instance the surface channel or stream bed will fluctuate considerably within the said areas of younger alluvial deposits, and it is not unusual for a surface stream bed to change from year to year or within any given year during periods of surface runoff. That in each instance the intermittent character of surface flow is directly affected by the pumping from said younger alluvial deposits which underlie the particular surface stream.

30

That the ground waters contained within the younger alluvial deposits within the ground water area over which Santa Gertrudis Creek, Warm Springs Creek, Cole Canyon Creek, Slaughterhouse Creek and Pechanga Creek flow are recharged by the surface flows therefrom, and to a limited extent by rainfall upon said area; that in each instance said ground waters are in direct physical and hydrologic continuity with the respective surface flow, and that in each instance said ground waters move in the identical direction of the surface flow of the particular creek which flows over the respective younger alluvial deposit.

31.

That under natural conditions, i.e. in a state of [illegible], the said ground waters which are contained within the [illegible] alluvial deposits within the ground water area over [illegible] Santa Gertrudis Creek, Warm Springs Creek, Cole Canyon [illegible], Slaughterhouse Creek and Pechanga Creek flow are in [illegible] instances physically contained therein in that the compact [illegible] and limited permeability of the older alluvial [illegible] and the impervious character of the basement complex which confine the younger alluvial deposits on each side and [illegible] which underlie said younger alluvial deposits act as a bank [illegible] bed and thus contain said ground waters within the younger [illegible] alluvial deposits as depicted on said U. S. Exhibit 15L; that [illegible] a result thereof the ground waters within the younger [illegible] alluvial deposits are impeded, and do in fact move downstream within said younger alluvial deposits in the identical direction [illegible] the surface stream which overlies each area respectively.

That in each instance the ground waters contained in said younger alluvial deposits are in direct contact with the surface flow of the respective creek when in fact it physically exists as a surface stream; and when there is only an intermittent surface flow said ground waters within said areas of younger alluvial deposits do in fact constitute the waters which rise to the surface, flow thereon and then disappear underground. That said older alluvial deposits and basement complex do in fact form the beds and banks of an underground stream in each instance and serve the same purpose as a semi-permeable bed and bank of a surface stream channel.

That ground waters which are contained within the areas of younger alluvial deposits within the ground water area as depicted on U. S. Exhibit 15L are in fact a part of Santa

[illegible] Creek, Cole Canyon Creek,
[illegible] Creek, respectively; and
[illegible] younger alluvial deposits and
[illegible] constitute single streams herein
[illegible] Creek, Warm Springs Creek,
[illegible] Creek and Pechanga Creek.

33.

[illegible] is known, certain and definite that
[illegible] and basement complex immediately
[illegible] alluvial deposits as found hereinabove in
[illegible] depth of the younger alluvial deposits
[illegible] exact ascertainment; that while
[illegible] in this case would indicate that
[illegible] are of a relatively shallow
[illegible], based on the evidence available today,
[illegible] determining the depth of said younger allu-
[illegible] that as this Court will keep conti-
[illegible] this cause, jurisdiction will be reserved
[illegible] in the event it becomes necessary to do
[illegible] factual situation which might arise in the

33.

[illegible] attached hereto, marked Exhibit C, and incorporated
[illegible] is an alphabetical list of apparent owners and parcel
[illegible] covering the smallest tract of land held under one
[illegible] title, a part of which abuts upon or is traversed by
Santa Gertrudis Creek within the ground water area. As set
[illegible] in Finding 15 above, the specific property description of
[illegible] smallest tract of land held under one chain of title, a part
[illegible] which abuts or is traversed by Santa Gertrudis Creek within

ground water area, is obtained by reference to Exhibit H.

34.

That attached hereto, marked Exhibit D, and incorporated herein, is an alphabetical list of apparent owners and parcel numbers concerning the smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by Warm Springs Creek within the ground water area. As set forth in Finding 15 above, the specific property description of the smallest tract of land held under one chain of title, a part of which abuts or is traversed by Warm Springs Creek within the ground water area, is obtained by reference to Exhibit H.

35.

That attached hereto, marked Exhibit E, and incorporated herein, is an alphabetical list of apparent owners and parcel numbers concerning the smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by Cole Canyon Creek within the ground water area. As set forth in Finding 15 above, the specific property description of the smallest tract of land held under one chain of title, a part of which abuts or is traversed by Cole Canyon Creek within the ground water area, is obtained by reference to Exhibit H.

36.

That attached hereto, marked Exhibit F, and incorporated herein, is an alphabetical list of apparent owners and parcel numbers concerning the smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by Slaughterhouse Creek within the ground water area. As set forth in Finding 15 above, the specific property description of the smallest tract of land held under one chain of title a part of which abuts upon or is traversed by Slaughterhouse Creek within the ground water area is obtained by reference to Exhibit H.

37.

That attached hereto, marked Exhibit G, and incorporated herein, is an alphabetical list of apparent owners and [illegible] concerning the smallest tract of land held under one chain of title a part of which abuts upon or is traversed by Pechanga Creek within the ground water area. As used herein in Finding 15 above, the specific property description of the smallest tract of land held under one chain of title a part of which abuts upon or is traversed by Pechanga Creek within the ground water area is obtained by reference to Exhibit G.

38.

That under natural conditions, i.e., in a state of equilibrium, there exists a ground water divide within said ground water area which approximately coincides with the surface water divide between the Murrieta and Temecula Creek drainage areas; that the ground waters in the older alluvial deposits do not move across said ground water divide, but those which are contained in these deposits lying north of said divide move toward Murrieta Creek in a general southwesterly manner while those contained in the older alluvial deposits south of said divide move toward Temecula Creek near the gorge in a general westerly manner; that the surface water divide between said Murrieta and Temecula creek drainage area is depicted on U. S. Exhibit 15L.

That due to a prolonged drouth and increased pumping in the area north of the natural ground water divide within the ground water area, there existed in the autumn of 1959 several pumping depressions which resulted in a temporary ground water divide; said pumping depressions and temporary ground water divide are depicted on U. S. Exhibit 15L; that said pumping

[illegible] developed in certain areas in a temporary [illegible] and water movement and some waters [illegible] alluvial aquifer north of said temporary [illegible] water divide, under such temporary condition, move [illegible] gradient toward the pumping depression. [illegible] pumping depression and subsequent reverse gradient [illegible] water movements are referred to in Finding 3 above.

39.

That [illegible] and water contours extend in a general southwesterly direction; that said contours show the altitude [illegible] level of the water levels in wells and are predicated [illegible] well levels as are presently available from which the [illegible] are projected; these contours, as of autumn 1959, are [illegible] U.S. Exhibit 14A; and, as shown thereon, are [illegible] relatively steep as they proceed from the upstream areas of [illegible] and water area toward Temecula Gorge.

40.

That except as found in Finding 39 above, ground [illegible] within said ground water area does not stand at or about the same level; that ground water levels within areas of older alluvial deposits, and older and younger alluvial deposits, may vary considerably; that pumping from one well or from several wells within said ground water area in some instances has been shown to have a noticeable effect on other wells within said ground water area which are in close proximity to the well or wells pumped; in some instances under conditions apparently similar no noticeable effect has been evidenced in wells in close proximity to the wells being pumped; in some areas of said ground water area there has been evidenced an effect on one well when another well approximately one mile therefrom was pumped; in some areas of said ground water

area no effect has been shown in one well when another well approximately 150 feet therefrom was pumped.

41.

That the movement of the ground water in the older alluvial deposits in the ground water area is not a consistent, continuous movement, but is influenced by many factors, including, but not limited to, the degree of permeability of the deposits within said areas of older alluvium, by the probability of physical ground water barriers beneath the surface, and by pumping within said area.

