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DEC 11 1962

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]*  
Deputy Clerk

FILED

DEC 11 1962

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *[Signature]*  
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. 32.

DE LUZ CREEK WATERSHED

FINDINGS OF FACT

1

DE LUZ CREEK AND TRIBUTARIES:

A. DE LUZ CREEK:

De Luz Creek rises in the Nueva portion of Rancho Santa Rosa of the Vail Ranch in Riverside County, California, approximately 3½ miles North of the point where the south boundary line of Rancho Santa Rosa intersects the boundary between Fractional Sections 20 and 21, Township 8 South, Range 4 West, San Bernardino Base and Meridian. De Luz Creek proceeds in a Southerly direction through Rancho Santa Rosa and crosses the South boundary of the Vail Ranch and Riverside County into San Diego County, entering the Northeast Quarter of the Northeast Quarter of Fractional Section 20, Township 8 South, Range 4 West. It then continues in a Southwesterly direction across the said Section 20

*[Handwritten mark]*

1 and proceeds in a Southerly direction through the West Half of  
 2 Sections 29 and 32, Township 8 South, Range 4, West. De Luz Creek  
 3 proceeds in a Southeasterly direction through Section 5, Township  
 4 9 South, Range 4 West and in a Southerly direction through the  
 5 East Half of Sections 8, 17, 20 and 29, Township 9 South, Range  
 6 4 West to its confluence with the Santa Margarita River near the  
 7 Northeast Corner of the Southeast Quarter of the Southwest Quarter  
 8 of Section 29, Township 9 South, Range 4, West, San Bernardino  
 9 Base and Meridian. A stringer of alluvium extends upstream along  
 10 De Luz Creek from its confluence with the Santa Margarita River  
 11 to approximately one-half mile above the south boundary of Rancho  
 12 Santa Rosa. This alluvium varies in depth from approximately 125  
 13 feet at the confluence of De Luz Creek and Santa Margarita River  
 14 to several feet in Section 32, Township 8 South, Range 4 West,  
 15 and varies in width from more than one-fourth mile to less than  
 16 100 feet.

17 B. EAST FORK DE LUZ CREEK:

18 The East Fork of De Luz Creek rises in the Nueva  
 19 portion of the Santa Rosa Rancho on the Western slopes of Mesa De  
 20 Burro. It proceeds Southwesterly through Rancho Santa Rosa for  
 21 approximately 8 miles and intersects the south boundary of Rancho  
 22 Santa Rosa and Riverside County at a point near the Northwest  
 23 Corner of Govt. Lot 2 (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Fractional Section 22,  
 24 Township 8 South, Range 4 West. The East Fork of De Luz Creek  
 25 continues Southwesterly across said Lot 2, across the Northwest  
 26 Quarter of the Northeast Quarter of Section 27 and then proceeds  
 27 Northwesterly through the Northeast Quarter of the Northwest Quarter  
 28 of said Section 27, touching Lot 3, of Section 22, all in Township  
 29 8 South, Range 4, West. It then proceeds Southwesterly across the  
 30 Northwest Quarter of the Northwest Quarter of said Section 27,  
 31 across Section 28 and through the Southeast Quarter of Section 29,  
 32 all in Township 8 South, Range 4 West. It continues Southwesterly

1 and Westerly to its confluence with De Luz Creek in the extreme  
 2 Eastern portion of the Southwest Quarter of the Northwest Quarter  
 3 of Section 32, Township 8 South, Range 4 West. A stringer of  
 4 alluvium extends upstream along the East Fork of De Luz Creek from  
 5 its confluence with De Luz Creek to a point approximately one and  
 6 one-fourth miles upstream from the south boundary of Rancho Santa  
 7 Rosa. This Stringer of alluvium varies in width from approximately  
 8 one-fourth mile to less than 100 feet and at no place is deeper  
 9 than 50 feet. A stringer of alluvium extends for approximately  
 10 three-fourths of a mile up an unnamed tributary to the East Fork  
 11 of De Luz Creek from its confluence with the East Fork in the  
 12 Southwest Quarter of the Southeast Quarter of Section 29, Township  
 13 8 South, Range 4 West. This stringer of alluvium is approximately  
 14 1000 feet wide and is less than 50 feet in depth.

15 C. COTTONWOOD CREEK:

16 Cottonwood Creek rises in the Southeast Quarter of  
 17 the Southeast Quarter of Section 13, Township 8 South, Range 5  
 18 West, San Bernardino Base and Meridian. It proceeds Southeasterly  
 19 through the Southeast Quarter of the Southeast Quarter of said  
 20 Section 13, across the Northeast Quarter of the Northeast Quarter  
 21 of Section 24, Township 8 South, Range 5 West, through Section 19  
 22 and the Northeast Quarter of Section 30, both in Township 8 South,  
 23 Range 4 West. It then proceeds Easterly and Northeasterly  
 24 through the southern portion of the Southwest Quarter of the  
 25 Northwest Quarter of Section 29, Township 8 South, Range 4, West  
 26 to its confluence with De Luz Creek near the Eastern boundary of  
 27 the said Southwest Quarter of the Northwest Quarter of Section 29.  
 28 A stringer of alluvium extends upstream along Cottonwood Creek  
 29 from its confluence with De Luz Creek to approximately the center  
 30 of the Northeast Quarter of the Southwest Quarter of Section 19,  
 31 Township 8 South, Range 4 West. This stringer of alluvium varies  
 32 in width from approximately one-fourth mile at the confluence of

1 Cottonwood and De Luz Creek to less than 50 feet at its point of  
2 beginning upstream. At no place does the alluvium along Cottonwood  
3 Creek reach a depth greater than 50 feet.

4 D. CAMPS CREEK:

5 Camps Creek rises in the Northwest quarter of the  
6 Northwest Quarter of Section 25, Township 8 South, Range 5 West,  
7 and proceeds Southeasterly across said Section 25. It then pro-  
8 ceeds Northeasterly and Easterly through the Southwest Quarter of  
9 Section 30, Township 8 South, Range 4, West, and Southeasterly  
10 through the Southwest Quarter of the Southeast Quarter of said  
11 Section 30, the Northeast Quarter of Section 31 and the Northwest  
12 Quarter of the Southwest Quarter of Section 32, Township 8 South,  
13 Range 4 West to its confluence with De Luz Creek near the center of  
14 the said Northwest Quarter of the Southwest Quarter of Section 32.  
15 There are no appreciable deposits of alluvium along Camps Creek.

16 E. FERN CREEK:

17 Fern Creek rises within the Southwest Quarter of  
18 the Northeast Quarter of Section 36, Township 8 South, Range 4  
19 West, San Bernardino Base and Meridian and proceeds Southeasterly  
20 across said Section 36. It then proceeds Easterly through the  
21 North Half of the South Half of Section 31, Township 8 South,  
22 Range 4, West to its confluence with Camps Creek at a point just  
23 a few yards down stream from where Fern Creek intersects the  
24 East Boundary of said Section 31. There are no appreciable  
25 deposits of alluvium along Fern Creek.

26 2.

27 Surface Flow of De Luz Creek and Named Tributaries:

28 In a state of nature and under present conditions,  
29 De Luz Creek and those tributaries named and described in paragraph  
30 1 of these Findings of Fact are intermittent streams both as to  
31 time and place of flow, and generally flow on the surface through-  
32 out their courses only during and after periods of precipitation

1 and run-off.

2 3.

3 Ground Waters of De Luz Creek:

4 Throughout a large portion of their courses De Luz Creek,  
5 Cottonwood Creek and the East Fork of De Luz Creek are underlain  
6 by deposits of younger alluvium which rest upon and are confined  
7 laterally by deposits of basement complex and residuum. The said  
8 younger alluvial deposits are water-bearing, and at such times as  
9 there is surface flow of said streams the ground waters within  
10 said alluvial deposits are in direct contact with the surface flow,  
11 and the said ground waters and surface flow constitute the waters  
12 of said streams. The said ground waters are in known and defined  
13 channels, to wit the younger alluvial deposits contained within  
14 basement complex or residuum. All ground waters found within  
15 such alluvial deposits are a part of the Santa Margarita River  
16 system. The location and extent of the deposits of younger  
17 alluvium in the De Luz Creek watershed are delineated on United  
18 States Exhibits 67 and 216-C in these proceedings.

19 4.

