

*Original*

FILED

DEC 11 1962

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

ENTERED

DEC 11 1962

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

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, )  
13 vs. )  
14 FALLBROOK PUBLIC UTILITY )  
15 DISTRICT, et al., )  
16 Defendants. )

No. 1247-SD-C

INTERLOCUTORY JUDGMENT No. 39

Santa Margarita River Water-  
shed Below Temecula Creek  
Gorge and Downstream to  
Naval Enclave Boundary

FINDINGS OF FACT, CONCLUSIONS OF LAW,  
AND INTERLOCUTORY JUDGMENT No. 39,  
RESPECTING LANDS RIPARIAN TO THE SANTA  
MARGARITA RIVER OR OVERLYING GROUND  
WATERS WHICH FEED OR CONTRIBUTE TO  
THE SANTA MARGARITA RIVER, BELOW THE  
TEMECULA CREEK GORGE AND DOWN STREAM  
TO THE NAVAL ENCLAVE BOUNDARY.

FINDINGS OF FACT

I

Lands which are the subject of  
this Interlocutory Judgment

This Interlocutory Judgment concerns lands which are  
located within the watershed of the Santa Margarita River down-  
stream from the Temecula Creek Gorge to the point at which the  
Santa Margarita River enters the Naval Enclave, as set forth in  
Interlocutory Judgment No. 37, EXCEPTING those lands which are  
the subject of the following Interlocutory Judgments:

Interlocutory Judgment 32, De Luz Creek Sub-watershed.

LAW OFFICES  
SACHSE AND PRICE  
1092 S. MAIN STREET  
FALLBROOK, CALIF.  
RANDOLPH 8-1184

2222

24

1 Interlocutory Judgment 32-A, De Luz Creek Sub-watershed,  
2 Percolating Waters not a part of stream system.

3 Interlocutory Judgment 35, Vail Company.

4 Interlocutory Judgment 39-A, Santa Margarita River  
5 below Gorge and above Enclave Boundary, Percolating Waters not  
6 part of stream system.

7 II

8 Santa Margarita River  
9 Above Naval Enclave

10 The Santa Margarita River above the Naval Enclave is a  
11 perennial stream, flowing upon basement complex or narrow, shallow  
12 stringers of recent alluvium. It originates at the confluence of  
13 Temecula Creek and Murrieta Creek within that portion of the  
14 Temecula Grant which is part of the Vail Ranch.

15 From its point of origin it flows Southwesterly a distance  
16 of about 2300 feet where it crosses the boundary of the Temecula  
17 Grant and enters the Northerly part of partial Section 24, T8S, R3W  
18 and flows in a Southwesterly direction through said section.  
19 Approximately 600 feet downstream from its point of origin is a  
20 stream gaging station known as the Santa Margarita River Near  
21 Temecula. The Santa Margarita River leaves said Section 24 about  
22 2,000 feet North of the Southwest Corner of said Section and  
23 traverses in a Southwesterly direction partial Section 23, T8S,  
24 R3W. The river enters Section 26, T8S, R3W near the North Quarter  
25 corner and continues to flow Southwesterly across the Northwest  
26 Quarter of said section entering partial Section 27, T8S, R3W  
27 and flowing Southwesterly through the Southeast Quarter of the  
28 Northeast Quarter, the Southeast Quarter, and the Southeast Quarter  
29 of the Southwest Quarter of said Section 27.

30 The river enters the Northeast Quarter of the Northwest  
31 Quarter of Section 34, T8S, R3W and flows Westerly through the  
32 North Half of the Northwest Quarter of said Section. It enters

27

1 Section 33, T8S, R3W near the Northeast Corner of said Section  
 2 and flows Westerly and Southerly through the East Half of said  
 3 Section 33. The river flowing in a Southerly direction leaves  
 4 Section 33 just East of the South Quarter corner of said section  
 5 and flows Southerly and Westerly through the Northeast Quarter of  
 6 Section 4, T9S, R4W. It flows Southwesterly through the Southeast  
 7 Quarter of the Northwest Quarter and Southerly and Southwesterly  
 8 through the Southwest Quarter of said Section. It enters Section  
 9 5, T9S, R3W, approximately 225 feet North of the Southeast corner  
 10 of said section and flows Southwesterly across the Southeast  
 11 Quarter of the Southeast Quarter of said section entering Section 8,  
 12 T9S, R3W approximately 625 feet West of the Northeast corner of  
 13 said section. It flows Southwesterly through the Northeast  
 14 Quarter, the Northwest Quarter of the Southeast Quarter, and the  
 15 North Half of the Southwest Quarter of said Section 8. The river  
 16 flows through the Northeast Quarter of the Southeast Quarter of  
 17 Section 7, T9S, R3W in a Westerly and Northerly direction. It  
 18 flows Northwesterly through the Southeast Quarter of the Northeast  
 19 Quarter, Westerly through the Southwest Quarter of the Northeast  
 20 Quarter, Southwesterly through the Northwest Quarter of the South-  
 21 east Quarter, Northwesterly through the Northeast Quarter of the  
 22 Southwest Quarter, Northerly through the Southeast Quarter of the  
 23 Northwest Quarter, Northwesterly through the Northeast Quarter  
 24 of the Northwest Quarter, and Westerly through the Northwest  
 25 Quarter of the Northwest Quarter of said Section 7.

26 Its course reverses to a Southeasterly direction near the  
 27 West boundary of Section 7, reversing again to a Southwesterly  
 28 direction of flow in the Northwest Quarter of the Northwest Quarter  
 29 of said section and enters Section 12, T9S, R4W. It flows South-  
 30 westerly through the South Half of the Northeast Quarter, Southerly  
 31 and Southwesterly through the Southeast Quarter and Westerly  
 32 through the Southeast Quarter of the Southwest Quarter of said

LAW OFFICES  
 SACHS AND PRICE  
 150 S. MAIN STREET  
 FALLSBURG, CALIF.  
 TELEPHONE 8-1154

1 Section 12 where it crosses the Santa Margarita Grant Line and  
2 enters the Naval Enclave.

3 III

4 Characteristics of the  
5 Santa Margarita River.

6 Throughout its course as described in these Findings the  
7 Santa Margarita River is an intermittent stream, both as to time  
8 and place of flow, and flows through a generally narrow canyon  
9 composed of consolidated rock, in and over a bed largely composed  
10 of a thin mantle of younger alluvium deposited upon basement com-  
11 plex rock. In a state of nature the Santa Margarita River flowed  
12 on the surface or immediately thereunder throughout the year, and  
13 throughout its course as described in this Finding those areas in  
14 which it flowed beneath the surface were generally saturated and  
15 supported a heavy growth of phreatophytes. At the present time the  
16 surface flow of the Santa Margarita River varies greatly from  
17 place to place and from year to year. These variances are the  
18 result of fluctuations in precipitation and run-off; of pumping  
19 and diversions from the Santa Margarita by defendants named in this  
20 Interlocutory Judgment; of pumping, diversions and impoundments of  
21 the waters of the Santa Margarita River and its tributaries up-  
22 stream from Temecula Gorge; and of pumping, diversions and im-  
23 poundments of the waters of tributaries to the Santa Margarita  
24 River within that portion of its course described in these Findings.