Although in some limited areas the movement of said ground water can be and has been definitely determined, there is insufficient evidence to show to what extent said movement in the major portion of the older alluvial deposits within said ground water area is affected by such underground or subterranean conditions.

42.

That pumping of the ground waters from the older alluvial deposits within said ground water area does affect to a limited but presently undetermined degree the flow of Murrieta Creek and Temecula Creek and tributaries thereto; that Murrieta and Temecula Creeks are the principal tributaries of the Santa Margarita River above Temecula Gorge

43.

That the general source of the ground water within said older alluvial deposits in said ground water area is primarily runoff from drainage areas outside of the ground water area, which occur during or immediately after periods of precipitation and to a lesser degree precipitation upon said ground water area. That specifically the source of recharge for the ground waters heretofore found to constitute a part

of Murrieta Creek or tributaries thereto within the ground water area and the ground water within the older alluvial deposits within said ground water area north of the natural ground water divide as found in Finding 38 above is the surface drainage area of Murrieta Creek and tributaries thereto. That specifically the source of the ground waters heretofore found to constitute a part of Temecula Creek and tributaries thereto within said ground water area and the ground water within the older alluvial deposits within said ground water area south of said natural ground water divide is the surface drainage area of Temecula Creek and tributaries thereto.

44.

That all ground waters within the older alluvial deposits within said ground water area are in hydrologic continuity with the waters of the Santa Margarita River and its tributaries, and do add to and support the Santa Margarita River and tributaries thereto; that in those areas within the ground water area where the younger alluvial deposits contact the older alluvial deposits ground waters do percolate in limited amounts into the adjoining deposits.

That said ground waters in said older alluvial deposits are not, however, in a known and definite channel.

45.

That the descriptions of land which overlie an area of older alluvial deposits referred to in Finding 44 above are set forth in Exhibit H.

46.

That all ground waters found within areas of basement complex or weathered basement complex within said ground water area as shown on U.S. Exhibits 277 and 15L do not add to, support nor contribute to the Santa Margarita River and its tributaries,

and are local, vagrant, percolating waters and not a part of said River or any tributary thereto.

That no party to this cause has requested that a specific exhibit be prepared describing those lands containing basement complex or weathered basement complex within said ground water area; that this Court will, if requested by any party to this cause prior to the entry of final judgment, prepare such an exhibit; that in the event no such request is made, said lands can be located in the future by reference to said U.S. Exhibits 277 and 15L.

47.

That all surface flows of water upon the lands within said ground water area are a part of the Santa Margarita River System.

48.

That with the exception of extremely limited portions of said ground water area there is surface water only during periods of precipitation or immediately thereafter, and thus, the right of riparians to use said surface water in said areas on riparian lands is illusory in that there is little, if any, need for said surface waters during the limited period that it physically exists.

49.

That except as may be expressly found to the contrary in other findings in this case, all uses of water within said ground water area are in their character reasonable and beneficial. At the present status of this case, the issue of apportionment has not been presented and this Court has taken no evidence directed to establishing whether such water uses are reasonable or unreasonable as to amount of water used in the light of the rights which may exist as to such water, and

this issue is left open, is not decided herein, and shall be litigated if and when in the future it becomes necessary to do so.

That there is insufficient evidence to enable this Court to find the total water supply to, the use within, the export from, or the net draft upon said ground water area or any part thereof or any stream within, either annually or on the average over a period of years.

50.

That certain areas of older alluvial deposits within the ground water area are the same areas which were designated by the term "mesa silt" as used and found in the 1930 Findings of Fact, Conclusions of Law and Judgment in the case of Rancho Santa Margarita v. Vail, et al., Case No. 42850, in the records of the Superior Court of the State of California in and for the County of San Diego.

51.

That on Exhibit H which exhibit is attached to and made a part of these Findings, there appears in addition to the property descriptions certain factual statements such as:

1. Wells.
2. Surface diversions.
3. Apparent ownerships.
4. Gross acreages.
5. Irrigated acreages.
6. Irrigable acreages.
7. Water Duty.

The factual statements contained in said exhibits which pertain to wells and surface diversions are as of the date of this Interlocutory Judgment true. The factual statements contained in said exhibits which pertain to apparent ownerships are set forth for convenience only and are not necessarily correct and are not

intended to be determinative or probative on the issue of ownership of any real property described in said exhibits.

The factual statements contained in said exhibits which pertain to gross acreages, irrigated acreages, irrigable acreages and water duty almost without exception are based on evidence introduced in this case by the United States of America with an express assurance by its counsel that apportionment was not being sought at this stage of the litigation; because of this fact and the fact that this Court is not at this time making any order apportioning or regulating the use of the waters involved herein, said facts pertaining to gross acreages, irrigated acreages, irrigable acreages and water duty are not material to any issue decided by Interlocutory Judgment No. 30 entered herewith; that in the exercise of this Court's continuing jurisdiction in this cause, such facts may well be material to an issue presented to this Court in the future; therefore, this Court finds that such factual statements which are contained in said Exhibit H which pertain to gross acreages, irrigated acreages, irrigable acreages and water duty are supported by the evidence in this case and such factual statements shall be prima facie evidence as to gross acreages, irrigated acreages, irrigable acreages and water duty in any subsequent proceeding before this Court in this cause; as used herein prima facie evidence is that which suffices for the proof of a particular fact until contradicted or overcome by other evidence.

52.

That within said ground water area as depicted on said U. S. Exhibit 277 there are numerous small creeks or gullies or water courses, most of which are unnamed which these findings have not considered in detail; that in all such situations surface flow would occur only during or immediately after periods of

precipitation; that underlying such unnamed or named creeks, gullies or water courses, there are younger alluvial deposits which are bedded upon and laterally confined by older alluvial deposits or basement complex; that said younger alluvial deposits are not extensive but are shallow and ground water contained therein would be of a relatively limited quantity; that said areas are not defined herein but are depicted in general on U. S. Exhibit 15L.

That said older alluvial deposits or basement complex do in fact form a bed and bank and impede the vertical and horizontal movement of said ground waters and under natural conditions said ground waters within said younger alluvial deposits move in the same direction as the surface flow when in fact it physically exists; that when surface flow does exist, said ground waters within said younger alluvial deposits are in direct contact therewith and said ground waters are in fact during such times and at all other times an integral part of the flow of the particular creek, gully or water course; that ground waters contained within such younger alluvial deposits are in fact in a known and definite channel, to wit, the area of younger alluvial deposits, and are a part of the specific creek, gully or water course which traverses the specific younger alluvial deposits, and are a part of the Santa Margarita River System.

53.

That the surface waters and the ground waters contained within the younger alluvial deposits referred to in Finding 52 above do not warrant in these findings of fact specific detailed exhibits setting forth descriptions of the lands which abut upon or are traversed by each creek,gully or water course; that no party to this cause has requested specific findings on these small creeks, gullies or water courses, most of which, as found

hereinabove, are unnamed, and this Court at this time makes no specific findings thereon; that as these findings and judgment are interlocutory, this Court will, if so requested, make specific findings on said creeks, gullies or water courses, either separately or totally, should any party to this cause request this Court to do so; that in the event no such request is made, this Court can and will, if the occasion should arise in the future, be able to make such determination as may be necessary from the general facts as found above in Finding 52.

54.

That no surface diversion or use of the waters of Murrieta or Temecula Creeks or their tributaries within the ground water area, or extraction or use of the ground waters contained within the younger or older alluvial deposits within said ground water area have been open, notorious, adverse or hostile to any party in this cause and no prescriptive right to the use of the surface or ground waters from any such diversion or extraction or use exists.