20 Contact Line between Alluvial Deposits  
21 and Basement Complex:

22 The contact line on the surface between alluvial deposits  
23 and basement complex and residuum has not been determined with  
24 absolute exactness. The determination of such line was sufficient  
25 for the United States to prepare maps and exhibits showing such  
26 contact line, and the said contact line as established by the  
27 United States and shown upon United States Exhibits 67 and 216-C  
28 has been accepted by the Court as being the contact between alluvial  
29 deposits and basement complex or residuum on the surface.

30 5.

31 Un-named Creeks and Watercourses:

32 In addition to the streams described in paragraph 1 of

1 these Findings, there are within the De Luz Creek Watershed  
2 numerous small creeks, gullies and watercourses, named and  
3 un-named. All of such watercourses are intermittent, and flow on  
4 the surface only during and immediately after periods of heavy  
5 precipitation and run-off. All surface waters of such watercourses  
6 are a part of the waters of the Santa Margarita River system.

7 6.

8 Vagrant, Local Waters:

9 All ground waters, if any, found within areas of basement  
10 complex or residuum, as the same have been delineated on United  
11 States Exhibit 67 in these proceedings are vagrant, local, per-  
12 colating waters, not a part of the Santa Margarita River system.  
13 No party to this cause has requested that a specific exhibit be  
14 prepared describing and locating the boundaries of such lands  
15 with exactness, and such lands can be sufficiently identified by  
16 reference to United States Exhibits 67 and 216-C herein.

17 7.

18 Land Ownership:

19 Attached hereto, marked Exhibit A, and made a part  
20 hereof by reference is an alphabetical index of the apparent owners  
21 of all parcels of land included in this Interlocutory Judgment,  
22 together with the parcel numbers of the lands owned by the respect-  
23 ive parties and the page number in Exhibit B in which the legal  
24 description of the respective parcel may be found. Attached hereto  
25 marked Exhibit B, and made a part hereof by reference is a tabula-  
26 tion setting forth the legal description of all parcels of land  
27 included in this Interlocutory Judgment together with certain other  
28 information relating to said lands.

29 8.

30 Riparian Lands:

31 Attached hereto marked Exhibit C and made a part hereof  
32 by reference is an alphabetical list of apparent owners and parcel

1 numbers concerning the smallest tract of land under one chain of  
2 title which abuts upon or is traversed by those streams listed  
3 in paragraph 1 of these Findings.

4 9.

5 Appropriative Rights:

6 Attached hereto marked Exhibit D and made a part hereof  
7 by reference is a tabulation of all appropriative rights both  
8 vested and inchoate to the use of waters of De Luz Creek or its  
9 tributaries existing as of the date of this interlocutory judgment.  
10 There are no appropriative rights to the use of the waters of DeLuz  
11 Creek and its tributaries, either vested or inchoate, other than  
12 those listed in Exhibit D attached hereto.

13 10.

14 Prescriptive Rights:

15 The apparent owners of Parcel 14, the exact legal  
16 description of which is set forth in Exhibit B attached hereto,  
17 are Richard F. Matthews and Rosabel L. Matthews, defendants in  
18 these proceedings. Since January 1, 1953, said defendants have  
19 diverted from De Luz Creek for storage in reservoirs located in  
20 an un-named canyon in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 20, Township 8  
21 South, Range 4 West S.B.M., fifty (50) acre feet of water per year.  
22 Said waters have been impounded and used for recreational purposes  
23 and for irrigation upon the lands of said defendants. Said di-  
24 versions have been open, notorious and adverse to all riparian  
25 owners located down-stream from the lands of said defendants, and  
26 said defendants have acquired a prescriptive right against all  
27 lower owners excepting the United States of America to divert and  
28 store waters of De Luz Creek in the amount of not to exceed fifty  
29 (50) acre feet per year. There are no prescriptive rights to the  
30 use of the waters of De Luz Creek and its tributaries other than  
31 that described above.

32 \*\*\*\*\*

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11.

Uses of water:

Except as may be expressly found to be the contrary herein, all uses of water within the De Luz Creek watershed are in their character reasonable and beneficial. At the present time the issue of apportionment has not been presented, and the Court has taken no evidence directed to the determination of whether such water uses are reasonable as to the amount of water used in the light of the rights that exist thereto. This issue is left open, is not decided herein, and shall be litigated in the future when and if it becomes necessary so to do.

12.

Prima Facie Evidence:

On Exhibit B attached to and made a part of these Findings, there appear certain factual statements concerning lands within De Luz Creek watershed which concern such matters as wells, surface diversions, gross acreages, irrigable acreages and water duty. Said factual statements which pertain to wells and surface diversions are as of the date of this Interlocutory Judgment true. The factual statements contained in said Exhibit B which pertain to gross acreages, irrigable acreages and water duty 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, irrigable acreages and water duty are not material to any issue decided by this Interlocutory Judgment. In the exercise of this Court's continuing jurisdiction in this cause said 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



1 Exhibit B which pertain to gross acreages, irrigable acreages and  
2 water duty are supported by the evidence in this case and such  
3 factual statements shall be prima facie evidence as to gross  
4 acreages, irrigable acreages and water duty in any subsequent pro-  
5 ceedings before this Court in this cause; as used herein prima  
6 facie evidence is that which suffices for the proof of the parti-  
7 cular fact until contradicted or overcome by other evidence.

8 13.

9 Minor Surface Impoundments:

10 In addition to the impoundments described in Exhibit D  
11 hereunto attached, there are within the De Luz Creek Watershed  
12 many structures used for the impoundments of surface runoff for  
13 the purpose of providing stock water, or to encourage ground water  
14 recharge, or for purposes of soil conservation, recreation or  
15 other beneficial purposes. There is no evidence that any of such  
16 structures or impoundments presently constitute an unreasonable,  
17 wasteful or non-beneficial use of water. None of such structures  
18 or impoundments have been constructed or are maintained under the  
19 authority of any Permit or License of the State of California,  
20 and none of such structures or impoundments have been maintained  
21 adversely to any party to this cause.

22 That these minor surface impoundments as described in  
23 this Finding are among those considered in Findings of Fact,  
24 Conclusions of Law, and Interlocutory Judgment No. 28. (Miscellan-  
25 eous Surface Impoundments), which is made a part hereof by reference.

26 14.

27 Effect of such Minor Surface Impoundments.

28 That all such structures and impoundments as are des-  
29 cribed in Finding 13 above intercept surface runoff of waters of  
30 the Santa Margarita River System, which runoff would in a state of  
31 nature contribute to the Santa Margarita River; that while the  
32 impact of any such individual impoundment on the available water

1 supply of the Santa Margarita River is at present de minimis, the  
2 cumulative effect of such structures and impoundments may at a  
3 future date become substantial and require regulation or control.

4 CONCLUSIONS OF LAW

5 1.

6 All ground waters found within deposits of basement  
7 complex or residuum within the De Luz Creek watershed do not add  
8 to, support nor contribute to the Santa Margarita River, and are  
9 vagrant, local percolating waters not a part of the Santa  
10 Margarita River system.

11 2.

12 All surface waters which flow over and upon lands within  
13 the De Luz Creek watershed are a part of the Santa Margarita  
14 River system and are subject to the continuing jurisdiction of  
15 this Court.

16 3.

17 All ground waters found within areas of younger alluvium  
18 within the De Luz Creek watershed are a part of the Santa Margarita  
19 River system and are subject to the continuing jurisdiction of  
20 this Court.

21 4.

22 All lands listed by parcel number in Exhibit C, attached  
23 hereto and made a part hereof by reference, have a correlative  
24 riparian right to the use of the waters of De Luz Creek and its  
25 tributaries.

26 5.

27 All lands listed by Parcel Number in Exhibit A, attached  
28 hereto and made a part hereof by reference, which abut upon or are  
29 traversed by any named or un-named creek, gully or watercourse  
30 within the De Luz Creek watershed, have a correlative riparian  
31 right to the use of the surface waters flowing in such creek,  
32 gully or watercourse.

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6.

The exercise of the riparian rights to the use of waters described in Conclusions of Law 4 and 5 above is subject to the continuing jurisdiction of this Court.

7.

Those owners listed on Exhibit D attached hereto and made a part hereof by reference each are the owners of appropriative rights to the use of waters of De Luz Creek and its tributaries, or inchoate appropriative rights to such waters, in the amounts, for the purposes, with the priorities and as described in said Exhibit D.

8.