25 IV

26 Beds and Banks of the  
27 Santa Margarita River.

28 The course of the Santa Margarita River in the area with  
29 which this Interlocutory Judgment is concerned, and the geologic  
30 materials through and over which it flows, are delineated upon  
31 United States Exhibit 70 in this cause. The consolidated rocks  
32 and basement complex delineated upon said Exhibit are generally

1 non-water-bearing, and are composed of considerably more compacted  
2 material than the younger alluvium delineated upon said Exhibit.  
3 As a result thereof, ground waters found within the younger allu-  
4 vium do not move laterally or vertically into said consolidated  
5 rocks and basement complex, but on the contrary move through the  
6 younger alluvium in the identical direction as the surface flow  
7 of the Santa Margarita River, and such ground waters are an  
8 integral part of the surface and sub-surface flow of said stream.  
9 All ground waters found within the said younger alluvial deposits  
10 are contained within a known and defined channel, to wit, the  
11 younger alluvial deposits, and are contained within banks, to wit  
12 the formations of consolidated rock and basement complex delineat-  
13 ed upon Exhibit 70, and rest upon a bed, to-wit the deposits of  
14 basement complex underlying said younger alluvial deposits.

15 V

16 Tributaries of the  
17 Santa Margarita River:

18 Within the area which is subject of this Interlocutory  
19 Judgment are the following named tributaries of the Santa  
20 Margarita River:

21 (a) Sandia Creek: Sandia Creek is intermittent  
22 both as to time and place and flows except for limited areas only  
23 during and immediately following periods of heavy precipitation.  
24 Said creek rises in the Southwesterly slope of Mesa de Burro on the  
25 Santa Rosa Grant part of the Vail Ranch, and flows in a Western  
26 and Southerly direction for a distance of about 6.1 miles, at  
27 which point it crosses the Santa Rosa Grant line and enters partial  
28 Section 25, T8S, R4W; it flows South by West through the West Half  
29 of said Section 25 and enters the Northwest Quarter of the North-  
30 west Quarter of Section 36, T8S, R4W, flowing Southerly and  
31 Easterly through said Section, it enters the Northeast Quarter of  
32 the Northeast Quarter of Section 1, T9S, R4W, and flows in a

1 Southerly direction through the East Half of said Section. It  
 2 traverses the Northeast Quarter of the Northeast Quarter, Section  
 3 12, T9S, R4W, in a Southeasterly direction, reaching confluence  
 4 with the Santa Margarita River approximately 800 feet south of  
 5 the Northeast corner of said Section 12. Sandia Creek flows over  
 6 basement complex or residuum except for a narrow stringer of  
 7 alluvium about 3.6 miles in length and 250 to 800 feet in breadth,  
 8 lying mostly within the Santa Rosa Grant, but extending across  
 9 partial Section 25 and terminating in the Northwest portion of  
 10 Section 36, both in T8S, R4W; the Creek continues across basement  
 11 complex through the remainder of Section 36 into Section 1, near  
 12 the Northern line of which another narrow stringer of alluvium  
 13 about 250 feet wide continues for approximately 1.3 miles to  
 14 confluence with the Santa Margarita River.

15 Southerly of the headwaters of Sandia Creek an unnamed  
 16 tributary to said creek, approximately 5.1 miles in length, drains  
 17 the Walker Basin; and lies wholly within the Santa Rosa Grant.  
 18 This unnamed tributary flows as an intermittent stream upon base-  
 19 ment complex and residuum.

20 Southerly of the above unnamed tributary lies yet another  
 21 unnamed tributary to Sandia Creek, approximately  $4\frac{1}{2}$  miles in length,  
 22 the drainage area of which is wholly within the Santa Rosa Grant.  
 23 This unnamed tributary flows as an intermittent stream primarily  
 24 upon basement complex.

25 (b) Brians Creek: Brians Creek, tributary to  
 26 Sandia Creek, is intermittent both as to time and place and flows  
 27 except for limited areas only during and immediately following  
 28 periods of heavy precipitation. Brians Creek rises on the Northerly  
 29 slope of Gavilan Mountain in the Northeast Quarter of Section 32,  
 30 T8S, R3W, flows Northeasterly through partial Section 29, T8S, R3W,  
 31 entering the Santa Rosa Grant approximately  $\frac{1}{2}$  mile from its head-  
 32 waters. Said creek flows Westerly for a distance of about 1.2

1 miles across the Santa Rosa Grant at which point it turns  
2 Southerly crossing the Grant Line near the Northeast corner of  
3 the West Half of Section 31, T8S, R3W; it crosses Southerly and  
4 Westerly through the West Half of said Section, passing a dam  
5 located in the Northeast Quarter of the Southwest Quarter of said  
6 Section; continuing Southwesterly across the Southwest Quarter.  
7 It enters the Southeast Quarter of the Southeast Quarter, Section  
8 36, T8S, R4W and flows Southwesterly crossing Section 6, T9S,  
9 R3W just inside the Northwest Corner of said section; and flows  
10 Southwesterly across the Northeast Quarter of the Northeast Quarter  
11 of Section 1, T9S, R 4 W, to its confluence with the Sandia Creek  
12 in said 16th Section.

13 (c) Stone Creek: Stone Creek is intermittent  
14 both as to time and place and flows except for limited areas only  
15 during and immediately following periods of heavy precipitation.  
16 Stone Creek tributary to the Santa Margarita River flows for a  
17 distance of 3.4 miles, rising in the Southwest Quarter of Section  
18 25, T8S, R3W; entering Section 35, T8S, R3W near the Northeast  
19 corner of said section, flowing diagonally across said section,  
20 entering the Southeast quarter of the Southeast quarter of Section  
21 34, T8S, R3W, flowing Westerly across the South Half of said  
22 section, entering the Northwest Quarter of the Northwest Quarter  
23 of Section 3, T9S, R3W, flowing Southwesterly and entering the  
24 Northeast Quarter of the Northeast Quarter, Section 4, T9S, R3W  
25 to its confluence with the Santa Margarita River near the center  
26 of the Northeast Quarter of said Section 4. Stone Creek flows  
27 across basement complex and residuum except for a narrow stringer  
28 of alluvium about 200 feet wide extending approximately .6 of a  
29 mile up Stone Creek from its confluence with the Santa Margarita  
30 River.

31 Also within the said area are various unnamed tributaries  
32 of the Santa Margarita River and of the streams named above.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

VI

Characteristics of the  
Tributaries of the  
Santa Margarita River.

All of the tributaries of the Santa Margarita River referred to in these Findings, named and unnamed, are intermittent streams both as to time and place of flow, and generally flow on the surface only during and immediately after periods of precipitation and run-off. All of said tributaries, with the exception of Sandia Creek hereinafter discussed, flow generally through narrow canyons of basement rock or residuum, and with the exception of Sandia Creek, hereinafter discussed, none of said tributaries are underlain with any substantial mantle of alluvium.

Throughout most of its course the characteristics of Sandia Creek are identical with those of the other tributaries herein discussed. However, throughout limited portions of its course in fractional Section 25, T8S, R4W and in Section 1, T9S, R4W, Sandia Creek is underlain with deposits of younger alluvium, which younger alluvium is, when saturated, water-bearing. In those areas, ground waters found within the said younger alluvium do not move laterally or vertically into the basement complex or consolidated rocks, but on the contrary, move down the hydraulic gradient in the same direction as the surface flow of said tributaries, when surface flow exists. Such ground waters are an integral part of the surface flow of said stream, and all such ground waters are within a known and definite channel, to wit, the younger alluvial deposits, and are contained within banks, to wit, the formations of consolidated rock and basement complex delineated upon United States Exhibit 70 in this cause, and rest upon a bed, to wit, the basement complex or consolidated rock underlying said alluvial deposits.