55.

That on certain of the Exhibits attached to these findings of fact there appear factual statements concerning applications to appropriate specified waters of the Santa Margarita River Stream System within the ground water area filed with the California State Water Rights Board. That because said applications to appropriate said waters involve relatively small amounts of water, this Court has not made specific findings on each of these applications nor has any party requested that such findings be made. This Court finds that such factual statements are true and that the applicant to appropriate said waters as appears on said Exhibits has such water right as such stated facts warrant under and pursuant to

[illegible] described with the appropria- tion [illegible].

[illegible] jurisdiction is reserved to enter specific findings [illegible] to said applications to appropriate [illegible] any party so request, either prior or subsequent to the entry of the final judgment in this cause. That [illegible] findings of fact and interlocutory judgments in this [illegible] have been adjudged to have appropriative [illegible] the use of the waters of the Santa Margarita River [illegible] tributaries. That except as to those appropriative [illegible] which appear on [illegible] attached to these findings of fact, and other appropriative rights specifically adjudged by other findings [illegible] interlocutory judgments in this cause, there are no [illegible] to the use of the surface waters which [illegible] lands contained within the [illegible] area or to the ground waters contained within [illegible] alluvial deposits within said ground water area.

56

Although the lands of Pechanga Indian Reservation, which are within the said ground water area, are included within Exhibits G and H, these findings of fact do not purport to define the water rights for said lands within said Reservation. All water rights which pertain to said lands or to the [illegible] thereof will be covered in separate findings of fact, conclusions of law and interlocutory judgment.

CONCLUSIONS OF LAW

I.

That all ground waters found within the deposits of basement complex or weathered basement complex within the ground

417

water area do not add to, support nor contribute to the Santa Margarita River and are local, vagrant, percolating waters not a part of the River or any tributary thereto.

2.

That all surface waters which flow over and upon the lands within the ground water area are a part of the Santa Margarita River and subject to the continuing jurisdiction of this Court.

3.

That all lands listed by parcel number in Exhibit A as described in Exhibit H, which exhibits are attached hereto and incorporated herein, have a correlative riparian right to the use of the waters of Murrieta Creek.

4.

That all lands listed by parcel number in Exhibit B as described in Exhibit H, which exhibits are attached hereto and incorporated herein, have a correlative riparian right to the use of the waters of Temecula Creek.

5.

That all lands listed by parcel number in Exhibit C as described in Exhibit H, which exhibits are attached hereto and incorporated herein, have a correlative riparian right to the use of the waters of Santa Gertrudis Creek.

6.

That all lands listed by parcel number in Exhibit D as described in Exhibit H, which exhibits are attached hereto and incorporated herein, have a correlative riparian right to the use of the waters of Warm Springs Creek.

7.

That all lands listed by parcel number in Exhibit E as described in Exhibit H, which exhibits are attached hereto

[illegible] herein, have a correlative riparian right to [illegible] of Cole Canyon Creek.

8.

That all lands listed by parcel number in Exhibit F [illegible] in Exhibit H, which exhibits are attached hereto [illegible] herein, have a correlative riparian right to [illegible] of the waters of Slaughterhouse Creek.

9.

That all lands listed by parcel number in Exhibit G [illegible] in Exhibit H, which exhibits are attached hereto [illegible] herein, have a correlative riparian right to [illegible] of the waters of Pechanga Creek.

10.

That the exercise of the riparian rights to the use [illegible] waters of Murrieta Creek, Temecula Creek, Santa Gertrudis [illegible], Warm Springs Creek, Cole Canyon Creek, Slaughterhouse [illegible] and Pechanga Creek, as found hereinabove in Conclusions of [illegible], 5, 6, 7, 8 and 9, are subject to the continuing jurisdiction of this Court; that all uses of the waters of said creeks [illegible] their tributaries are subject to the continuing jurisdiction of this Court.

11.

That all lands described in Exhibit H attached hereto [illegible] incorporated herein have a correlative overlying right to the use of the ground waters contained within the older alluvial [illegible] which underlie said lands. That all of said ground waters within said older alluvial deposits within the ground [illegible] add to, contribute to and support the Santa Margarita River and/or tributaries thereto, and the use of said waters is subject to the continuing jurisdiction of this Court.

- - - - -

12.

That at the present status of this case the issue of apportionment or the quantity or proportion of waters to which any lands are entitled has not been presented, and this Court has taken no evidence directed to establishing whether any water uses pursuant to riparian or overlying rights are reasonable or unreasonable as to amount of water used in the light of the correlative rights which may exist as to such waters and this issue is left open, is not decided herein, and shall be litigated by this Court if and when in the future it becomes necessary to do so; in the exercise of this continuing jurisdiction this Court will judge and pass upon the exercise of such riparian or overlying right based on the facts as they may then appear and pursuant to California law.

13.

That each smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by any area containing younger alluvial deposits within said ground water area, has a correlative riparian right to the use of said ground waters within and surface waters upon said younger alluvial deposits, and the use of such waters shall be, and is subject to the continuing jurisdiction of this Court; that except as to Murrieta Creek, Temecula Creek, Santa Gertrudis Creek, Warm Springs Creek, Cole Canyon Creek, Slaughterhouse Creek and Pechanga Creek such lands have not been specifically described in these findings but can be readily ascertained in the future should it be necessary to do so by reference to the areas of younger alluvial deposits within said ground water area as depicted on U. S. Exhibit 15L.

14.

That all ground waters located northeast of Palomar Street and west of Orange Street as such streets are presently

depicted on U. S. Exhibit 15L are not a part of the Santa Margarita River and do not add to, contribute to nor support said River and the use of said ground waters is not subject to the jurisdiction of this Court.

15.

That no prescriptive right to the use of the waters of Murrieta or Temecula Creeks or their tributaries within the ground water area or to any ground waters contained within the younger or older alluvial deposits within said ground water area exists.

16.

That except as provided by Finding of Fact 55 herein there are no appropriative rights to the use of the surface waters which flow over and upon any of the lands contained within the ground water area or to the ground waters contained within the younger or older alluvial deposits within said ground water area.

INTERLOCUTORY JUDGMENT

1.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all ground waters contained within deposits of basement complex and weathered basement complex within the ground water area are vagrant, local, percolating waters which do not add to, support nor contribute to the Santa Margarita River or its tributaries.

2.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rights of the owners of said lands referred to in paragraph 1 of this Interlocutory Judgment, and their heirs, successors and assigns to the use of said ground waters are forever quieted in them and against the United States of America and all other parties having rights to the use of the waters of the Santa Margarita

River or its tributaries, their heirs, successors and assigns.

3.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the owners of said lands referred to in paragraph 1 of this Interlocutory Judgment, their heirs, successors and assigns, are forever restrained from asserting rights in or to the waters of the Santa Margarita River or its tributaries, excepting rights to surface waters which flow over and upon said lands

4.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rights inter se of the owners of said lands referred to in paragraph 1 of this Interlocutory Judgment to the use of the underlying vagrant, local, percolating ground waters have not been adjudged, determined or decreed in these proceedings.

5.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all surface waters which flow over and upon any lands within the ground water area as depicted on U. S. Exhibit 277 and described in U. S. Exhibit 277A, which exhibits are herein incorporated by reference, are a part of the Santa Margarita River and subject to the continuing jurisdiction of this Court.

6.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit A as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative riparian right to the use of the waters of Murrieta Creek.

7.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit B as described in Exhibit H, which exhibits are attached hereto and incorporated

herein by reference, have a correlative riparian right to the use of the waters of Temecula Creek.