The owners of Parcel 14 have acquired and now possess the prescriptive right as against lower riparian owners on De Luz Creek, excepting the plaintiff United States of America, to divert from De Luz Creek and store 50 acre feet of water per year, said water to be stored in existing reservoirs on Parcel 14, and to be used for recreational and irrigation purposes upon said parcel.

9.

Excepting as set forth in Exhibit D hereunto attached, there are no appropriative rights to the use of surface waters which flow over and upon any lands within the De Luz Creek watershed, or to ground waters found within said watershed.

10.

Excepting as set forth in Finding of Fact 10 and Conclusion of Law 8 herein, no prescriptive right exists to the use of the waters of De Luz Creek or any of its tributaries, or to any of the ground waters found within De Luz Creek watershed.

11.

That at the present status of this case the issue of apportionment or the quantity or proportion of waters to which any

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1 lands are entitled has not been presented, and this Court has  
 2 taken no evidence directed to establishing whether any water uses  
 3 pursuant to riparian or overlying rights are reasonable or un-  
 4 reasonable; and rights which may exist as to such waters and this  
 5 issue is left open, is not decided herein, and shall be litigated  
 6 by this Court if and when in the future it becomes necessary to  
 7 do so; in the exercise of this continuing jurisdiction this Court  
 8 will judge and pass upon the exercise of such riparian or overlying  
 9 right based on the facts as they may then appear and pursuant to  
 10 California law.

11 INTERLOCUTORY JUDGMENT

12 1.

13 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all  
 14 ground waters within deposits of basement complex or residuum  
 15 within the De Luz Creek watershed are vagrant, local percolating  
 16 waters which do not add to, support, nor contribute to the Santa  
 17 Margarita River system.

18 2.

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

26 3.

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

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4.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the rights inter sese 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 flowing over or upon lands within the De Luz Creek watershed are a part of the Santa Margarita River system and are subject to the continuing jurisdiction of this Court.

6.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all ground waters found within areas of younger alluvium within the De Luz Creek watershed, as the same are delineated upon United States Exhibits 67 and 216-C in these proceedings, are a part of the Santa Margarita River system and subject to the continuing jurisdiction of this Court.

7.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit D, attached hereto and made a part hereof by reference, have a correlative riparian right to the use of the waters of De Luz Creek or its tributaries.

8.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all lands listed by parcel numbers in Exhibit A, attached hereto and made a part hereof by reference, which abut upon or are traversed by any named or un-named creek, gully or watercourse within the De Luz Creek watershed, have a correlative riparian right to the use of the waters of such creek, gully or watercourse.

9.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the

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1 correlative riparian rights to the use of waters within the De Luz  
2 Creek watershed as adjudged in paragraphs 6, 7 and 8 of this  
3 Interlocutory Judgment are subject to the continuing jurisdiction  
4 of this Court.

5 10.

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

15 11.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
17 rights inter-sese of the owners of said lands within the De Luz  
18 Creek watershed to the use of the ground waters contained therein  
19 have not been adjudged, determined or decreed in this proceedings.

20 12.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that  
22 appropriative rights to the use of the waters of the De Luz Creek  
23 watershed, in the amounts, for the purposes and with the priorities,  
24 and owned by the parties, all as set forth in Exhibit D hereunto  
25 attached and made a part hereof by reference.

26 13.

27 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that  
28 excepting as set forth in paragraph 12 of this Interlocutory  
29 Judgment, no appropriative rights, either vested or inchoate,  
30 to the use of waters of the De Luz Creek watershed now exist.

31 14.

32 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the

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21

1 owners of Parcel 14, their heirs, successors and assigns have  
2 acquired and now possess the prescriptive right as against lower  
3 riparian owners on De Luz Creek, excepting the United States of  
4 America, to divert from De Luz Creek and store for irrigation  
5 and recreational purposes in existing reservoirs on said Parcel  
6 14, not to exceed 50 acre feet of water per year.

7 15.

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that  
9 excepting as set forth in paragraph 14 of this Interlocutory  
10 Judgment, no prescriptive rights to the use of any of the waters  
11 of the De Luz Creek watershed now exist.

12 16.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
14 construction or maintenance of any structure for the impoundment of  
15 surface run-off of the waters of De Luz Creek or its tributaries  
16 as the same are defined herein has not resulted in the acquisition  
17 of any prescriptive right or any right by reason of adverse user  
18 against any party to this cause, and the continued maintenance of  
19 such structures, or the impoundment of water therein shall not in  
20 the future give rise to any prescriptive right or right by adverse  
21 user against any party to this cause, his heirs, successors or  
22 assigns.

23 17.

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, based upon  
25 the decision of the United States Court of Appeals for the  
26 Ninth Circuit, California v. U. S., 235 F2d 647, that this is not  
27 a final decree, but is interlocutory in character and by reason  
28 of the Order by this Court that all parties are adverse, one to  
29 the other, thus dispensing with cross pleadings, all parties to  
30 this proceeding may object to these Findings of Fact, Conclusions  
31 of Law and Interlocutory Judgment, and will be given full oppor-  
32 tunity upon due notice to interpose their objections to these

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Findings of Fact, Conclusions of Law and Interlocutory Judgment prior to the entry of final judgment in this cause.

18.

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:

12/11/62

James R. Carter  
Judge



ALPHABETICAL LIST OF APPARENT OWNERSOF RIPARIAN AND OVERLYING LANDS INDE LUZ CREEK WATERSHED

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
ANDERSON, Earl L. & Frankie N.	82	20
ANDERSON, Nina B.	48	16
BERG, Carles, aka Burg, Carl	47	16
BLEEKER, Robert B.	30	8
BRYANT, Newton T. & Willie Mae	69	18
BUTLER, Lawrence Wm. & Mary C.	49	16
CLICK, Alma F. & Veria V.	31	9
COUCH, Frank E. & Anna J.	47	16
DE LUZ SCHOOL DISTRICT OF SAN DIEGO COUNTY	53	17
ECKERMAN, Daniel W. & Gladys M.	82	20
ELLEDGE, Marion Foss	19A	6
EMMES, Samuel H. & Alice R.	70	18
EVERETT, Rose Amelia	78	19

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
FOSNAUGH, Aileen Isabell	82	20
FOSS, David R. & Olia	19A 19B	6 6
FOSS, Herbert C. & Ruby E.	19A 19B	6 6
FOSS, Rudolph C.	5	2
FRAKES, Samuel F. & Frances	82	20
FRANK, Agnes M.	51	17
GARNSEY, Felix R. & Theodora L.	37A 37B 37C	12 12 12
GARNSEY, Louis J.	37A 37C	12 12
GAULDIN, Richard R. & Gladys R.	82	20
GILES, Mary L.	18	6
GOODCHAP, William A. & Roberta L.	41	14
HODGES, Kenneth V. & Kathleen Diana	33	10
HOLDAWAY, E. Marie	18	6
HUNT, Pearl R.	18	6
HUTSON, George Donald & Opal	80	20

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
HUTSON, Robert H. & Irene	80	20
JAVE, Georgia F.	44	15
JAVE, Minna	45	15
JONES, Fred M. & Grace R.	55	18
KLEIN, Lewis J. & Eleanor	42	14
KLEIN, Lloyd E. & Elizabeth	39	13
KRAUSE, Howard A. & Lila Foss	19A 19B	6 6
KUHNIS, John	26	7
LE VACK, Mart J. & Rosamond E.	29	8
LEWIS, Burton David	12	4
LONG, Thomas & Ruth C.	4	1
MC DOWELL, Homer C. & Marion J.	36	12
MC DOWELL, Wilmore & Lucienne	8	3
MATTHEWS, Richard F. & Rosabel L.	14	5

1035

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER</u> <u>EXHIBIT "B"</u>
MITCHELL, Arthur & Edith Tittle	38	13
MOSHER, Bennie R. & Lura G.	91	21
MYERS, Cora H.	32	10
OLIVOS, Lewis R. & Phoebe	85B	21
PARKER, John & Marjery L.	20	7
PETERSON, Richard A. & Mabel A.	82	20
PIERCE, Frank B. & Edna Earle	15	5
PRIOR, Stanley W. & Marva	27	7
REID, Diana	34	11
RISSMAN, Maurice & Irene	35	11
ROBERTS, Frank & Florence Foss	19A 19B	6 6
ROWLEY, Truman C. & Beatrix	7A 7B 7C	2 2 2
SCHRYER, Wilfred L. & Julia H.	82	20