\*\*\*\*\*

\*\*\*\*\*

31



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

VII

Land Ownerships:

Attached hereto marked Exhibit A and made a part hereof by reference is a master alphabetical index of the apparent owners of all parcels of land which are the subject of this Interlocutory Judgment, together with the parcel number of each such parcel of land, and a reference to Exhibit B where the legal description of each such parcel of land may be found.

Attached hereto marked Exhibit B and made a part hereof by reference is a tabulation setting forth the exact legal descriptions and apparent ownerships of all parcels of land which are the subject of this Interlocutory Judgment.

VIII

Riparian Lands:

(a) Attached hereto marked Exhibit C-1 and made a part hereof by reference is a tabulation of apparent owners and parcel numbers of the smallest tract of land held under one chain of title, a part of which abuts upon or is traversed by the Santa Margarita River within the area covered by this Interlocutory Judgment. The said tabulation includes complete legal description of each such parcel, and in certain cases contains also other information concerning gross acreage, irrigable acreage, wells, surface diversions and like data.

(b) Attached hereto marked Exhibit C-2 and made a part hereof by reference is a tabulation of apparent owners and parcel numbers of the smallest tract of land held under one chain of title a part of which abuts upon or is traversed by Stone Creek within the area covered by this Interlocutory Judgment. The said tabulation includes complete legal description of each such parcel, and in certain cases contains also other information concerning gross acreage, irrigable acreage, wells, surface diversions and like data.

1 (c) Attached hereto marked Exhibit C-3 and made a  
 2 part hereof by reference is a tabulation of apparent owners and  
 3 parcel numbers of the smallest tract of land held under one chain  
 4 of title, a part of which abuts upon or is traversed by Brians  
 5 Creek within the area covered by this Interlocutory Judgment. The  
 6 said tabulation includes complete legal description of each such  
 7 parcel, and in certain cases contains also other information  
 8 concerning gross acreage, irrigable acreage, wells, surface  
 9 diversions and like data.

10 (d) Attached hereto marked Exhibit C-4 and made a part  
 11 hereof by reference is a tabulation of apparent owners and parcel  
 12 numbers of the smallest tract of land held under one chain of title,  
 13 a part of which abuts upon or is traversed by Sandia Creek within  
 14 the area covered by this Interlocutory Judgment. The said tabu-  
 15 lation includes complete legal description of each such parcel,  
 16 and in certain cases contains also other information concerning  
 17 gross acreage, irrigable acreage, wells, surface diversions and  
 18 like data.

IX

Reservations of Riparian Rights:

21 Attached hereto marked Exhibit D and made a part hereof  
 22 by reference are legal descriptions of certain parcels of land,  
 23 each of which were formerly portions of larger parcels, a portion  
 24 of which larger parcel was traversed by or abutted upon the Santa  
 25 Margarita River. In each such case the defendant, Fallbrook Public  
 26 Utility District, purchased that portion of the larger parcel which  
 27 physically abutted upon the Santa Margarita River, with the results  
 28 that such parcels are now physically severed from the Santa  
 29 Margarita River. In each such instance, however, the instrument  
 30 by which title was conveyed to the Fallbrook Public Utility District  
 31 expressly reserved to the remainder of such parcel all riparian  
 32 rights which the larger parcel had previously possessed.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

X

Lands Riparian to  
Un-named Creeks and Gullies.

In addition to the named tributaries of the Santa Margarita River within the areas which is the subject of this Interlocutory Judgment there are numerous small creeks, gullies and watercourses tributary to the Santa Margarita River. In the main such minor watercourses flow over consolidated rocks or basement complex, but there are limited areas in which shallow alluvial deposits underlie the stream channel. In all such cases such shallow alluvial deposits rest upon consolidated rock or basement complex and are laterally contained by consolidated rock or basement complex and the ground waters contained in such alluvial deposits are in direct contact with and are an integral part of the surface flows, at such times as surface flows exist in such creeks, gullies or watercourses. The ground waters contained in such alluvial deposits are in a known and defined channel, to wit, the younger alluvial deposits.

XI

Jurisdiction reserved as to  
such Minor Watercourses.

Said small creeks, gullies or watercourses have not been considered in detail in this proceeding, nor has any party to this cause requested detailed findings thereon. Should any party to this cause in the future desire detailed findings as to such minor watercourses, this Court will make such findings upon such request, and this Court expressly reserves jurisdiction to consider such requests if and when they may arise.

XII

Minor Surface Impoundments.

There are within the area which is subject of this Interlocutory Judgment many structures which are used for the

1 impoundment of surface run-off for the purpose of providing  
 2 stock water, to encourage ground water re-charge, for the purpose  
 3 of soil conservation, recreation or other beneficial purposes.  
 4 There is no evidence that such structures or impoundments presently  
 5 constitute an unreasonable, wasteful or non-beneficial use of  
 6 water. None of such structures or impoundments have been con-  
 7 structed or are maintained under the authority of any Permit or  
 8 License of the State of California, and none of said structures  
 9 have been maintained adversely to any party to this cause.

10 Those minor surface impoundments as described in this  
 11 Finding are of the same type as those considered in Interlocutory  
 12 Judgment No. 28, (Miscellaneous Surface Impoundments).

XIII

Effect of such Minor Surface Impoundments:

15 That all such structures and impoundments as are des-  
 16 cribed in Finding ~~13~~<sup>XII</sup> above intercept surface runoff of waters of  
 17 the Santa Margarita River System, which runoff would in a state  
 18 of nature contribute to the Santa Margarita River; that while  
 19 the impact of any such individual impoundment on the available  
 20 water supply of the Santa Margarita River is at present de minimis,  
 21 the cumulative effect of such structures and impoundments may at  
 22 a future date become substantial and require regulation or control.

XIV

24 Vagrant, local, percolating waters,  
 25 and surface waters other than those  
 26 herein covered by specific findings.

27 All ground waters within the area which is the subject  
 28 of this Interlocutory Judgment found within deposits of consoli-  
 29 dated rock, weathered basement complex, or basement complex, as  
 30 depicted upon U.S.A. Exhibit 70 herein, are vagrant, local, per-  
 31 colating waters, not a part of the Santa Margarita River or any  
 32 tributary thereto. All surface waters which flow upon deposits  
 of consolidated rock, weathered basement complex or basement

34

1 complex in said area are a part of the waters of the Santa  
2 Margarita River or its tributaries.

3 XV

4 Appropriative Rights:

5 (a) Attached hereto Marked Exhibit E and made a part  
6 hereof by reference is a tabulation setting forth the apparent  
7 owners of certain appropriative rights to the use of waters of  
8 the Santa Margarita River and its tributaries within the area  
9 which is the subject of this Interlocutory Judgment, together  
10 with the legal description of the lands to which such appropriative  
11 rights appertain, and a description of each of such appropriative  
12 rights.

13 (b) Within the area which is the subject of this Inter-  
14 locutory Judgment, defendant Fallbrook Public Utility District is  
15 the owner of certain Permits and Licenses to appropriate water  
16 issued by the Water Rights Board of the State of California.  
17 Said appropriative rights are the subject of Interlocutory Judgment  
18 No. 23 in these proceedings, to which Interlocutory Judgment  
19 reference is made for the details thereof.

20 XVI

21 Prescriptive Rights.

22 No surface diversion or use of any of the waters found  
23 within the areas is subject of this Interlocutory Judgment have  
24 been open, notorious, adverse or hostile to any party to this  
25 cause and no prescriptive right to the use of any of said waters  
26 by reason of such diversion or use now exists.