8.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit C as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative riparian right to the use of the waters of Santa Gertrudis Creek.

9.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit D as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative riparian right to the use of the waters of Warm Springs Creek.

10.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit E as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative riparian right to the use of the waters of Cole Canyon Creek.

11.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit F as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative riparian right to the use of the waters of Slaughterhouse Creek.

12.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit G as described in Exhibit H, which exhibits are attached hereto and incorporated herein by reference, have a correlative, riparian right to the

use of the waters of Pechanga Creek.

13.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lands described in Exhibit H attached hereto and incorporated herein by reference have correlative overlying rights to the use of the ground waters contained in the older alluvial deposits on said described lands.

14.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the correlative riparian rights to the use of the waters of Murrieta Creek, Temecula Creek, Santa Gertrudis Creek, Warm Springs Creek, Cole Canyon Creek, Slaughterhouse Creek and Pechanga Creek, and the correlative overlying rights to the use of the ground waters contained within the older alluvial deposits which underlie the lands described in Exhibit H and all other uses of such waters shall be and are subject to the continuing jurisdiction of this Court.

15.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the issue of apportionment has not been presented and this Court has taken no evidence directed to establishing whether the use of any waters herein adjudged to be subject to the continuing jurisdiction of this Court are reasonable or unreasonable as to amount of water used in the light of correlative rights which may exist as to such waters, and this issue is left open, is not decided herein, and shall be litigated by this Court if and when in the future it becomes necessary to do so.

16.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the smallest tract of land held under one chain of title, a part

of which abuts upon or is traversed by younger alluvial deposits not heretofore specifically determined to be riparian to a specific creek within said ground water area have correlative riparian rights to the use of said waters and that said waters contained within said younger alluvial deposits are subject to the continuing jurisdiction of this Court; it is further ordered, adjudged and decreed that this Court shall have jurisdiction to make such findings in the future as may be necessary to settle any dispute concerning the propriety of the use of said waters and that said Court shall in the future refer to U. S. Exhibits 277 and 15L to determine the location of said younger alluvial deposits within said ground water area.

17.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all ground waters located northeast of Palomar Street and west of Orange Street as those streets are presently depicted on U. S. Exhibit 15L are not a part of the Santa Margarita River nor do said ground waters add to, contribute to nor support the said River.

18.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rights of the owners of lands referred to in paragraph 17 of this Interlocutory Judgment which overlie said ground waters, their heirs, successors and assigns, to the use of said ground waters, are forever quieted in them and against the United States of America and all other parties having rights to the use of the waters of the Santa Margarita Riverand its tributaries, their heirs, successors and assigns.

19.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the owners of said lands referred to in paragraph 17 of this

Interlocutory Judgment which overlie said ground waters, their heirs, successors and assigns, are forever restrained from asserting rights in or to the waters of the Santa Margarita River or its tributaries, excepting rights to surface waters which flow over and upon said lands.

20.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rights inter se of the owners of said lands referred to in paragraph IV of this Interlocutory Judgment to the use of the ground waters contained therein have not been adjudged, determined or decreed in these proceedings.

21.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that there are no prescriptive rights to use any of the waters contained in the younger or older alluvial deposits within the ground water area or surface waters which flow over or upon any of the lands within the ground water area.

22.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that except as may be provided in factual statements set forth on the exhibits attached to this Interlocutory Judgment or specifically adjudged in other findings of fact and interlocutory judgments in this cause, there are no appropriative rights to use the ground waters contained within the younger or older alluvial deposits within the ground water area or the surface waters which flow over and upon any lands within said ground water area.

23.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, based upon the decision of the United States Court of Appeals for the Ninth Circuit, California v. U.S., 235 F.2d 647, that this is not a final decree but is interlocutory in character and by reason

It is Ordered by this Court that all parties are adverse, one to the other, thus dispensing with cross pleadings, all parties to this proceeding may object to these Findings of Fact, Conclusions of Law and Interlocutory Judgment, and will be given full opportunity upon due notice to interpose their objections to these Findings of Fact, Conclusions of Law and Interlocutory Judgment prior to the entry of final judgment in this cause.

24.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Interlocutory Judgment is not appealable, is not final and shall not be operative until made a part of the final judgment, and this Court expressly reserves jurisdiction to modify or vacate it, either upon its own motion or upon motion of any party to this proceeding until such time as final judgment in this case is entered.

Dated: March 8 1962

JUDGE

PARCELS OF LAND RIPARIAN TO MURRIETA CREEK

APPARENT OWNER	PARCEL NUMBER
Abernathy, Daisy E.	20-4-1-74
Ackman, Dell	19-42-48
Allan, Anne N.	19-42-68
Allen, Mamie	20-14-56
Alvarez, Domingo & Mary N.	20-14-73
Andersen, Ruth	20-14-95
Andersen, Harold A. Jr., & Florence	20-13-20 20-13-21 20-13-22
Anderson, Paul H. & Helen I.	20-5-104
Andrews, Raymond D. & Loraine N.	19-43-26
Angus, Franklin R. & Frances C.	20-4-45
Anthony, Donald C. & Charlotte	20-14-89
Arnold, Floris	19-42-46
Arthur, Herbert C. & Margaret L.	20-6-213
Arviso, Rose	29-13-42
Averill, A. S. & Cecelia V.	20-14-66
Bacher, Frederick A. & Virginia Rogers	20-5-133
Ballard, Robert H. & Mary Elizabeth	20-4-69
Barnard, Fred Gardner Jr.	20-5-130
Barnard, Harriet L. Maryline	20-5-130
Barnard, Neva L.	20-5-130
Barnes, Finnis E. & Theresa Marie	20-1-662
Barnes, Kate	20-1-666
Barnes, William E.	20-1-666
Barnett, B. H. & Leone	20-1-707

Interlocutory Judg #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Barnett, Ralph O.	20-12-225
Barth, L. V. & Francis Marion	20-1-700
Bates, Ralph & Effie Louise	20-6-210
Batson, Jesse & Helen	20-1-676
Beaver, Otto E. & Grace V.	19-45-96 19-45-98
Bennis, K. V. & Nina	20-14-53
Betschart, Joe F.	20-16-114
Bittikofer, C. E. & Rita S.	19-48-263
Blackford, Henry E. & Eleanor P.	19-42-78
Blackmore, Harvey & Betty Jean	20-6-214
Boffa, Armand	19-43-19
Booth, Alberta Evanell	20-13-31
Borel, A. F. & Louise	20-14-69 20-14-70
Boscacci, Richard, aka Ricardo & Julia	19-42-74 19-42-77
Bricknell, Maureen	20-2-728
Brown, Andrew J. & Myrtle	20-5-111
Brown, David A. & Nancy Jane	19-45-89
Brown, Elbert E. & Beulah W.	20-5-126A
Brown, Melvin H. & Margaret F.	20-4-20
Brown, Merritt H.	20-5-113
Brown, Rudolph J. & Vita Elliott	19-45-114
Bryant, Edward	20-6-211