1036

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
SCHWARTZ, Arthur C.	82	20
SEARES, Harry & Laura Foss	19A 19B	6 6
SHAVER, Gaius Ray & Stella C.	11	4
SHAVER, Herbert E. & Joan B.	13	4
SMELSER, Obed E. & Marguerite	10	3
STINSON, Dale L. & Emma G.	77	19
STONER, Winifred, Deceased, Estate of	76	19
STROUD, Robert A. & Irene K.	82	20
TAYLOR, Michael	12	4
TITTLE, Marjorie	38	13
TITTLE, Reese Day & Mary	38 43	13 15
TOWNE, George W. & Rose G.	40	14
UNITED STATES OF AMERICA	81 83 92	20 21 22
VAIL COMPANY	1	1

1037

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER</u> <u>EXHIBIT "B"</u>
WESTON, Claude & Lorraine	80	20
WILSON, Samuel M. & Hazel A.	50	17

RIPARIAN AND OVERLYING LANDS

IN DE LUZ CREEK WATERSHED

Parcel 1:

Por of Santa Rosa Rho within DeLuz Creek Watershed

Apparent Owner: VAIL COMPANY, Inc.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

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Parcel 4:

SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, Sec. 13, T8S, R5W  
Lot 6 (SW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>); & SE<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, Sec 18, T8S, R4W

Apparent Owners: LONG, Thomas & Ruth C.

Gross Acreage Wells: Unknown

Irrigable Acreage

Surface Diversions:

Unknown

Parcel 5:

NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; N $\frac{1}{2}$  of N $\frac{1}{2}$  of S $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 19, T8S, R4W  
 NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; & W $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 19, T8S, R4W  
 SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; & Lot 2 (NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Sec. 18, T8S, R4W  
 E $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; & SE $\frac{1}{4}$  of Sec. 24, T8S, R5W.  
 Lots 1 (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) & 2 (SW $\frac{1}{4}$  of NW $\frac{1}{4}$ ); & E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec 19, T8S, R4W  
 Lots 3 (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) & 4 (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ); NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; & N $\frac{1}{2}$  of SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; & SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec 19, T8S, R4W.

Apparent Owner: FOSS, Rudolph C.

Gross Acreage 889.8 Wells: Developed Spring - Dom.

Irrigable Acreage 26.5

Surface Diversions:

None

Parcel 7:

SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 20, T8S, R4W  
 W $\frac{1}{2}$  of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 19, T8S, R4W  
 SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec 20, T8S, R4W, EXC E 330' of S 660';  
 Also EXC S 20' of W 500' of E 830'.  
 S 20' of W 500' of E 830'; & E 330' of S 660' of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec 20, T8S, R4W  
 SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec 20; & E $\frac{1}{2}$  of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 19, T8S, R4W.

Apparent Owners: ROWLEY, Truman C. & Beatrix

Gross Acreage 130.0 Wells: 8S4W-20P - Dom

Irrigable Acreage 46.4 20P - Irr

Surface Diversions:

8S4W-20P Concrete Reservoir, Cap 1 acre foot  
 Earth Dam, Cap, approx 3 acre feet  
 Earth Dam, Cap, approx 3 acre feet  
 Sump(undeveloped) Cap, approx 1/6 acre foot



Parcel 8:

Lot 1 (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Sec. 1, T8S, R4W. NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; Lot 1 (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ), & Lot 2 (NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Sec. 20, T8S, R4W EXC fr sd Lots 1 & 2 that por daf: Beg at SW Cor Lot 1; th E along S bdry sd Lot 1 to SE Cor of sd Lot; th N along E bdry sd Lot to San Diego-Riverside County line, which pt is NE Cor sd Lot; th NWly along Cnty li to a pt 380' SEly fr NW Cor sd Lot 1; th SWly to pt on S bdry li Lot 2, 100' W of SW Cor of sd Lot 1; th E to starting pt on SW Cor sd Lot 1. Also EXC that por of Lot 2 daf: Beg at pt in S li sd Lot 2, 435' E of SW Cor thereof; th E along Sly li of Lot 2, 536'; th N 19° E 103' to a pt; th NWly to a pt 340' N of pob; th S 340' to pob.

Apparent Owners: MC DOWELL, Wilmore & Lucienne

Gross Acreage 85.9 Wells: None

Irrigable Acreage 35.4

Surface Diversions:

884W-20B - DeLUX Creek Dam  
Three storage reservoirs, cap 1 acre foot  
Conservation Dam, cap. 1 acre foot

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Parcel 10:

SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; &, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 20, T8S, R4W

Apparent Owners: SMELSER, Obed E. & Marguerite

Gross Acreage 80.0 Wells: None

Irrigable Acreage 35.0

Surface Diversions:

None

Parcel 11:

NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 20, T8S, R4W.

Apparent Owners: SHAVER, Galus Ray & Stella C.

Gross Acreage 40.0 Wells:None

Irrigable Acreage 13.4

Surface Diversions:

None

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Parcel 12:

NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 20, T8S, R4W.

Apparent Owners: LEWIS, Burton David  
TAYLOR, Michael

Gross Acreage 40.0 Wells:None

Irrigable Acreage 31.9

Surface Diversions:

None

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Parcel 13:

N $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; & SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 20, T8S, R4W.

Apparent Owners: SHAVER, Herbert E. & Joan B.

Gross Acreage 30.0 Wells:8S4W-20Q - Dom & Irri

Irrigable Acreage 27.3 Dom & Irri

Surface Diversions:

Reservoir, 8S4W20, Capacity 225,000 gal.  
Reservoir, 8S4W20, Under construction Nov. 56

Parcel 14:

Beg. at the SW Cor of Lot 1 (NE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub>) of Sec. 20, T8S, R4W; th E along S bdry sd Lot 1 to SE Cor sd Lot 1; th N along E bdry sd Lot 1 to San Diego-Riverside Cnty li, which pt is NE Cor sd Lot 1; th NWly along Cnty li to a pt 380' SEly fr NW Cor sd Lot 1; th SWly to a pt on S bdry Lot 2 (NW<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub>) sd Sec 20, 100' W of SW Cor sd Lot 1; th E to starting point on SW Cor Lot 1.  
SE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Sec. 20, T8S, R4W,  
Lot 5 (SW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>) of Sec 21, T8S, R4W

Apparent Owners: MATTHEWS, Richard F. & Rosabel L.

Gross Acreage 96.0 Wells: 8S4W-20A - Dom  
20A  
Irrigable Acreage 42.4 20H  
20H  
20H  
Surface Diversions: 20H

8S4W-20A Concrete Dam )  
20H Concrete Lined Pond ) 46 acre feet  
20H Four earth Dams )

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Parcel 15:

NE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Sec. 20, T8S, R4W  
SW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, Sec 21, T8S, R4W

Apparent Owners: PIERCE, Frank B. & Edna Earle

Gross Acreage 80 Wells: None  
Irrigable Acreage 20

Surface Diversions:  
None

Parcel 18:

Lot 4 (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) &, SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 22, T8S, R4W

Apparent Owners: HUNT, Pearl R.  
HOLDAWAY, E. Marie  
GILES, Mary L.  
CALDWELL, Vilate

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 19:

NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 28, T8S, R4W  
Lot 3 (SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ) of Sec. 22, T8S, R4W  
N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 27, T8S, R4W

Apparent Owners: KRAUSE, Lila Foss & Howard A.  
FOSS, Herbert C. & Ruby E.  
FOSS, David R. & Olie  
ROBERTS, Florence Foss & Frank  
SEARES, Laura Foss & Harry  
ELLEDEGE, Marion Foss

Gross Acreage 157.2 Wells: None

Irrigable Acreage 57.9

Surface Diversions:

None

Parcel 20:

Lot 2 (SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ) of Sec. 22, T8S, R4W  
NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 27, T8S, R4W

Apparent Owners: PARKER, John & Margery

Gross Acreage 62.6 Wells: 884W-20B

Irrigable Acreage 22.5

Surface Diversions:

884W-20B Reservoir, capacity 10,000 gal.

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Parcel 26:

SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; N $\frac{1}{2}$  of SE $\frac{1}{4}$ ; &, NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 28, T8S, R4W

Apparent Owners: KUHNIS, John

Gross Acreage 160 Wells: 884W-28L - Dom & Irri

Irrigable Acreage 31

Surface Diversions:

884W-28L - 11,000

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Parcel 27:

Ely 330' of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec 28, T8S, R4W EXC Nly 330'

Apparent Owners: PRIOR, Stanley W. & Marva

Gross Acreage 7.5 Wells: 884W-28G - Dom.