27 XVII

28 Prima Facie Evidence.

29 On the Exhibits attached hereto and made a part hereof  
30 by reference there appear certain factual statements concerning  
31 lands within the area that is subject of this Interlocutory Judg-  
32 ment, concerning such matters as wells, gross acreages, irrigable

1 acreages and surface diversions. Such factual statements as  
 2 pertain to wells and surface diversions are as of the date of this  
 3 Interlocutory Judgment true. The factual statements which pertain  
 4 to gross acreages and irrigable acreages are based upon evidence  
 5 introduced into this case by the United States of America with an  
 6 express assurance from its counsel that apportionment was not  
 7 being sought at this stage of the litigation. Because of this  
 8 fact, and the fact that the Court is not at this time making any  
 9 order apportioning or regulating the use of the waters involved  
 10 herein, such fact pertaining to gross acreages and irrigable  
 11 acreages are not material to any issue decided by this Interlocu-  
 12 tory Judgment. In the exercise of the Court's continuing juris-  
 13 diction in this cause, said facts may be material to an issue  
 14 presented in the future. Therefore, this Court finds that such  
 15 factual statements contained in said Exhibits which pertain to  
 16 gross acreages and irrigable acreages are supported by the  
 17 evidence and such factual statements shall be prima-facie evidence  
 18 thereof in any subsequent proceedings before this Court in this  
 19 cause. As used herein, prima facie evidence is that which  
 20 suffices for the proof of the particular fact until contradicted  
 21 or overcome by other evidence.

22 CONCLUSIONS OF LAW

23 1.

24 All ground waters found within areas of residuum or  
 25 basement complex within the area subject of this Interlocutory  
 26 Judgment do not add to, contribute to or support the waters of  
 27 the Santa Margarita River and its tributaries, and are vagrant,  
 28 local, percolating waters, not a part of the Santa Margarita River  
 29 system.

30 2.

31 All surface waters which flow over and upon lands which  
 32 are within the area subject of this Interlocutory Judgment are a

LAW OFFICES  
 BACHSE AND PRICE  
 1038 S. MAIN STREET  
 FALLBROOK, CALIF.  
 RANDOLPH 8-1184

37

1 part of the Santa Margarita River system and subject to the con-  
2 tinuing jurisdiction of this Court.

3 3.

4 All ground waters found within areas of younger alluvium  
5 within the area subject of this Interlocutory Judgment are a part  
6 of the Santa Margarita River system and subject to the continuing  
7 jurisdiction of this Court.

8 4.

9 All lands listed by parcel number upon Exhibit C-1  
10 hereunto attached and made a part hereof by reference have a  
11 correlative riparian right to the use of the waters of the Santa  
12 Margarita River and its tributaries.

13 5.

14 All lands listed by parcel number upon Exhibit C-2  
15 hereunto attached and made a part hereof by reference have a  
16 correlative riparian right to the use of the waters of Stone Creek  
17 and its tributaries.

18 6.

19 All lands listed by parcel number upon Exhibit C-3  
20 hereunto attached and made a part hereof by reference have a  
21 correlative riparian right to the use of the waters of Brians  
22 Creek and its tributaries.

23 7.

24 All lands listed by parcel number upon Exhibit C-4  
25 hereunto attached and made a part hereof by reference have a corre-  
26 lative riparian right to the use of the waters of Sandia Creek.

27 8.

28 All lands listed by parcel number upon Exhibit A which  
29 abut upon or are traversed by any un-named creek, gully or water-  
30 course have a correlative riparian right to the use of the waters  
31 of such creek, gully or watercourse.

32 \*\*\*\*\*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

9.

Those lands listed and described on Exhibit D, hereunto attached and made a part hereof by reference have a correlative riparian right to the use of the waters of the Santa Margarita River and its tributaries.

10.

The exercise of the riparian rights described in Conclusions of Law 4, 5, 6, 7, 8 and 9 hereof are subject to the continuing jurisdiction of the Court.

11.

Those owners listed upon Exhibit E hereunto attached and made a part hereof by reference each are the owners of appropriative rights or inchoate appropriative rights to the use of the waters described, in amounts and subject to terms and conditions, for the purposes and with the priorities as are set forth in said Exhibit D.

12.

The Fallbrook Public Utility District is the owner of appropriative rights to the use of the waters of the Santa Margarita River and its tributaries, within the area subject of this Interlocutory Judgment, as set forth in Interlocutory Judgment No. 23 in these proceedings, to which reference is made for the details of such rights.

13.

Excepting as set forth in Conclusions of Law 11 and 12 hereof, there are no appropriative rights to the use of waters of the Santa Margarita River or its tributaries within the area which is subject of this Interlocutory Judgment.

14.

No prescriptive rights or rights by adverse user exist as to any of the surface or underground waters within the area which is subject of this Interlocutory Judgment.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

15.

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, and rights which may exist as to the use of such waters and this issue is left open, is not decided herein, and shall be litigated by this Court when and if it becomes necessary to do so. In the exercise of this continuing jurisdiction this Court will judge and pass upon the issue of such riparian or overlying rights based upon the facts as they may then appear and pursuant to California law.

INTERLOCUTORY JUDGMENT

1.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that all ground waters within deposits of basement complex or residuum within the area subject of this Interlocutory Judgment are vagrant, local percolating waters which do not add to, support, nor contribute to the Santa Margarita River system.

2.

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

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

LAW OFFICES  
SACHSE AND PRICE  
1092 S. MAIN STREET  
FALLBROOK, CALIF.  
RANDOLPH 8-1154

uO

1 restrained from asserting rights in or to the waters of the Santa  
2 Margarita River or its tributaries, excepting rights to surface  
3 waters which flow over and upon said lands.

4 4.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
6 rights inter-sese of the owners of said lands referred to in  
7 paragraph 1 of this Interlocutory Judgment to the use of the under-  
8 lying vagrant, local, percolating ground waters have not been  
9 adjudged, determined or decreed in these proceedings.

10 5.

11 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all  
12 surface waters flowing over or upon lands within the area subject  
13 of this Interlocutory Judgment are a part of the Santa Margarita  
14 River system and are subject to the continuing jurisdiction of  
15 this Court.

16 6.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all  
18 ground waters found within areas of younger alluvium within the  
19 area which is subject of this Interlocutory Judgment are a part  
20 of the waters of the Santa Margarita River system and subject to  
21 the continuing jurisdiction of this Court.

22 7.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all  
24 lands listed by parcel numbers on Exhibits C-1, C-2, C-3, C-4 and  
25 D, hereunto attached and made a part hereof by reference have a  
26 correlative riparian right to the use of the waters of the Santa  
27 Margarita River system.

28 8.

29 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all  
30 lands listed by parcel numbers in Exhibit A, attached hereto and  
31 made a part hereof by reference, which abut upon or are traversed  
32 by any named or un-named creek, gully or watercourse within the

44

1 area subject of this Interlocutory Judgment, have a correlative  
2 riparian right to the use of the waters of such creek, gully or  
3 watercourse.

4 9.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
6 correlative riparian rights to the use of waters within the area  
7 subject of this Interlocutory Judgment as adjudged in paragraphs  
8 6, 7 and 8 of this Interlocutory Judgment are subject to the  
9 continuing jurisdiction of this Court.

10 10.

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

20 11.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
22 rights inter-sese of the owners of said lands within the area  
23 subject of this Interlocutory Judgment to the use of the ground  
24 waters contained therein have not been adjudged, determined or  
25 decreed in this proceedings.