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Buchanan, James David	20-4-26
Buchanan, Maude M.	20-4-26
Buchanan, William F. & Gloria F.	19-48-228
Burt, David H. & Hazel I.	20-5-107
Bush, Lavern G.	20-1-644
Cacia, Nick	19-48-223
Cain, Carlington L. & Eunice	20-4-6 20-4-8 20-4-10 20-4-56
California, State of	20-2-718
California Water & Telephone Co.	20-1-631 20-13-19A
Campbell, Roscoe D. & Dorothy H.	20-4-1-78
Cantarini, John Alvarez & Beatrice	20-15-106
Cantrell, Edith M.	19-42-71
Caringella, Joe & Dora	19-48-200
Carlson, Conrad H.	19-42-53
Carrillo, Refugia	20-1-695
Cass, Louis & Virginia N.	20-12-226
Cazas, Joseph	20-13-32
Cecchettini, Thomas V. Jr., & Adelaide	20-4-66
Charnock, Edward B. & Ann	20-7-245
Clark, Doris Isabelle	19-42-41 19-42-54
Cobbin, Albert A. & Ellen	20-4-68
Cockerline, Matthew J. & Nettie	20-14-63
Cohen, Max	20-13-24
Collier, Frank Elliott & Flora E.	19-43-21

430

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Combs, Jack LeRoy	19-42-48
Comparette, Homer L. & Leamel A.	20-4-48
Contreras, George C. & Aveni M.	20-4-29 20-4-37
Cook, Raymond P. & Lois E.	19-42-76
Cooper, Jessie C.	20-1-696
Cooper, Walter & Leona	19-45-113
Coppel, Jacob Frank	20-13-28
Cotter, Nora	20-1-664
Coy, Alfred H. & Anna	20-1-697
Coy, Walter A. & Oleta S.	20-1-698
Crow, Reuben R. & Lydia M.	20-1-653
Crum, Lee	20-14-80
Cuccio, Peter A.	20-6-202
Curran, Marvin Duane & May Louise	20-2-711
Curtiss, Annie L. S. & William C.	19-45-99
Custer, William & Marilyn Moyer	20-11-224
Daily, Ross & Helen	20-14-98
Davis, Nathaniel A. & Greela	20-4-18
Dawes, Robert & Constance	20-14-87
DeArmond, Nathaniel E. & Katherine M.	20-14-59
Deering, Mary	20-5-117 20-5-127
DeLaite, John E. & Dorothy K.	20-4-19
Delgado, Andrew & Lydia	20-13-36
Delgado, Francisco	20-13-40

APPARENT OWNER	PARCEL NUMBER
DeMund, William P. & Ione	20-1-639
Dillon, Harry Jerome & Bertrude E.	19-45-111
DiMaggio, Giovannina & Ruggiers	20-14-76 20-14-77
Dunham, Lucy A. & Lawrence	20-1-693
Dunham, Sarah A.	20-1-656
Durst, Moe & Agnes	19-43-16 19-42-52
Durst, Esther	19-42-52
Dutton, Cecil C. & Maudelene	20-4-1 20-12-229 20-7-238 20-7-241
Dyess, I. M. & Frieda	20-1-685 20-1-705
Elsenpeter, Clinton & Gertrude Hazel	20-4-17
Elsinore Union High School District	20-13-29
Eppard, William T. & Nancy N.	19-43-12 19-42-43
Escallier, Alex J. & Blanche	20-13-33
Escallier, Fernando C. & Francisco L.	20-13-37
Escallier, Joe L. & Grace	20-13-48
Evans, Dick & Audrey	20-16-115
Ferguson, Malvern	20-14-81
Firth, Berdell	20-1-658
Flores, Mary B. & Paul N.	20-13-30
Francisco, M. Robi E.	19-43-27
Freeman, Bessie L.	19-42-40

APPARENT OWNER	PARCEL NUMBER
Freeman, Dorothy, aka Hotchkiss	20-14-90
Freeman, Farel L.	20-14-78
Freeman, Harvey	20-14-83 20-16-113
Freeman, James L.	20-14-83 20-16-113
Freeman, Kenneth & Ida Mae	19-45-102
Freeman, Phillip C.	20-14-83 20-16-113
Freeman, Russell O. & Gladys E.	20-4-50 19-42-61 19-42-65
Freeman, Thomas Asa & Thelma Lillian	20-1-655
Friedman, William M. & Jessie E.	20-14-99
Friedman, William R. & Patricia	20-14-67
Frohlick, Elbert S.	20-1-692
Frohlick, Josie V.	20-1-692
Frontino, Frank & Nellie R.	19-43-25
Fulk, Ray E.	19-48-258
Gagnon, Edward F. & Priscilla I.	19-46-121
Gagnon, Louis D. & Catherine I.	20-1-643
Gagnon, Robert R.	20-1-646
Gardner, Bessie Mize	20-5-125
Garland, Hugh W. & Frances Helen	20-4-35
Garrison, John M. & Sadie F.	20-4-70 20-5-109
Gatson, Peter J. & Etta H.	20-1-667
Gehring, Henry E. & Loretta M.	20-1-686
Gibson, James Laurence & Ethel Doolittle	19-42-66

APPARENT OWNER	PARCEL NUMBER
Gleason, Charles A. & Lena L.	19-42-62 19-42-63
Goodwin, Walter Thomas & Mary Jane	20-5-100
Goveia, Dixie V.	20-13-25
Goveia, Paul E., Jr. & Phillip E.	20-13-25
Grah, Harry M. & Lucienne	20-6-207
Gregory, Alfred A. & Irma L.	20-14-86
Grow, Orville T. & Della V.	19-43-12 19-42-43
Gwinn, W. A. & Louise	20-4-40
Haley, William Howard & Isabel F.	20-14-97
Hallberg, Donald H. & Solidad	20-6-212
Hamilton, Rhina	20-12-227
Hanks, Robert M. & Virginia M.	20-1-645 20-14-82
Hardeman, J. H. & Dora D.	19-45-91
Harris, Edison & Frances A.	20-7-239
Hartman, Georgina Lewis	19-48-224 19-48-244
Hartman, Jessie B.	20-14-56
Hatfield, Royal M. & Marjorie E.	20-4-5
Hathaway, S. J. & Edith H.	20-14-72
Hathaway, Silas M. & Chirley J.	20-4-38
Hazard, Edward J. & Ellen T.	19-42-60
Heath, James B.	20-13-34
Heim, Charles W. & Genevieve M.	19-45-92 20-4-99

APPARENT OWNER	PARCEL NUMBER
Higlee, William J. & Merlyn S.	20-5-132
Historical Society of Murrieta	20-1-659
Honberger, Agnes F.	20-14-83 20-16-113
House, Gordon D. & Virginia C.	20-4-25
Houston, Scottie E. & Marjorie	20-1-684 20-1-688
Howard, A. T. & Lula Grace	20-1-707
Howell, Ada S. & George A. F.	20-4-30 20-4-31 20-4-39 20-4-67
Hunter, Viola M.	19-42-67
Hutson, Wayne O. & Rose C.	19-45-98 19-45-100
Inchausti, John	20-6-208
Irwin, Leslie & Clara	20-14-100
Jennings, Ida J.	20-1-666
Jensen, Murrel C. & Victoria	20-1-641
Johnson, Mabel L.	20-1-702
Johnson, Raymond & Hazel Irene	20-1-670
Jones, Cassie E. & Lorraine L.	19-43-13
Jones, William C. & Irma L.	20-1-633 20-1-634
Joy, Walter Lewis	20-7-240
Kaser, Frank L. & Elizabeth M.	19-42-56
Katz, Louis & Esther	19-48-262
Katz, Mary	20-13-24

APPARENT OWNER	PARCEL NUMBER
Kaufman, Hattie	20-1-652
Kelly, James P.	20-14-88
Kennison, Raymond Arthur aka Ray A. & Marcelle	20-13-27
Kerdraon, Harry F. & Helen R.	20-4-43
Kimball, Carolyn	20-13-38
King, Charles & Mae E.	20-4-2 20-4-3 20-12-230
Klyne, A. F. & Temple Annie	20-6-206
Knott, Alfred & Freda	20-13-39 20-13-45 20-14-54
Knott, Vernon C. & Annie J.	20-13-43 20-14-57
Konkle, Charles F. & Barbara	19-42-77
Kornitsky, Katherine A., aka Weeks	20-5-105
Kreis, Laura Bella	20-2-720
LaFevre, Feron & Melissa	20-5-108
Larsen, Ole E. & Naomi	20-14-58
Latz, Clarence E. & Margaret E.	19-43-35
Leatham, Herbert	20-14-62
LeClare, Grace & Francis J.	20-14-64
Leslie, Charles E. & Faye R.	20-4-44
Lewis, Walter K. & Carol	19-48-224 19-48-244
Liefer, R. Ray & Cleo M.	20-14-103
Lincoln, Ernest & Julia	20-11-223 20-12-227

Interlocutory Judg. #30
Exhibit A.