Irrigable Acreage 4.5

Surface Diversions:

None

Parcel 29:

SW $\frac{1}{4}$  of NE $\frac{1}{4}$  EXC Ely 330' thereof; S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec 28, T8S, R4W.

Apparent Owners: LE VACK, Mart J. & Rosamond E.

Gross Acreage 152.5 Wells: 8S4W-28M - Dom & Stock

Irrigable Acreage 89.0

Surface Diversions:

None



Parcel 30:

SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 20, T8S, R4W  
NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 28, T8S, R4W  
NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; N $\frac{1}{2}$  of SE $\frac{1}{4}$ ; &, that por of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$   
of Sec 29, T8S, R4W daf: Beg at NE Cor of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec.  
29; th S along E li sd Sec. 80 rods, m/l, to SE Cor sd Sec; th  
W along S li sd Sec. 60 rods, m/l, to pt dist 20 rods E of SW  
Cor of SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th N 40 rods; th W 40 rods; th N 40 rods,  
m/l, to a pt 20 rods W of NE Cor of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th E along N  
li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of SE $\frac{1}{4}$  100 rods to pob. EXC por lying  
NWly of Old Survey 77 as shown on records in Office of County  
Surveyor of San Diego Cnty.

Apparent Owner: BLEEKER, Robert B.

Gross Acreage 390 Wells: 8S4W-29A - irr, unused

Irrigable Acreage 287.4 29H - Dom.  
29J - unused  
29J - Irr

Surface Diversions:

8S4W-29J - Wooden storage tank, capacity 2500 gal

## Parcel 31:

All that por of Sec. 29 & 32, T8S, R4W, daf: Beg at SW Cor of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 29; th E 100 rods to SW Cor of lands conv to Lena B. Wilmot by deed recorded in Book 275 of Deeds at page 34, records of San Diego Cnty; th N along W li of lands so conv to Wilmot 40 rods to a pt; th at r/a W, 40 rods; th at r/a N, 40 rods to inter with N li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of sd Sec; th W along N li 60 rods to NW Cor thereof; th S 80 rods to pob.

Also, Beg at NW Cor of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32, T8S, R4W; th E along N li sd NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32, 60 rods; th at r/a S, 35 rods; th at r/a W, 60 rods to inter with W li of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  sd Sec; th at r/a N along sd W li 35 rods to pob.

Also, NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32 EXC por deeded by W. W. Wilmot et ux to M. L. Young by deed recorded in Book 211 of Deeds at page 400, records of San Diego Cnty, daf: Beg at SW Cor of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32; th N along W li sd  $\frac{1}{4}$  36 rods; th E fol center of creek bed 29 rods and 12 feet to stake and stones; th N 40° E 19 rods to live oak tree; th E 42 rods to stake and stones in E li sd  $\frac{1}{4}$ ; th along E li 35 rods to SE Cor sd  $\frac{1}{4}$ ; th W 80 rods along S li sd  $\frac{1}{4}$  to pob.

Also Exc fr remainder that por lying Wly of li daf: Beg at N $\frac{1}{4}$  Cor sd Sec 32; th S 711.04' to true pob; th N 25°51'30" E 129.48'; th N 49°46'30" E 400'; th N 30°09' E 150.02'; th N 32°35' E 430'; th N 16°12' E 284.35'; th N 19°42' E 104.65'; th N 19°35'30" E 267'; th N 10°45'30" E 162'; th N 36°13'30" E 294.95'; th N 29°13'30" E to pt in N li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 29. The above desc land is shown on R/S Map No. 532 filed in Office of County Recorder.

Apparent Owners: CLICK, Alma F. & Veria V.

Gross Acreage 55 Wells: Unknown

Irrigable Acreage 33

Surface Diversions:

Unknown

Parcel 32:

All those por of Sec. 29 & 32, T8S, R4W, daf: Beg at N<sup>1</sup>/<sub>4</sub> Cor sd Sec 32; th N 60' along W li of SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of sd Sec. 29; th E 254.11'; th S 34°30' E 323.31'; th S 30°09' W 150.02'; th S 49°46'30" W 400'; th S 25°51'30" W 129.48', m/l, to W li of NW<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> sd Sec. 32; th N 711.04' to pob.

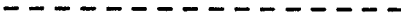
Apparent Owner: MYERS, Cora H.

Gross Acreage 4.9 Wells: 884W-32B

Irrigable Acreage 4.9

Surface Diversions:

884W-32B - Two Reservoirs, combined capacity 1/2 acre foot



Parcel 33:

That por of SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Sec. 29, T8S, R4W, daf: Beg at an angle pt in c/l of old survey 77, sd pt being 60', m/l, along sd c/l fr S li Sec. 29; th along c/l of sd rd N 27°49' E 306' & N 33°22' E 260'; th p/w S li sd Sec 655', m/l, to pt on W li sd SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Sec. 29; th S along sd W li 480', m/l, to its pt of inter with a li drawn p/w sd S li sd Sec. through the pob; th E along sd p/l 385', m/l, to pob. Also, Beg at pt on N li sd Sec 32, T8S, R4W, dist E fr NW Cor of NE<sup>1</sup>/<sub>4</sub> of sd Sec 32, 570.2', sd pt being approx c/l of road No. 77 present location; th N 34°33' E 60' along c/l road; th W & p/w N li sd Sec 32 a dist of 341.87' to a pt; th S 35° E 312.59' to pt on approx c/l of rd 77; th N 31°53' E 243.35', m/l, along c/l sd rd to pob.

Apparent Owners: HODGES, Kathleen Diana & Kenneth V.

Gross Acreage 6.0 Wells: Unknown

Irrigable Acreage 6.0

Surface Diversions:

Unknown



## Parcel 34:

Those por of Sec 29 & 32, T88, R4W daf: Beg at N $\frac{1}{4}$  Cor Sec 32; th N 60' along W li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec 29 to true pob; th E 254.11'; th S 34°30' E 323.31'; th N 32°35' E 430'; th N 16°12' E 284.35'; th N 19°42' E 104.65'; th N 89°14'50" W 783.5', m/l, to Wly li SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 29; th S along sd Wly li to true pob.

EXC therefrom por of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 29 daf: Beg at an angle pt in c/l old survey 77, sd pt being 60', m/l, along sd c/l fr S li Sec 29; th along c/l sd road N 27°49' E & N 33°22' E 260'; th W p/w S li sd Sec. 655', m/l, to pt on W li sd SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 29; th S along sd W li sd SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 480', m/l, to its pt of inter with li drawn p/w sd S li sd Sec. through pob; th E along sd p/l 385', m/l, to sd pob.

ALSO EXC, Beg at pt on N li Sec 32, dist E fr NW Cor of NE $\frac{1}{4}$  sd Sec, 570.2', sd pt being approx c/l rd No. 77 present location; th N 34°33' E 60' along c/l of rd; th W & p/w N li sd Sec, 341.87' to a pt; th S 35° E 312.59' to a pt on approx c/l rd No. 77; th N 31°53' E 243.35', m/l, along c/l sd rd to pob.

Apparent Owner: REID, Diana

Gross Acreage 2.0 Wells: Unknown

Irrigable Acreage 2.0

## Surface Diversions:

Unknown

## Parcel 35:

That por of Sec 29 & 32, T88, R4W, daf: Beg at N $\frac{1}{4}$  Cor Sec. 32; th S 711.04'; th N 25°51'30" E, 129.48'; th N 49°46'30" E 400'; th N 30°09' E 150.02'; th N 32°35' E 430'; th N 16°12' E 284.35'; th N 19°42' E 104.65'; th N 19°35'30" E 267'; th N 36°13'30" E 294.95'; th N 29°13'30" E to a pt in N li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 29; th W along N li sd SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 29 to NW Cor sd SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec 29; th S 1320', m/l, to pob.

EXC por daf: Beg at N $\frac{1}{4}$  Cor of Sec. 32; th N 60' along W li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec 29 to true pob; th E 254.11'; th S 34°30' E 323.31'; th N 32°35' E 430'; th N 16°12' E 284.35'; thence N 19°42' E 104.65'; th N 89°14'50" W 783.50', m/l, to Wly li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  Sec. 29; th S along sd Wly li to true pob. (Subj to easement 40' wide for city road purposes, sd rd shown on R/S Map 532).