26 12.

27 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
28 appropriative rights to the use of the waters of the Santa  
29 Margarita River and its tributaries, within the area subject of  
30 this Interlocutory Judgment, exist in the priorities, amounts and  
31 for the purposes, and owned by the parties, all as set forth in  
32 Exhibit E hereunto attached and made a part hereof by reference

1 and in Interlocutory Judgment No. 23 in these proceedings.

2 13.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that  
4 excepting as set forth in paragraph 12 of this Interlocutory  
5 Judgment, no appropriative rights, either vested or inchoate,  
6 to the use of the waters within the area subject of this Inter-  
7 locutory Judgment now exist.

8 14.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that no  
10 prescriptive rights to the use of any of the waters within the  
11 area subject of this Interlocutory Judgment now exist.

12 15.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that  
14 excepting as set forth in paragraph 15 of this Interlocutory  
15 Judgment, no prescriptive rights to the use of any of the waters  
16 within the area subject of this Interlocutory Judgment now exist.

17 16.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the  
19 construction or maintenance of any structure for the impoundment of  
20 surface run off of the waters within the area subject of this  
21 Interlocutory Judgment as the same are defined herein has not  
22 resulted in the acquisition of any prescriptive right or any right  
23 by reason of adverse user against any party to this cause, and  
24 the continued maintenance of such structures, or the impoundment  
25 of water therein shall not in the future give rise to any pre-  
26 scriptive right or right by adverse user against any party to  
27 this cause, his heirs, successors or assigns.

28 17.

29 IT IS FURTHER ORDERED, ADJUDGED AND DECREED, based upon  
30 the decision of the United States Court of Appeals for the Ninth  
31 Circuit, California v. U. S., 235 F2d 647, that this is not  
32 a final decree, but is interlocutory in character and by reason

LAW OFFICES  
SACHSE AND PRICE  
1092 S. MAIN STREET  
FALLBROOK, CALIF.  
RANDOLPH 8-1154

43

1 of the Order by this Court that all parties are adverse, one to  
2 the other, thus dispensing with cross pleadings, all parties to  
3 this proceeding may object to these Findings of Fact, Conclusions  
4 of Law and Interlocutory Judgment, and will be given full oppor-  
5 tunity upon due notice to interpose their objections to these  
6 Findings of Fact, Conclusions of Law and Interlocutory Judgment  
7 prior to the entry of final judgment in this cause.

8 18.

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

16 Dated:

17  
18 12/11/62

19 James M. Carter  
20 Judge

21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
LAW OFFICES  
BACHBE AND PRICE  
1092 S. MAIN STREET  
FALLBROOK, CALIF.  
RANDOLPH 8-1154

ALPHABETICAL LIST OF APPARENT OWNERS OF RIPARIAN  
AND OVERLYING LANDS WITHIN SANTA MARGARITA RIVER WATER-  
SHED BELOW TEMECULA GORGE AND ABOVE NAVAL ENCLAVE

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
BOGART, Guy	83W-27-5	3
BOUSLOG, Houston W.	93W-4, 8 & 9 - 28	6
BRADSHAW, Paul D. & Margaret	83W-31, 93W-6 - 60	14
CAREY, Arthur W. & Inez	83W-31, 93W-6 - 60	14
CARTER, John T. & Helen	83W-35 - 8	4
DETHLEFS, Walter E. Sr., & Mary E.	93W-8 - 33	6A
DI SILVESTRO, I.	83W-31 - 61	14
FALLBROOK PUBLIC UTILITY DIST.	84W, 93 & 4W - 35	7
GOODWIN, Ewart W. & Mary Alice	93W-31, 93W-6 - 60	14
HAYES, Richard L. & Grace E.	93W-8-104	19
HENDERSON, Max M. & Aurelie S.	83W-33 & 34 - 55	13A
HILBERT, William R. & Lucille	94W-12-89	18
JEFFRIES, George T. & Eleanor	93W-4 & 5 - 56	13A

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
JENNINGS, Theodore F. & Janice B.	93W-4 - 30	6
JONES, Alex M. & Marilyn M.	93W-4 & 5 - 56	13A
KELLER, Robert H.	93W-4, 8 & 9 - 28	6
KUNKEL, A. O. & Ada J.	93W-17-15X1	20
LONG, C. R.	83W-31 - 61	14
MARSHALL, John W.	93W-4 - 22	5
MASON, Roland G. & Marian R.	93W-6 - 78	17
MONFORT, Gordon W.	93W-4, 8 & 9 - 28	6
MORTZ, Paul D.	93W-3 & 4 - 21	4
MURRAY SCHLOSS FOUNDATION, Trustees of	83W-93W-4	2
PETERS, Ray G. & Gladys P.	93W-4 - 26	5
RIDENOUR, Ralph O. & Myrtle E.	83W-34 & 35 - 7	4
SAWDAY, Charles F. & Ruth Cornell	83W-31, 93W-6 - 60	14
SHANE, Eleck & Gussie	83W-26 - 4A	3

<u>NAME</u>	<u>PARCEL NUMBER</u>	<u>PAGE NUMBER EXHIBIT "B"</u>
SHIPPEE, Shirley R. & Kathryn E.	83W-31 - 67	15
SILL, Charles F. & Pauline E.	94W-1-77	16
SINGLETON, Louis J.	93W-4-40	13
STENTON, Fred J. & Florence M.	93W-17, 5; 93W-8 - 11X1	20
TAYLOR, Millicent Y.	84W-36-71	15
TODD, Wallace M. & LeDoris M.	83W-34-57	14
TURNBULL, James O. & Betty Lucille	94W-12-90	19
UNITED STATES OF AMERICA	83W, 84W & 93W - 1	1
VAIL COMPANY, INC	83W-23 & 24 - 3	1
WAGENAAR, John L. & Mary Agnes	94W-12-88	18
YACKEY, George F. & Alma	84W-25 - 66A	15



DESCRIPTION OF PROPERTY RIPARIAN TO STREAMS WITHIN SANTA MARGARITA  
RIVER WATERSHED BELOW TEMECULA GORGE AND ABOVE BOUNDARY OF NAVAL ENCLAVE  
-----

Parcel 83W, 84W & 93W - 1

Lots One (1) and Two (2) of Section Thirty-one (31), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. Also, the South Half of the Northwest Quarter; the West Half of the Northeast Quarter; the Southeast Quarter of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter; and, the South Half of the Southwest Quarter of Section Thirty-three (33), said Township and Range.

OWNER:

UNITED STATES OF AMERICA

Parcel 83W-23 & 24 - 3

Lots One (1), Two (2), Three (3) and Four (4), Section Twenty-three (23), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. Also, Lot Six (6) in Section twenty-four (24) in said Township and Range.

OWNER:

VAIL COMPANY, Inc.