436

APPARENT OWNER	PARCEL NUMBER
Lincoln, Rhina	20-11-223
Lloyd, Nettie M. & Hollie C.	20-4-55 20-1-679
Lopez, Salvador	20-13-19B
Luther, Harold M. & Dorothy	19-48-238
Lyell, George E. & Helen A.	19-43-22
McCracken, Newell	20-1-638
McCutchen, James R. & Bessie M.	20-1-661
McGhee, Patricia	20-1-672
MacDonald, Leonard	20-14-84
Machado, M.	20-14-55
MacLeod, Norman	20-1-682
Macy, Alda A.	19-43-24
Macy, Amorita N.	19-43-15 19-43-23
Magee, Louisa	20-13-32
Malnar, Edward & Nellie B.	20-5-121
Malone, Irma M.	20-4-22 20-4-23
Mance, Mike & Lillian L.	20-2-709
Mansfield, J. C.	19-42-72
Margolis, Abraham & Pauline	29-4-47
Martin, John & Mary A.	20-14-102
Martin, Nettie Annette	20-1-673
Martin, Thomas	20-2-708
Martin, Wanda L. & Francis D.	20-1-652
Mason, Zalia K.	20-5-124 20-7-246

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Matteson, Lotta M.	20-1-675
Matz, Joe & Agnes O.	20-5-117 20-5-127
Mays, Fred C. & Carrie C.	20-4-4 20-4-12- 20-4-34
Mazacro, Filamena	19-48-225 19-48-226B
Melton, Mary M.	20-4-55
Metcalf, Marion & Lela	19-48-229
Methodist Episcopal Church of Murrieta	20-1-663
Miller, Jack C.	20-14-85
Mitnick, Louis & Rose	19-42-52
Mize, Ray Verner	20-5-120
Mobley, Elizabeth P.	20-14-83 20-16-113
Moore, Mrs. C. Belle	19-42-59
Morrow, Howard & Betty	20-5-128
Mosley, Wilburn & Dorothy Pauline	19-48-229
Munoa, Louis John	20-2-729 20-14-96
Murrieta School District	20-1-704 20-1-706
Murrieta Union Church	20-1-637
Myers, Harry A.	20-1-636
Nieder, Peter J.	19-42-55
Nielsen, Walter R. & Alice E.	20-4-15
Oakley, Michael J. & Monica V.	20-5-131
Ogle, Warren J. & Louise C.	20-5-118

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Olivera, Joseph G. & Josie H.	20-1-694
Otto, Albert & J. Christine	20-14-75
Otto, Vernon A. & Elizabeth J.	20-14-92 20-14-101
Owen, Douglas E.	20-4-7 20-4-9 20-4-54
Paddock, George H.	20-1-658
Palmer, O. J.	19-42-51
Parker, Dorothy F.	20-14-83 20-16-113
Parry, Glenn E. & Lucille	19-48-259
Pearl, Roland E. & Patricia	20-11-224
Perry, Jane A.	20-7-234
Perry, Moses E. & Annette L.	20-4-21
Peterson, Linden W. & Velma H.	20-14-93
Phillips, Robert & Leah	19-43-14
Philo, Frank A. & Kate D.	20-4-58
Plam, Bertha	19-42-47 19-42-69 20-13-49 20-7-721
Postel, Waldo F.	20-1-703 20-2-726
Potter, Charles D. & Esta Mae	20-5-103
Potter, Elmer & Lucille	19-45-105
Provolt, Myrtle A.	20-4-57
Pruett, Jim R. & Eva O.	20-5-106 20-5-112
Publix Title Co.	19-42-80

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Rail, Ira O. & Marion O.	20-1-669 20-1-671
Rail, J. C.	20-13-44
Rail, O. R. & Hazel F.	20-6-209
Ramirez, Federico & Josephine	20-14-74
Ranch Development Corp.,	20-2-719
Randolph, Randy & Barbara	19-45-115
Rasch, Erwin E. & Mary L.	20-5-102
Redman, Ralph W. & Walter H.	19-42-51
Reiman, Verne D. & Marie J.	19-45-93
Ribaudo, John & Mary	19-48-219 19-45-94
Richmond, James A.	20-1-636
Rieder, Karl & Ida G.	20-4-1-73 20-2-710
Riverside, County of	20-4-13
Rodriquez, John R. & Socorro	19-43-34
Roman Catholic Bishop of Monterey & Los Angeles	20-13-50
Roman Catholic Bishop of San Diego	20-13-51
Roripaugh, Leo E. & Marian E.	20-12-226
Rowden, E. W. & Eunice L.	29-1-668
Rubbert, Martin A. & Loretta E.	19-42-49 19-45-88 19-45-101
Rush, Mary C.	20-13-32
Russell, DeEtta, aka Carlin	19-42-58

APPARENT OWNER	PARCEL NUMBER
Sager, Thomas L. & Joanna A.	19-43-28
Salas, Frank R. & Mae	20-13-35
Samaniego, Pat F. & Vera D.	20-2-713
San Pedro, Robert & Marjorie Doris Latz	19-43-35
Sayer, Stanley & Ruth	20-1-674
Schleuniger, Arnold & Elsie B.	19-45-105
Schmitz, James N. & Josephine M.	20-5-115
Schroeder, Anna P.	20-1-660
Schroeder, Walter A., Jr. & Jeanette H.	20-13-26
Schwann, Edward Dale & Effa Mae	20-4-51
Seed, Erla L.	19-42-73
Shaw, Anna Marea	19-45-112
Shirley, Winston Hale	20-13-47
Slagle, Myron G.	20-7-722
Small, Eugene Lee	20-1-648 20-1-649
Smith, G. A.	19-42-64
Smohl, Leonard O. & Ethel L.	20-1-683
Sotello, Alfred	20-1-689 20-2-714
Sotello, Jessie	20-2-715
Southard, Roy W. & Edna N.	20-4-60
Spore, C. J. & Jeanie	19-42-70 19-48-227 19-48-260
Staufer, Ivan	20-4-24
Steinberg, Samuel	20-8-474

Interlocutory Judg. #30
Exhibit A.