ALSO EX por daf: Beg. at NW Cor of NE $\frac{1}{4}$  Sec 32; th N 60' along W li of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 29; th E 254.11'; th S 34°30' E 323.31'; th S 30°09' W 150.02'; th S 49°46'30" W 440'; th S 25°51'30" W 129.48' to W li of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32; th N 711.04' to pob.

Apparent Owners: RISSMAN, Maurice & Irene

Parcel 35 Continued:

Gross Acreage 17 Wells: Unknown  
 Irrigable Acreage 17

Surface Diversions:

Unknown

Parcel 36:

SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 29, T8S, R4W  
 N $\frac{1}{2}$  of NW $\frac{1}{4}$ , &, SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 32, T8S, R4W.

Apparent Owners: MC DOWELL, Homer C. & Marion J.

Gross Acreage 160 Wells: 8S4W-32C1 -  
 Irrigable Acreage 88.7

Surface Diversions:

8S4W-32C, Reservoir, 225,000 gal capacity } not in use  
 Reservoir, 50,000 gal capacity }

Parcel 37:

S $\frac{1}{2}$  of S $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; &, S $\frac{1}{2}$  of N $\frac{1}{2}$  of S $\frac{1}{2}$  of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 19, T8S, R4W  
 SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , &, W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 29, T8S, R4W, EXC Beg at SE Cor of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 29; th N along E li sd NW $\frac{1}{4}$  520'; th W 220'; th S 150' to N bdry li of cnty rd r/w; th SEly along Nly bdry li of Cnty Rd r/w to pob.  
 N $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; &, E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 30, T8S, R4W, EXC triangular piece of land in SW Cor of E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 30, conv by Harry K. Day to Henry J. Camp by deed Aug. 14, 1909, and recorded in Book 466 of Deeds at page 429, records of San Diego Cnty, sd piece so exc being 390' on the W side and 327' on the S side;  
 ALSO EXC, beg 100' W of NE Cor of SE $\frac{1}{4}$  of Sec 30; th W 600' along N li sd SE $\frac{1}{4}$ ; th S 300'; th E 600'; th N 300' to pob.  
 ALSO EXC a tract commencing at stake and stones by white oak tree on E li of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 30 and on S bank of creek running through sd 40 acres; th SWly 350' to stake and stones at r/a in rd th 350' W on N side of rd to stake and stones by white oak tree; th 150' W of N to stake and stones; th N of West 350' to oak tree; th N 300'; th E to E li of sd 40 acres; th S to pob.

Parcel 37 Continued:

Apparent Owners: GARNSEY, Felix R, Theodora L. & Louis J.

Gross Acreage 340.0 Wells: 884W-29M - Dom  
Irrigable Acreage 171.0 29M - Irr

Surface Diversions:

Dam 884W-30A - 40 acre feet  
Reservoir 884W-30J - 800,000 gal capacity

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Parcel 38:

Por of Sec 29, T8S, R4W, daf: Beg at SE Cor of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of  
Sec. 29: th N along E li sd NW $\frac{1}{4}$  520'; th W 220'; th S 150' to  
N bdry li Cnty road r/w; th SEly along N bdry li of Cnty road  
r/w to pob.

Apparent Owners: TITTLE, Reese Day, Mary & Marjorie

Gross Acreage 2.0 Wells: None  
Irrigable Acreage 2.0

Surface Diversions:

None

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Parcel 39:

SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 29, T8S, R4W

Apparent Owners: KLEIN, Lloyd E. & Elisabeth

Gross Acreage 40.6 Wells: None  
Irrigable Acreage 37.6

Surface Diversions:

None

Parcel 40:

S $\frac{1}{2}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; N $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; &, W 30' of E 510' of N $\frac{1}{2}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 29, T8S, R4W

Apparent Owners: TOWNE, George W. & Rose G.

Gross Acreage 10.3 Wells: 8S4W-29C - Irri & Dom

Irrigable Acreage 8.0

Surface Diversions:

Reservoir 8S4W-29C, 25,000 gal capacity

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Parcel 41:

N $\frac{1}{2}$  of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 29, T8S, R4W, EXC W 30' of E 510'.

Apparent Owners: GOODCHAP, William A. & Roberta L.

Gross Acreage 4.7 Wells: 8S4W-29C - Irri & Dom

Irrigable Acreage 4.4

Surface Diversions:

None

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Parcel 42:

NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ; W $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; &, S $\frac{1}{2}$  of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 29, T8S, R4W.

Apparent Owners: KLEIN, Lewis J. & Eleanor

Gross Acreage 64.4 Wells: 8S4W-29C

Irrigable Acreage 35.1

Surface Diversions:

Reservoir 8S4W-29C

Parcel 43:

Por of SE $\frac{1}{4}$  of Sec 30, T8S, R4W daf: Beg 100' W of NE Cor of SE $\frac{1}{4}$  of Sec 30; th W 600' along N li sd SE $\frac{1}{4}$ ; th S 300'; th E 600'; th N 300' to pob.

Apparent Owners: TITTLE, Reese Day and Mary

Gross Acreage 4.0 Wells: None

Irrigable Acreage 1.0

Surface Diversions:

None

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Parcel 44:

S $\frac{1}{2}$  of Sec 25, T8S, R5W

Apparent Owner: JAVE, Georgia F. Walling

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 45:

Lot 3 (NW $\frac{1}{4}$  of SW $\frac{1}{4}$ ); SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; E $\frac{1}{2}$  of SW $\frac{1}{4}$ , & W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 30, T8S, R4W; &, that por of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec 30 daf: Beg at SW Cor of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec 30; th N 390' along W li sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$  to a pt; th SEly to a pt on S li sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th W along S li sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$  327' to pob; EXC that por desc in deed fr Henry J. Camp to Harry K. Day, dated Aug. 14, 1909 and rec in Book 466 of Deeds, page 428, records of San Diego County, daf: Comm at stake & stones by white oak tree on E li of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  sd Sec. 30 and on S bank of creek running through sd 40 acres; th SWly 350' to stake and stones at angle in road; th 350' W on N side of road to stake and stones by white oak tree; th 150' W of N to stake and stones; th N of W 350' to oak tree; th N 300'; th E to E li sd 40 acres; th S to pob.

Apparent Owners: JAVE, Minna

Parcel 45 Continued:

Gross Acreage 230

Wells: None

Irrigable Acreage 147.7

Surface Diversions:

Spring 8S4W-30N

Reservoir 8S4W-30L

Capacity 135,000 gal.

Parcel 47:

NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 31, T8S, R4W.

Apparent Owners: BERG, Carles, aka Burg, Carl  
COUCH, Frank E. & Anna J.

Gross Acreage 40 Wells: 884W-31B - Dom

Irrigable Acreage 30

Surface Diversions:

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Parcel 48:

E $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; & N $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 31,  
T8S, R4W.

Apparent Owners: ANDERSON, Nina B.

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

884W-31K - Dom & Irr

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Parcel 49:

NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec 6, T9S, R4W  
E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 31, T8S, R4W

Apparent Owners: BUTLER, Lawrence Wm. & Mary C.

Gross Acreage 120.0 Wells: None

Irrigable Acreage 65.1

Surface Diversions:

- 884W-31J - Reservoir - 106,000 gal
- 884W-31R - Reservoir - 58,000 gal
- 884W-31J - Reservoir - 27 acre feet
- 984W-6A - Reservoir - 36,000 gal
- 984W-6A - Dom

Parcel 50:

SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , and NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 32, T8S, R4W.

Apparent Owners: WILSON, Samuel M. & Hazel A.

Gross Acreage	80	Wells:	8S4W-32 - Dom
Irrigable Acreage	49.3	Spring:	8S4W-32 - Dom
		"	32 - Irri
		"	32 - Irri

Surface Diversions:

8S4W-32

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Parcel 51:

S $\frac{1}{2}$  of SW $\frac{1}{4}$ ; &, NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec 32, T8S, R4W.

Apparent Owners: FRANK, Agnes M.