Parcel 83W & 93W - 4

Fractional Section Twenty-two (22), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. Also, Lot Five (5), and the Southwest Quarter of the Southeast Quarter of Section Twenty-three (23), said Township and Range. Also, the Northwest Quarter; North Half of the Southwest Quarter; Southwest Quarter of the Northeast Quarter; Northwest Quarter of the Southeast Quarter; and, Southeast Quarter of the Southeast Quarter of Section Twenty-six (26), said Township and

Parcel 83W & 93W - 4 continued

Range. Also, the North Half of the Northeast Quarter; Southeast Quarter of the Northeast Quarter; Northeast Quarter of the Southeast Quarter; and, South Half of the Southwest Quarter of Section Twenty-seven (27), said Township and Range. Also, the South Half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Fractional Section Twenty-eight (28), said Township and Range. Also, the Northeast Quarter of the Northeast Quarter of Section Thirty-three (33), said Township and Range. Also, the North Half of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; Southeast Quarter of the Southwest Quarter; South Half of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter, EXCEPT the East Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section Thirty-four (34), said Township and Range. Also the Northeast Quarter of the Northwest Quarter; Northeast Quarter; and, West Half of the Southwest Quarter of Section Thirty-five (35), said Township and Range. Also, the North Half of the Northwest Quarter of Section Three (3), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California. Also, Lot 1 (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Section Four (4), EXCEPT that portion described as follows: Beginning at the Southwest Corner of the Northeast Quarter of the Northeast Quarter; thence North 02°06'50" East 402.23 feet; thence North 76°44'45" East, 224.85 feet; thence South 07°00'50" West, 312.89 feet; thence South 16°06'40" West, 147.62 feet to South line of said Northeast Quarter of the Northeast Quarter; thence South 88°38'50" West along said South line, 147.19 feet to point of beginning.

OWNERS:

MURRAY SCHLOSS FOUNDATION, Trustees of

Beale, W. M.	DeLuce, Robert
Gibson, Axel Emil	Hessert, Fred
Lincoln, Walter G.	Lovell, Leah P.
Richter, Vera W.	Shepard, S. A.
Reinhold, Fred S.	Witchmer, Otto

Parcel 83W-26-4A

The Northwest Quarter of the Northwest Quarter of Section Twenty-six (26), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNERS:

SHANE, E.

SHANE, Gussie

Parcel 83W-27-5

The Southwest Quarter of the Northeast Quarter; and the Northwest Quarter of the Southeast Quarter of Section Twenty-seven (27), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNER:

BOGART, Guy

Parcel 83W-27-6

The Southwest Quarter of the Southeast Quarter of Section Twenty-seven (27), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNER:

GILLILAND, Margaret Ellen

Parcel 83W-34 & 35 - 7

The South Half of the Northwest Quarter of Section Thirty-five (35), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. Also the Northeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Northeast Quarter of Section Thirty-four (34), said Township and Range.

Parcel 83W-34 & 35 - 7 continued

OWNERS:

RIDENOUR, Ralph O.

RIDENOUR, Myrtle E.

Parcel 83W-35-8

The Northeast Quarter of the Southwest Quarter of Section Thirty-five (35), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNERS:

CARTER, John T.

CARTER, Helen C.

Parcel 93W-3&4 - 21

That portion of the South Half of the Northeast Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at the Northeast Corner of said South Half; thence South  $88^{\circ}38'50''$  West 1236.35 feet; thence South  $19^{\circ}06'40''$  West, 245.69 feet; thence South  $53^{\circ}49'$  East, 1612.97 feet to East line of said South Half; thence North  $0^{\circ}41'10''$  East along said East line 1213.65 feet to point of beginning.

OWNERS:

MORTZ, Paul D.

Parcel 93W-4-22

Lots Two (2) and Three (3) ( $NW\frac{1}{4}$  of  $NE\frac{1}{4}$  &  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ), of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, EXCEPT that portion of Lot Two (2) described as follows:

Parcel 93W-4-22 continued

Beginning at the Southeast Corner of said Lot Two (2); thence North 02°06'50" East, 402.23 feet; thence South 76°44'45" West 259.63 feet; thence South 29°49'05" East, 205.14 feet; thence South 73°26'30" East, 657.41 feet to South line of said Lot Two (2); thence North 88°38'50" West, 970.31 feet to point of beginning.

OWNERS:

MARSHALL, John W.

Parcel 93W-4-26

That portion of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at a point in the South line of the North Half of Section Four (4) distant South 89°03' West 2186.68 feet from the Southeast Corner of said North Half; thence North 58°09'50" West 947.96 feet; thence South 37°47'20" West 311.44 feet; thence South 25°24' West 146.49 feet; thence South 60°18' East 88.70 feet; thence South 65°42' East 380.55 feet; thence North 39°36' East 345.40 feet; thence North 25°26' East 101.37 feet; thence North 01°18'40" East 53.62 feet to a point on South line of said North Half distant 595.46 feet from point of beginning; thence South 89°03' West 595.46 feet to point of beginning.

OWNERS:

PETERS, Ray G.

PETERS, Gladys P.

Parcel 93W-4, 8 & 9 - 28

That portion of the South Half of the Northeast Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at the Southeast Corner of the Northeast Quarter of Section Eight (8), said Township and Range; thence South  $89^{\circ}57'53''$  West, 874.36 feet; thence North  $30^{\circ}09'$  West, 633.93 feet; thence North  $50^{\circ}51'$  East 184.72 feet; thence North  $88^{\circ}41'40''$  East, 411.63 feet to the Northeast Corner of the South Half of the Northeast Quarter; thence South  $0^{\circ}06'10''$  East along East line of said Northeast Quarter, 600 feet to point of beginning.

OWNERS:

BOUSLOG, Houston H.

KELLER, Robert H.

MONFORT, Gordon W.

Parcel 93W-4-30

The Southeast Quarter of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California. EXCEPT that portion described as follows: Beginning at the Northwest Corner thereof; thence along North line South  $89^{\circ}32'30''$  East, 179.84 feet; thence South  $34^{\circ}03'$  West, 334.03 feet to West line of said Southeast Quarter; thence North  $01^{\circ}29'50''$  East along said West line, 275.41 feet to point of beginning.

OWNERS:

JENNINGS, Theodore F.

JENNINGS, Janice B.

Parcel 83W-8-33

The Southeast Quarter of the Northeast Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion described as follows: Beginning at the Southwest Corner of said Southeast Quarter of the Northeast Quarter; thence North  $0^{\circ}45'40''$  West along West line thereof 1301.25 feet to the Northwest Corner thereof; thence along North line North  $89^{\circ}05'$  East, 496.18 feet; thence South  $30^{\circ}09'$  West, 531.81 feet; thence South  $30^{\circ}09'$  East, 343.70 feet; thence North  $69^{\circ}12'05''$  East, 951.10 feet; thence South  $39^{\circ}53'30''$  East, 125.61 feet to East line of said Section Eight (8); thence North  $89^{\circ}51'40''$  West 262.23 feet; thence South  $31^{\circ}17'35''$  West 258.23 feet to a point in the South line of the Southeast Quarter of the Northeast Quarter, distant thereon 396.75 feet from the Southeast Corner thereof; thence along said South line 958.71 feet to point of beginning.

OWNERS:

DETHLEFS, Walter E. Sr.,

DETHLEFS, Mary E.