441

APPARENT OWNER	PARCEL NUMBER
Stephens, Sydney T. & Anna Josephine	19-43-29
Stollar, Cora B.	20-1-629
Stone, Mack & Hazel	20-6-208
Strang, Joseph & Eula	20-1-681
Strobel, Ruth Johnson	19-43-32
Stubblefield, Augusta	20-14-79
Swain, Rex & Lottie	20-5-110
Swanguen, Carl R. & Edna C.	20-14-60
Sykes, Amos J. & Dovie M.	20-4-52 20-12-232 20-7-233 20-7-235
Talley, Jack & Mary	20-14-71
Tarwater, Benjamin W. & Clara I.	20-4-60 20-7-242
Tarwater, Urban K. & Rose C.	20-4-60 20-12-231 20-7-242 20-1-635 20-1-654 20-14-68
Tauber, Nellie K.	20-1-691
Taylor, Burt	19-45-90
Taylor, Howard A. & Elinore E.	20-14-104
Temecula Samaritan Society	20-13-41
Termine, Sam & Sarah	20-5-116
Thompson, Clifford J. & Allie J.	20-1-632
Thompson, H. C.	20-1-632
Thompson, Paul H. & Mary M.	20-5-101 20-5-122 20-1-630

Interlocutory Judg. #30
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Thompson, Raymond I. & Octavia	20-5-123
Thompson, Willis A., Jr. & Frances F.	20-4-53 20-5-119 20-5-126
Thompson, Willis A. & Nellie Thorne	20-4-53 20-5-119 20-5-126
Throop, George E. & Rosaline	20-1-699
Rirk, Patricia	20-4-16
Tongway, John M.	20-6-203
Tordoff, Alfred W. & Mary E.	20-4-11
Tremblay, Leo G. & Maryon	20-5-129
Turner, Charles W.	20-4-32, 20-4-33 20-4-36
Turner, Wyman E. & Elizabeth M.	19-43-33 19-48-226
Union Title Ins. & Trust Co.	20-14-61
Ussery, Edith M. & Orie A.	20-12-228
Utt, Florence G.	20-1-695
Vail Co. Inc.	20-13-19 20-14-52 20-14-94 20-14-105 20-15-108 20-17-116 20-18-122 Santa Rosa Rancho
Van Hoy, Carl M. & Maude J.	20-2-723
Vose, Raymond S. & Alice	20-1-687
Waddell, Malcolm M. & Margaret M.	20-18-124
Wagnon, Patricia Ruth	20-4-27

Interlocutory Judg. #3843
Exhibit A.

APPARENT OWNER	PARCEL NUMBER
Watkins, John H. & Laura Trout	20-1-647
Watts, Rena	19-43-17
Wayne, Mary Helen Collier & Robert	19-43-21
Weber, R. P.	19-46-120
Webster, Edward L. & Helen B.	19-42-79
Wells, Orven E. & Leona W.	20-13-46
Wetzel, Winona	20-1-702
White, Forrest Lynn & Mabel Irene	20-14-91
Whittlesey, Verne D. & Marie J.	20-5-114
Wickerd, Cora R.	19-42-57
Wickerd, Harold R. & Phronia P.	19-42-75
Wildomar School District	19-43-31
Wilks, Howard & Elsie	19-45-97 19-45-97A
Wilks, Richard Jr.	19-45-97
Wilks, Thomas E. & Luella M.	19-45-95A
Wilks, Thomas H. & Theresa	20-12-231 19-43-30 19-45-95
Williams, Bertrand O.	20-4-41 20-1-690 20-2-725
Williams, Clarence F. Jr.	19-42-38
Williams, D. W.	20-1-690 20-2-725
Williams, Genie E.	20-1-651
Williams, Gladys K., aka Walker	20-1-690 20-2-725

APPARENT OWNER	PARCEL NUMBER
Williams, H. E.	20-2-717
Wilson, John E. & Pauline C.	19-43-20
Winter, Harry C. & Florence W.	20-1-640 20-1-642 20-1-677
Winter, Warren S.	20-1-678 20-1-665
Witcher, Cora May	20-1-673
Wolford, Richard F.& Lucille G.	19-45-103
Wolverton, LeRoy E. & Elsie W.	20-13-23
Wood, Mildred Bellamy	19-42-50
Wright, Lewis J., Jr. & Gloria A.	20-4-42
Yezdan, Jo Alice	20-1-690 20-2-725
Yost, Forest Lee	20-14-65
Young, Jerry & Alice Elma	20-1-650 20-1-657 20-1-680 20-1-701 20-2-712 20-2-716
Young, Ted	20-2-724
Young, Violet M.	20-1-636
Zimarik, Emil & Alda	20-2-727

Interlocutory Judg. #30
Exhibit A.

PARCELS OF LAND RIPARIAN TO TEMECULA CREEK

APPARENT OWNER	PARCEL NUMBER
Leak, Herbert J. & Gennell M.	20-17-120
Vail Co. Inc.	20-17-116 (Temecula) 20-21-127 (Temecula) 20-32-128 (Little Temecula) Pauba Rancho

Interlocutory Judg. #30
Exhibit B.

PARCELS OF LAND RIPARIAN TO SANTA GERTRUDIS CREEK

APPARENT OWNER	PARCEL NUMBER
Barnett, Ralph O.	20-12-225
Cass, Louis & Virginia N.	20-7-306 20-7-307 20-7-313 20-7-392 20-7-395 20-7-396 20-8-522 20-8-562 20-12-226 72W-20-151
Cass, Albert N. & Maxine	20-8-571 20-8-608
Nicolas, Seraphina	72W-19, 20, 29, 30-150
Ramsay, Margaret Roripaugh	20-7-311
Roripaugh, John E. & Pearl A.	20-7-309 20-7-310
Roripaugh, Leo E. & Marian E.	20-7-306 20-7-307 20-7-313 20-7-392 20-7-396 20-8-522 20-8-562 20-12-226 72W-20-151
Shamel, Jennings B. & Ruth T.	20-7-312 20-7-393 20-7-394
Vail Co., Inc.	20-19-125 20-20-126

Interlocutory Judg. #30
Exhibit C.

PARCELS OF LAND RIPARIAN TO WARM SPRINGS CREEK

APPARENT OWNER	PARCEL NUMBER
Alderson, Douglas & Ingered	20-7-1-422
Anderson, Jack E.	20-7-1-453
Barnett, Francis L.	20-7-1-445
Bawden, Marietta Eleanor	20-7-1-423
California, State of	20-7-1-410
Carter, Charles C. & Ada B.	20-7-446
Cass, Louis & Virginia N.	20-7-302 20-7-313 20-7-1-444
Chaffey, Robert P. & Lucille H.	20-7-1-447
Citizens National Trust & Savings Bank of Riverside	20-8-536
Davis, Nathaniel A. & Creela	20-8-469
Dimm, Dorothy L.	20-7-1-452
Ellis, Fred	20-7-1-407
Erhart, Eva M.	20-7-1-454
Hagland, Phyllis L.	20-7-1-453
Hall, George T. & Bertha	20-7-303
Hamilton, Rhina	20-12-227
Happe, Carrie	20-7-1-458
Harvey, Leonard N.	20-7-1-429
Hummel, Gerald Murray Watson & Ida Winifred	20-7-1-430
Inrig, Stanley	20-7-1-424
James, William C. & Irma	20-7-1-406
Joy, Walter Lewis	20-7-236
King, Charles & Mae E.	20-12-230

Interlocutory Judg. #30
Exhibit D.

APPARENT OWNER	PARCEL NUMBER
Lincoln, Ernest & Julia	20-12-227
Logan, F. M. T.	20-7-1-433
Mac Adam, Edward H. & Rhea F.	20-7-1-428
Nicholson, Harold E. & Laura M.	20-7-1-448
Page, Mabel	20-7-1-456
Pearce, William John	20-7-1-421
Perry, Jane A.	20-7-234
Pinkham, Clarence I. & Annie E.	20-7-1-456
Pollard, Arthur Vivian & Hilda	20-7-1-420
Roripaugh, Leo E. & Marian E.	20-7-302 20-7-313 20-7-1-444
Sacknovitz, Irving	20-8-475
Salmon, Ernest & Muriel	20-7-1-408
Sceats, Hubert J.	20-7-1-409
Security First Nat'l Bank of Los Angeles in Trust for Bond, Barry Murray	20-7-1-436
Sigaut, Etienne & Agnes Virginia	20-7-1-431
Sykes, Amos J. & Dovie M.	20-12-232 20-7-233 20-7-235 20-7-237 20-7-300
Tangway, John M. & Alice E.	20-8-474
Tarwater, Benjamin W. & Clara I.	20-7-1-445
Tarwater, Urban K. & Rose C.	20-12-231 20-7-314
Temecula Rancho, a partnership	20-8-535

Interlocutory Judg. #30
Exhibit D.