Gross Acreage	120.0	Wells:	None
Irrigable Acreage	54.7		

Surface Diversions:

None

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Parcel 53:

S $\frac{1}{2}$  of NE $\frac{1}{4}$ , & that por of Sec 32, T8S, R4W def: Beg at SW Cor of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 32; th N along W li sd NW $\frac{1}{4}$  of NE $\frac{1}{4}$ , 36 rods; th E fol center of creek bed, 29 rods and 12' to a stake and stones; thence N 40° E 19 rods to live oak tree; th E 42 rods to a stake and stones in E li of sd NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; th S along E li 35 rods to SE Cor sd NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; th W 80 rods along S li sd NW $\frac{1}{4}$  of NE $\frac{1}{4}$  to pob. Also, NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec 32, T8S, R4W EXC por def: Beg at NW Cor of NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec 32; th E 60' to stake and stones; th S 35 rods to stake and stones; th W 60 rods to stake and stones; th N 35 rods to pob.

Apparent Owner: DE LUZ SCHOOL DISTRICT OF SAN DIEGO COUNTY

Gross Acreage	123	Wells:	8S4W-32B1
Irrigable Acreage	18.1		

Surface Diversions:

Diversion: 8S4W-32B, 4,000 gal storage tank



Parcel 55:

S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 28, T8S, R4W.

Apparent Owners: JONES, Fred M. & Grace R.

Gross Acreage 80 Wells: None

Irrigable Acreage 43

Surface Diversions:

None

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Parcel 69:

SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 5, T9S, R4W, EXC N 330'

Apparent Owners: BRYANT, Newton T. & Willie Mae

Gross Acreage 30.0 Wells: 984W-5Q1 - Dom

Irrigable Acreage 8.5

Surface Diversions:

1750 Gallon Storage Tank

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Parcel 70:

Nly 330' of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 5, T9S, R4W.

Apparent Owners: EMMES, Samuel H. & Alice R.

Gross Acreage 10 Wells: Unknown

Irrigable Acreage 3.5

Surface Diversions:

Unknown

Parcel 76:

SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; & NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 5,  
T9S, R4W.

Apparent Owner: ESTATE OF WINIFRED STONER, Deceased,  
Ruth L. Stones, Administratrix

Gross Acreage 160 Wells: None

Irrigable Acreage 58

Surface Diversions:

None

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Parcel 77:

N 165' of Lots 3 & 4 (N $\frac{1}{2}$  of NW $\frac{1}{4}$ ) of Sec 5, T9S, R4W, lying  
W of li daf: Beg at a pt in N li Sec 5, dist N 89°11' E  
1091.28' fr SW Cor Sec 32, T8S, R4W; th S 1°14' E 165' EXC  
all Wly of Ely li of W 5 acres of Lot 4 (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ).

Apparent Owners: STINSON, Dale L. & Emma G.

Gross Acreage 6.0 Wells: None

Irrigable Acreage 4.4

Surface Diversions:

None

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Parcel 78:

W 5 acres of Lot 4 (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) Sec 5, T9S, R4W.

Apparent Owner: EVERETT, Rose Amelia

Gross Acreage 5.0 Wells: None

Irrigable Acreage

Surface Diversions:

None

Parcel 80:

S $\frac{1}{2}$  of NE $\frac{1}{4}$  of Sec 6; & SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 5, T9S, R4W.

Apparent Owners: WESTON, Lorraine & Claude  
HUTSON, Robert H. & Irene  
HUTSON, George Donald & Opal

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 81:

Sec 36, T8S, R5W; S $\frac{1}{2}$  of SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 31, T8S, R4W.

Apparent Owner: UNITED STATES OF AMERICA

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 82:

Sec. 34 & 35, T8S, R5W.

Apparent Owners: ECKERMAN, Daniel W. & Gladys M.  
FRAKES, Samuel F. & Francis  
GAULDIN, Richard R. & Gladys R.  
PETERSON, Richard A. & Mabel A.  
FOSNAUGH, Aileen Isabell  
ANDERSON, Earl L. & Frankie N.  
SCHWARTZ, Arthur C.  
SCHRYER, Wilfred L. & Julia H.  
STROUD, Robert A. & Irene K.

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

Parcel 83:

Govt. Lots 1, 2, 3, 4, 6, 7 & 8; S $\frac{1}{2}$  of N $\frac{1}{2}$ ; N $\frac{1}{2}$  of S $\frac{1}{2}$ ; & SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec 23, T8S, R5W  
Govt Lots 1 through 5; E $\frac{1}{2}$  of NE $\frac{1}{4}$ ; S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; & SE $\frac{1}{4}$  of Sec. 26, T8S, R5W

Apparent Owner: UNITED STATES OF AMERICA

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 85B:

W $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec 25, T8S, R5W, EXC S 1320' of W 330'

Apparent Owners: OLIVOS, Lewis R. & Phoebe

Gross Acreage Wells: None

Irrigable Acreage

Surface Diversions:

None

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Parcel 91:

Lot 3 (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), Lot 4 (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ); & NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 5, T9S, R4W EXC W 5 acres of Lot 4, & EXC N 165' of Lots 3 & 4 lying W of fol desc 11: Beg at pt in N 11 Sec 5, dist N 89°11' E 1091.28' fr SW Cor Sec 32, T8S, R4W; th S 1°14' E 165'

Apparent Owners: MOSHER, Bennie R. & Lura G.

Gross Acreage 109.0 Wells: 984W-5C

Irrigable Acreage 50.8

Surface Diversions:

984W-5C, 9,000 gal - irr  
984W-5C, 500 gal - dom

Parcel 92:

$E\frac{1}{2}$  of  $NW\frac{1}{4}$  of Sec 25, T8S, R5W

Apparent Owner: UNITED STATES OF AMERICA

Gross Acreage

Wells: None

Irrigable Acreage

Surface Diversions:

None

TABULATION OF OWNERS WITH LANDS RIPARIAN TO  
DE LUZ CREEK AND ITS MAJOR TRIBUTARIES

RIPARIAN TO DE LUZ CREEK

<u>NAME</u>	<u>PROPERTY</u>
BLEEKER, Robert B.	NE <sup>1</sup> of SW <sup>1</sup> , Sec 29, T8S, R4W, being a portion of Parcel 30
BRYANT, Newton T. & Willie Mae	Parcel 69
BUTLER, Lawrence Wm. & Mary C.	NE <sup>1</sup> of NE <sup>1</sup> , Sec 6, T9S, R4W, being a portion of Parcel 49
EMMES, Samuel H. & Alice R.	Parcel 70
EVERETT, Rose Amelia	Parcel 78
FRANK, Agnes M.	Parcel 51
GARNSEY, Felix R. & Theodora L.	Parcel 37A Parcel 37B Parcel 37C
GARNSEY, Louis J.	Parcel 37A Parcel 37C
GOODCHAP, William A. & Roberta L.	Parcel 41
HUTSON, George Donald & Opal	Parcel 80
HUTSON, Robert H. & Irene	Parcel 80
KLEIN, Lewis J. & Eleanor	Parcel 42

RIPARIAN TO DELUZ CREEK CONTINUED

<u>NAME</u>	<u>PROPERTY</u>
KLEIN, Lloyd E. & Elizabeth	Parcel 39
LEWIS, Burton David	Parcel 12
MC DOWELL, Homer C. & Marion J.	Parcel 36
MC DOWELL, Wilmore & Lucienne	Parcel 8
Matthews, Richard F. & Rosabel L.	Parcel 14
MITCHELL, Arthur & Edith Tittle	Parcel 38
MOSHER, Bennie R. & Lura G.	Parcel 91
PIERCE, Frank B. & Edna Earle	Parcel 15
ROWLEY, Truman C. & Beatrix	Parcel 7A Parcel 7B Parcel 7C
SHAVER, Gaius Ray & Stella C.	Parcel 11
SHAVER, Herbert E. & Joan B.	Parcel 13
SMELSER, Obed E. & Marguerite	Parcel 10

RIPARIAN TO DE LUZ CREEK CONTINUED

<u>NAME</u>	<u>PROPERTY</u>
STINSON, Dale L. & Emma G.	Parcel 77
STONER, Winifred, Deceased, Estate of	Parcel 76
TAYLOR, Michael	Parcel 12.
TITTLE, Marjorie	Parcel 38
TITTLE, Reese Day & Mary	Parcel 38
TOWNE, George W. & Rose G.	Parcel 40
VAIL COMPANY	Parcel 1
WESTON, Claude & Mary Agnes	Parcel 80
WILSON, Samuel M. & Hazel A.	Parcel 50