Parcel 84W, 93&4W - 35

The Survey Condemnation Area of Fallbrook Public Utility District being those portions of Section Thirty-six (36), Township Eight (8) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of Riverside, State of California, Sections Four (4), Five (5), Eight (8), Nine (9), and Seventeen (17), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, and Sections One (1), Six (6), Seven (7) and Twelve (12), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, bounded and described as follows:

Beginning at the point in Township Nine (9) South, Range Three (3) West where the Southeast Corner of Section Seven (7), the Southwest Corner of Section Eight (8), the Northwest Corner of Section Seventeen (17), and the Northeast Corner of Section Eighteen (18) meet; thence South  $89^{\circ}53'20''$  East, 65 feet; thence North  $02^{\circ}35'$  East, 451.19 feet; thence North  $49^{\circ}00'10''$  East, 179.63 feet; thence North  $65^{\circ}19'$  East, 347.21 feet; thence South  $64^{\circ}36'50''$  East, 152.84 feet; thence South  $08^{\circ}50'30''$  East, 657.24 feet to the North line of Section Seventeen (17); thence South  $09^{\circ}19'20''$  West, 529.0 feet; thence North  $46^{\circ}54'20''$  East, 613.66 feet; thence North  $30^{\circ}59'40''$  East, 118.53 feet to South line of Section Eight (8); thence South  $89^{\circ}53'20''$  East, 1498.31 feet; thence North  $01^{\circ}25'10''$  West, 1480.76 feet; thence North  $32^{\circ}20'10''$  East, 877.90 feet; thence South  $86^{\circ}37'55''$  East, 667.11 feet; thence South  $54^{\circ}41'45''$  East, 260.68 feet; thence South  $37^{\circ}00'20''$  East, 759.58 feet; thence North  $17^{\circ}27'15''$  East, 207.97 feet; thence North  $19^{\circ}18'10''$  East, 791.82 feet; thence North  $24^{\circ}56'10''$  East, 366.17 feet to North line of the Southeast Quarter of Section Eight (8); thence North  $31^{\circ}17'35''$  East, 258.23 feet; thence South  $89^{\circ}51'40''$  East, 688.46 feet into Section



Parcel 84W, 93&4W - 35 Continued

Nine (9); thence North 53°26'15" East, 95.71 feet; thence North 27°56'40" West, 147.82 feet; thence North 72°38'50" West, 313.84 feet; thence North 20°32'40" West, 251.04 feet; thence North 39°53'30" West, 199.30 feet, into Section Eight (8); thence South 69°12'05" West, 951.10 feet; thence South 30°09' West, 343.70 feet; thence North 30°09' East, 1165.74 feet; thence North 50°51' East, 184.72 feet; thence North 88°41'40" East, 411.63 feet to East line of Section Eight (8); thence North 0°06'10" West, along said East line 660 feet to the Northeast Corner of Section Eight (8), (also the Northwest Corner of Section Nine (9); thence South 89°58'40" East, along North line of Section Nine (9), 251.13 feet; thence South 29°20'20" East, 161.48 feet; thence North 63°26' East, 163.39 feet; thence North 03°09' East, 67.71 feet to the North line of Section Nine (9); thence South 89°58'40" East along said North line, 213.38 feet; thence North 01°29'50" East, 306.91 feet in Section Four (4); thence North 57°32'42" East, 80.63 feet; thence North 54°27' East, 179.95 feet; thence North 60°44'20" East, 295.09 feet; thence North 14°18'30" East, 218.28 feet; thence North 34°03' East, 650.20 feet; thence North 50°36' East, 345.13 feet; thence North 27°16'25" East, 309.00 feet; thence North 60°36' East, 154.38 feet; thence North 45°26'10" West, 205.72 feet; thence North 15°25'45" East, 183.19 feet; thence North 39°49'15" East, 204.90 feet; thence North 33°18' East, 410 feet; thence North 60°18' West, 88.70 feet; thence North 25°24' East, 146.49 feet; thence North 37°47'20" East, 311.44 feet; thence North 58°54' East, 180.29 feet; thence North 58°54' East, 194.21 feet; thence North 56°40'30" East, 204.58 feet; thence North 83°59'30" East, 226.15 feet; thence South 76°09'30" East, 108.12 feet; thence South 68°55'40" East, 109.56 feet; thence North 53°33' East, 167.68 feet; thence North 67°42'40" East, 390.42 feet; thence North 55°17'45"

Parcel 84W, 93&4W - 35 Continued

East, 316.70 feet; thence North 19°06'40" East, 431.15 feet; thence North 07°00'50" East, 312.89 feet; thence South 76°44'45" West, 484.48 feet; thence South 29°49'05" West 205.14 feet; thence South 73°26'30" West, 657.41 feet to the South line of the North Half of the Northeast Quarter of Section Four (4); thence South 88°38'50" West, along said line 413.23 feet; thence South 88°58'40" West, 1351.13 feet; thence South 01°29'50" West, 1001.25 feet; thence South 27°55'05" West,, 652.16 feet; thence South 17°30'30" East, 213.45 feet; thence South 24°47'10" West, 312.41 feet; thence South 42°45'25" East, 252.40 feet; thence South 32°44'40" West, 594.73 feet; thence South 68°13'10" West, 807.47 feet; thence South 42°07'05" West, 364.46 feet into Section Five (5); thence South 52°12' West, 182.11 feet; thence South 58°51'25" West, 205.60 feet; thence North 82°44'35" West, 298.85 feet; thence North 80°01'50" West, 498.81 feet; thence South 42°22' West, 1411.75 feet, into Section Eight (8); thence South 28°31'55" East, 350.16 feet; thence South 35°13' West, 764.10 feet; thence South 83°58' West, 334.62 feet to North and South center line of Section Eight (8); thence South 31°38'50" West, 856.01 feet; thence South 71°30'50" West, 443.18 feet; thence South 57°20'50" West, 479.84 feet; thence South 79°09'10" West, 325.39 feet to East and West center line of Section Eight (8); thence South 89°52'20" West along said East and West Center line 959.47 feet to West line of Section Eight (8); thence North 28°35'25" East, 399.35 feet; thence North 38°07'40" East, 489.21 feet; thence North 55°01'40" East, 294.31 feet; thence North 0°12'45" West, 464.17 feet; thence North 77°23'35" West, 769.41 feet to West line of Section Eight (8) and East line of Section Seven (7); thence North 77°23'35" West, 645.00 feet; in Section Seven (7); thence South 34°01' West, 296.80 feet; thence North 30°31'30" West, 199.71 feet; thence South 66°36'30" West, 389.96 feet; thence

Parcel 84W, 93&4W - 35 Continued

South 84°32'30" West, 236.76 feet; thence South 43°14' West, 204.20 feet to South line of North Half of the Northeast Quarter of Section Seven (7); thence South 88°15' West along said South line 77.05 feet; thence North 34°29' East, 202.80 feet; thence North 26°11'40" West, 221.83 feet; thence North 40°11' East, 214.51 feet; thence South 88°52' East, 166.14 feet; thence North 23°01'40" West, 520.54 feet; thence South 38°07'30" West, 296.14 feet; thence South 59°25'20" West, 249.38 feet; thence North 82°47'35" West, 165.71 feet; thence North 20°59' West, 276.39 feet; thence North 58°48'50" East, 590.30 feet; thence North 37°28'15" West, 159.90 feet, into Section Six (6); thence North 05°40'15" East, 364.86 feet; thence North 30°30'45" East, 198.14 feet; thence North 47°02'10" West, 370.15 feet; thence North 30°24'45" East, 631.56 feet; thence North 83°26'35" West, 708.46 feet; thence South 52°53'20" West, 193.29 feet; thence South 32°36' West, 86.33 feet to North and South Center Line of Section Six (6); thence South 01°47'27" West, along said North and South center line 530.92 feet; thence South 27°47'15" West, 150.30 feet; thence North 87°03'25" West, 263.54 feet; thence South 5°19'45" East, 289.25 feet; thence South 22°19'40" West, 145.22 feet; thence South 59°41'45" West, 533.70 feet to South line of Section Six (6); thence North 89°25'40" West along said South line 130.34 feet; thence North 31°12' West, 337.04 feet; thence North 0°55'30" East, 824.68 feet; thence South 83°02'35" West, 751.68 feet; thence South 44°18'40" West, 1103.01 feet to West line of Section Six (6), and East line of Section One (1), at a point distant North 02°23'40" East, 215.84 feet from Southwest Corner of Section Six (6) and Southeast Corner of Section One (1); thence North 02°23'40" East along said East line of Section One (1), 2213.99 feet; thence South 24°35'40" West, 1090.44 feet; thence North 15°09' West, 524.58 feet; thence North 05°24'20" West, 398.15 feet; thence North 48°36'