APPARENT OWNER	PARCEL NUMBER
Thompson, Robert K.	20-7-1-455
Turner, James & Ada M.	20-7-1-427
Ussery, Edith M. & Orie A.	20-12-228
Vellacott, Roy T.	20-7-1-449
Wilks, Thomas H. & Theresa	20-12-231 20-7-314
Winter, Harry C. & Florence Warren	20-7-315
Yoder, M. J. & Anita S.	20-8-537
Ziegler, Olivia M.	20-7-1-457

Interlocutory Judg. #30
Exhibit D.

PARCELS OF LAND RIPARIAN TO COLE CANYON

APPARENT OWNER	PARCEL NUMBER
Sykes, Dovie M.	20-4-52
Thompson, Willis A. & Nellie Thorne	20-4-53
Thompson, Willis A. Jr., & Frances F.	20-4-53
Vail Co. Inc.	Santa Rosa Rancho

Interlocutory Judg. #30
Exhibit E

PARCELS OF LAND RIPARIAN TO SLAUGHTERHOUSE CANYON

APPARENT OWNER	PARCEL NUMBER
Dillon, Harry Jerome & Gertrude E.	19-45-111
Vail Co. Inc.	Santa Rosa Rancho

Interlocutory Judg. #30
Exhibit F.

PARCELS OF LAND RIPARIAN TO PECHANGA CREEK

APPARENT OWNER	PARCEL NUMBER
Bethel, Agnes H.	82W-29-32
Gardner, Erle Stanley	82W-33-31
Moore, Walter E. & Ruth S.	82W-34-35
Querry, Frank O. & Odessa D.	20-32-131 (82W-29 & 30-11)
Simonelli, Bartolomeo & Clara H.	20-32-130 (82W-30-43)
Simonelli, Pauline K. aka Wolf	20-32-130 (82W-30-43)
United States of America	Pechanga Indian Reservation
Vail Co. Inc.	20-17-116 20-32-128 Por of Sec. 28, T8S, R1W within Vail Ranch

Interlocutory Judg. #30
Exhibit G.

RIPARIAN AND OVERLYING LANDS WITHIN MURRIETA-TEMECULA GROUND WATER AREA

Climate and Duty of Water

Climate

Climate in the Murrieta-Temecula Ground Water Area is semiarid, with warm to hot, dry summers and cool and generally moist winters. Rainfall usually occurs during the period from the first of November to the first of April. There are occasional rain showers during the irrigation season which is roughly from April first through October. As a consequence, the period of the greatest demand for water is the period of shortest supply, whereas the period of greatest supply occurs when the demands are very slight. Freezing temperatures or below freezing temperatures may occur during the period from November to April of each year.

Water Duty

Under present conditions and generally, a reasonable water duty for the crops which may be raised in the Murrieta-Temecula Ground Water Area is as follows:

	Irrigation Requirements Acre-feet Per Acre Per Year
Row Crops	4.00
Irrigated Pasture	3.83
Citrus	1.86

To the irrigation requirements shown above, there should be added 10% for delivery losses. That type of loss occurs between the point of supply and the point of use.

RIPARIAN AND OVERLYING LANDS WITHIN MURRIETA-TEMECULA GROUND WATER AREA

Parcel 19-44-1 Exhibit No. 207D

Lots 1 & 6, Blk 0, Santa Rosa Add to Wildomar.

Apparent Owner: ROMOCEAN, George & Goldie

Gross Acreage 1.5 Wells:

Irrigable Acreage 1.5

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-2 Exhibit No. 207D 15H

Lots 2 through 5 & 7 through 19, Blk 0, Santa Rosa Add to Wildomar

Apparent Owner: RIZZO, Charles I.

Gross Acreage 42.0 Wells: 6S4W-33H1 - Domestic

Irrigable Acreage 42.0

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-3 & 19-48-256 Exhibit No. 207D 15H

3- Lots 20 through 23, Blk 0, Santa Rosa Add to Wildomar. Also, $SE\frac{1}{4}$ of $SE\frac{1}{4}$ Sec. 33, T6S, R4W, being por of Out Lot 1, Blk T, Santa Rosa Add to Wildomar. Also, $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Sec 4, T7S, R4W, being por of Out Lot 2, Blk T, Santa Rosa Add to Wildomar. Also, $NW\frac{1}{4}$ of $NW\frac{1}{4}$, Sec. 3, T7S, R4W, being por Out Lot 4, Blk T, Santa Rosa Add to Wildomar. Also, Out Lot 3, Blk T, Santa Rosa Add to Wildomar.

256- NWly 7.79 acres, Lot 22, Blk K, Rancho La Laguna

Apparent Owner: PHILLIAN, Alexander John

Gross Acreage 181.8 Wells: 6S4W-34M1 - Domestic

Irrigable Acreage 181.8

Irrigated Acreage Unknown

Surface Diversions:

Interlocutory Judg. #30
Exhibit H.

Parcel 19-44-4 Exhibit No. 207D

Lots 24, 25, 27, 28, Blk O, Santa Rosa Add to Wildomar.

Apparent Owner: STUHR, Carl C. & Helen I.

Gross Acreage 8.6 Wells:

Irrigable Acreage 8.6

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-5 Exhibit No. 207D

Lot 26, Blk O, Santa Rosa Add to Wildomar

Apparent Owner: MESSER, Nicholas

Gross Acreage 4.8 Wells:

Irrigable Acreage 4.8

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-6 & 19-48-201 Exhibit No. 207D 15H

6- Lots 29 & 32, through 35, Blk O, Santa Rosa Add to Wildomar
261- Lot 26, Blk K, Rancho La Laguna

Apparent Owner: STREETER, Ernest F. & Helen M.
JAMES, Reinhold R. & Velma F.

Gross Acreage 16.6 Wells: 6S4W-34L2 - Domestic

Irrigable Acreage 16.6

Irrigated Acreage Unknown

Surface Diversions:

Interlocutory Judg. #30
Exhibit H.

456

Parcel 19-44-7 & 19-42-81 Exhibit No. 207D
15H

7- Lots 36 & 37, Blk O, Santa Rosa Add to Wildomar
81- Lots 1 through 24, Blk 1, J. C. Austin's 1st Add to Wildomar

Apparent Owner: COPELAND, Cecil & Wahnetta

Gross Acreage 7.3 Wells: 6S4W-34Q3 -

Irrigable Acreage 7.3

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-8 Exhibit No. 207D

NWly 177.25' of Lots 30 & 31, Blk O, Santa Rosa Add to Wildomar

Apparent Owner: HUDSON, Grace A.

Gross Acreage 2.2 Wells:

Irrigable Acreage 2.2

Irrigated Acreage Unknown

Surface Diversions:

Parcel 19-44-9 Exhibit No. 207D

Lots 30 & 31, Blk O, Santa Rosa Addition to Wildomar, EXC NWly 177.25' thereof.

Apparent Owner: HUDSON, Dale H.

Gross Acreage 2.2 Wells:

Irrigable Acreage 2.2

Irrigated Acreage Unknown

Surface Diversions:

457

Interlocutory Judg. #30
Exhibit H.