RIPARIAN TO EAST FORK

BLEEKER, Robert B.	Parcel 30 EXCEPT NE $\frac{1}{4}$ of SW $\frac{1}{4}$ , Sec 29, T8S, R4W.
CALDWELL, Vilate	That portion of Par- cel 18 in Sec. 22, T8S, R4W.
CLICK, Alma F. VERIA V.	Parcel 31
DE LUZ SCHOOL DISTRICT OF SAN DIEGO COUNTY	Parcel 53



RIPARIAN TO EAST FORK CONTINUED

<u>NAME</u>	<u>PROPERTY</u>
ELLEDGE, Marion Foss	Parcel 19A
FOSS, David R. & OLIA	Parcel 19A Parcel 19B
FOSS, Herbert C. & Ruby E.	Parcel 19A Parcel 19B
GILES, Mary L.	That portion of Parcel 18 in Sec. 22, T8S, R4W
HOLDAWAY, E. Marie	That portion of Parcel 18 in Sec. 22, T8S, R4W.
HUNT, Pearl R.	That portion of Parcel 18, in Sec 22, T8S, R4W.
HODGES, Kenneth V. & Kathleen Diana	Parcel 33
JONES, Fred M. & Grace R.	That portion of Parcel 55 in Sec 28, T8S, R4W.
KRAUSE, Howard A. & Lila Foss	Parcel 19A Parcel 19B
KUHNIS, John	Parcel 26
LE VACK, Mart J. & Rosamond E.	Parcel 29
MC DOWELL, Homer C. & Marion J.	Parcel 36
MYERS, Cora H.	Parcel 32

RIPARIAN TO EAST FORK CONTINUED

<u>NAME</u>	<u>PROPERTY</u>
PARKER, John & Marjorie L.	Parcel 20
PRIOR, Stanley W. & Marva	Parcel 27
REID, Diana	Parcel 34
RISSMAN, Maurice & Irene	Parcel 35
ROBERTS, Frank & Florence Foss	Parcel 19A Parcel 19B
SEARES, Harry & Laura Foss	Parcel 19A Parcel 19B
VAIL COMPANY	Parcel 1

RIPARIAN TO COTTONWOOD CREEK

FOSS, Rudolph C.	Parcel 5
GARNSEY, Felix R. & Theodora L.	Parcel 37A Parcel 37B Parcel 37C
GARNSEY, Louis J.	Parcel 37A Parcel 37C
LONG, Thomas & Ruth C.	Parcel 4
TITTLE, Reese Day & Mary	Parcel 43

RIPARIAN TO CAMPS CREEK

<u>NAME</u>	<u>PROPERTY</u>
ANDERSON, Nina B.	E $\frac{1}{2}$ of NE $\frac{1}{4}$ , & SW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 31, T8S, R4W, being a portion of Parcel 48
BERG, Carles, aka Burg, Carl	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 31, T8S, R4W being a portion of Parcel 47
BUTLER, Lawrence Wm. & Mary C.	E $\frac{1}{2}$ of SE $\frac{1}{4}$ , Sec 31, T8S, R4W, being a portion of Parcel 49
COUCH, Frank E. & Anna J.	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 31, T8S, R4W being a portion of Parcel 47
JAVE, Georgia F.	S $\frac{1}{2}$ of Sec 25, T8S, R4W, being a portion of Parcel 44
JAVE, Minna	Parcel 45
OLIVOS, Lewis R. & Phoebe	Parcel 85B
UNITED STATES OF AMERICA	Parcel 92
WILSON, Samuel M. & Hazel A.	Parcel 50

RIPARIAN TO FERN CREEK

ANDERSON, Nina B.	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ & N $\frac{1}{2}$ of SW $\frac{1}{4}$ , Sec 31, T8S, R4W, being a portion of Parcel 48
BUTLER, Lawrence Wm. & Mary C.	E $\frac{1}{2}$ of SE $\frac{1}{4}$ , Sec 31, T8S, R4W, being a portion of Parcel 49

RIPARIAN TO FERN CREEK CONTINUED

<u>NAME</u>	<u>PROPERTY</u>
UNITED STATES OF AMERICA	Parcel 81

RIPARIAN TO ROBLAR

ANDERSON, Earl L. & Frankie N	Parcel 82
ECKERMAN, Daniel W. & Gladys M.	Parcel 82
FOSNAUGH, Aileen Isabell	Parcel 82
FRAKES, Samuel F. & Francis	Parcel 82
GAULDIN, Richard R. & Gladys R.	Parcel 82
PETERSON, Richard A. & Mabel A.	Parcel 82
SCHRYER, Wilfred L. & Julia H.	Parcel 82
SCHWARTZ, Arthur C.	Parcel 82
STROUD, Robert A. & Irene K.	Parcel 82
UNITED STATES OF AMERICA	Parcel 83

VESTED AND INCORPORATE APPROPRIATE RIGHTS TO USE OF WATER WITHIN THE DELUZ CREEK WATERSHED

<u>Apparent Owner</u>	<u>Applc. Number</u>	<u>Priority Date</u>	<u>Source of water</u>	<u>Point of Diversion</u>	<u>Amount</u>	<u>Use</u>	<u>Status</u>
Anderson, Mina B.	None	4/11/92	Fern Creek	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ , Sec 31 T8S, R4W	32 gpm	Irr	Non-statutory appropriation
Butler, Lawrence Wm. & Mary C.	None	9/23/96	Fern Creek	NW $\frac{1}{4}$ of SE $\frac{1}{4}$ , Sec 31 T8S, R4W	Cap. of 8" pipe	Irr	Non-statutory appropriation
Wilson, Samuel M. & Hazel A.	None	8/3/11	Deluz Creek	NW $\frac{1}{4}$ of SW $\frac{1}{4}$ , Sec 32 T8S, R4W	50 min. in.	Dom Irr Stock	Non-statutory appropriation
Cook, Emery A. & Betty Bird	Lic. 9291	5/13/38	Nelson Creek	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ , Sec 23 T8S, R5W	1500 gpd		
Garnsey, Felix R. & Theodora L.	9783	12/6/39	Cottonwood Creek	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 30 T8S, R4W	Tot amt in any yr not to exceed 200 ac ft	Irr	Permit
Garnsey, Felix R. & Theodora L.	13505	12/12/49	Cottonwood Creek	NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 30 T8S, R4W	.75 cfs 42 ac ft	Irr	Permit
Cook, Emery A. & Betty B	18151	5/22/58	Nelson Creek	NE $\frac{1}{4}$ of SE $\frac{1}{4}$ , Sec 23 T8S, R5W	8650 gpd		Permit
Cook, Emery A & Betty B	18151	5/22/58	Nelson Creek	NW $\frac{1}{4}$ of SW $\frac{1}{4}$ , Sec 24 T8S, R5W	6000 gpd		Permit
Garnsey, Felix R. & Theodora L.	20507	11/24/61	Cottonwood Creek	SE $\frac{1}{4}$ of NE $\frac{1}{4}$ , Sec 30 T8S, R4W	45 ac ft	Irr	

Interlocutory Judg 32  
Exhibit "D"

<u>Apparent Owner</u>	<u>Applic. Number</u>	<u>Priority Date</u>	<u>Source of water</u>	<u>Point of Diversion</u>	<u>Amount</u>	<u>Use</u>	<u>Status</u>
Garnsey, Felix R. & Theodora L	20507	11/24/61	Unnamed stream	NW <sup>1</sup> of NE <sup>1</sup> , Sec 30 T8S, R4W	18 ac ft	Irr	
Garnsey, Felix R. & Theodora L	20507	11/24/61	Unnamed stream	NW <sup>1</sup> of NE <sup>1</sup> , Sec 30 T8S, R4W	27 ac ft	Irr	
Matthews, Richard F. & Rosabel I	20608	2/13/62	De Luz Creek	NE <sup>1</sup> of NE <sup>1</sup> , Sec 20 T8S, R4W	100 ac ft	Irr Dom	
Tittle, Reese D. et al	20620	2/16/62	De Luz Creek	NE <sup>1</sup> of SW <sup>1</sup> , Sec 29 T8S, R4W	1250 ac ft	Irr Dom	
Tittle, Reese D. et al	20620	2/16/62	De Luz Creek	NW <sup>1</sup> of SW <sup>1</sup> , Sec 29 T8S, R4W	1250 ac ft	Irr Dom	
DeLuz Valley Mutual Water Co	20621	2/16/62	De Luz Creek	NE <sup>1</sup> of SW <sup>1</sup> , Sec 5 T9S, R4W	12000 ac ft	Dom, Irr Rec. & Fish Culture	