Parcel 84W, 93&4W - 35 Continued

East, 474.09 feet to East and West center line of Section One (1);  
 thence South 89°56'32" West along said East and West center line,  
 379.22 feet; thence North 09°33'45" West, 314.65 feet; thence North  
 36°19'10" West, 341.32 feet; thence North 01°04'30" East, 194.48  
 feet; thence North 85°20'50" East, 230.10 feet; thence North 21°  
 45'05" West, 200.30 feet; thence North 33°34'40" West, 263.06 feet;  
 thence South 89°17'05" West, 181.60 feet; thence North 50°31'50"  
 West, 175.09 feet; thence North 47°51'30" East, 312.45 feet; thence  
 North 52°06'05" East, 143.82 feet; thence South 87°47'30" East,  
 126.29 feet; thence North 07°41' East, 174.46 feet; thence North  
 29°51' East, 107.98 feet; thence North 60°59'35" East, 220.51 feet;  
 thence North 69°08'40" East, 273.77 feet; thence North 37°02'05"  
 East, 511.25 feet; thence North 22°40'05" East, 82.74 feet to East  
 line of Section One (1); thence North 02°37'40" East along said East  
 line, 364.78 feet to Northeast Corner of Section One (1); thence  
 South 54°36'25" West, 665.40 feet; thence North 88°28'45" West,  
 215.87 feet; thence North 27°08'35" West, 405.85 feet to North line  
 of Section One (1), and South line of Section Thirty-six (36); thence  
 North 27°08'35" West, 84.65 feet in Section Thirty-six (36); thence  
 North 15°52'25" West, 549.59 feet; thence North 11°41' East, 336.27  
 feet; thence North 13°13' West, 218.75 feet; thence South 45°33'40"  
 West, 316.25 feet; thence North 81°24'30" West, 370.79 feet; thence  
 North 33°17' West, 501.44 feet; thence South 89°22'25" West, 426.37  
 feet; thence South 24°32'15" East, 327.49 feet; thence South 29°46'50"  
 East, 1279.37 feet to South line of Section Thirty-six (36) and North  
 line of Section One (1); thence South 89°07'06" West along said North  
 line, 997.87 feet to North and South center line of Section One (1);  
 thence South 01°41'44" West along said North and South center line,  
 2280.36 feet; thence South 89°56'32" West, 660 feet; thence South  
 01°41'44" West, 1129.16 feet; thence North 89°56'32" East, 660 feet  
 to North and South center line of Section One (1); thence South 01°41'44"

Parcel 84W, 93&4W - 35 Continued

West, 800 feet to North line of the South Half of the Southeast Quarter of Section One (1); thence North  $89^{\circ}53'16''$  East along said North line, 1035.05 feet; thence South  $02^{\circ}02'42''$  West, 1328.61 feet to South line of Section One (1); thence South  $89^{\circ}50'$  West along South line of Section One (1) and North line of Section Twelve (12), 1027.41 feet to North and South center line of Section Twelve (12); thence South  $0^{\circ}33'25''$  West along said North and South center line, 1434.28 feet to South line of the North Half of the Northeast Quarter of Section Twelve (12); thence North  $89^{\circ}17'18''$  East along said South line, 1276.67 feet to West line of East Half of the Northeast Quarter of Section Twelve (12); thence South  $0^{\circ}35'44''$  West along said West line, 1004.87 feet; thence South  $89^{\circ}24'16''$  East, 313.06 feet; thence South  $0^{\circ}35'54''$  West, 407.33 feet to East and West center line of Section Twelve (12); thence South  $48^{\circ}41'20''$  East, 522.33 feet; thence South  $45^{\circ}25'50''$  East, 86.47 feet; thence South  $31^{\circ}14'$  East, 72.30 feet; thence South  $85^{\circ}56'50''$  East 415.84 feet; thence North  $06^{\circ}13'$  East, 520.77 feet to East line of Section Twelve (12) and West line of Section Seven (7); thence North  $12^{\circ}06'30''$  East, 445.46 feet, in Section Seven (7); thence North  $25^{\circ}36'$  East, 159.01 feet; thence North  $38^{\circ}31'$  East, 125.02 feet; thence North  $36^{\circ}52'30''$  East, 140.86 feet; thence North  $33^{\circ}23'$  East, 123.10 feet; thence North  $71^{\circ}29'$  East, 129.03 feet; thence South  $64^{\circ}19'$  East, 236.17 feet; thence South  $31^{\circ}24'$  East, 587.85 feet; thence South  $17^{\circ}10'$  East, 228.07 feet; thence South  $09^{\circ}13'30''$  West, 70.97 feet; thence South  $01^{\circ}27'$  West, 452.10 feet; thence South  $33^{\circ}52'$  East, 453.89 feet to East line of the West Half of the Southwest Quarter of Section Seven (7); thence South  $0^{\circ}14'38''$  East, 422.15 feet along said East line to the North line of the South Half of the Southwest Quarter of Section Seven (7); thence South  $34^{\circ}58'30''$  East, 810.93 feet; thence South  $33^{\circ}06'20''$  East, 540.50 feet; thence North  $71^{\circ}44'20''$  East, 629.13 feet; thence North  $15^{\circ}26'40''$  East, 710.11 feet; thence

Parcel 84W, 93&4W - 35 Continued

North 10°34'30" East, 354.11 feet; thence North 33°24'30" East, 74.0 feet; thence North 26°29'25" East, 440.98 feet; thence North 43°06'45" East, 111.18 feet; thence South 61°19'55" East, 294.12 feet; thence South 11°45'35" East, 322.42 feet; thence South 70°52' East, 847.25 feet; thence South 80°39'35" East, 175.42 feet; thence South 68°51'45" East, 504.10 feet; thence North 44°36'10" East, 298.78 feet to East line of Section Seven (7) and West line of Section Eight (8); thence South 89°01' East, 122.33 feet in Section Eight (8); thence South 68°20'15" East, 116.40 feet; thence South 17°32'50" West, 293.43 feet; thence South 36°55'40" West, 70.01 feet; thence South 76°44'40" West, 151.01 feet into Section Seven (7); thence South 14°33'20" West, 222.55 feet; thence South 04°56' East, 567.05 feet to Southeast Corner of Section Seven (7) and point of beginning.

OWNERS:

FALLBROOK PUBLIC UTILITY DISTRICT

Parcel 93W-4-40

That portion of the Southwest Quarter of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at the Southeast Corner of said Southwest Quarter of the Southwest Quarter; thence North 36°38'40" West, 615.69 feet; thence North 60°44'20" East 212.92 feet; thence North 14°18'30" East 218.28 feet; thence North 34°03' East 276.71 feet to the East line of the Southwest Quarter of the Southwest Quarter; thence South 01°29'50" West, 1059.22 feet to point of beginning.

OWNERS:

SINGLETON, Louis J.

Parcel 83W-33 & 34 - 55

The Northwest Quarter of the Southeast Quarter; the South Half of the Southeast Quarter, and, the South Half of the Southwest Quarter of Section Thirty-three (33), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. Also, the Southwest Quarter of the Southwest Quarter of Section Thirty-four (34), said Township and Range.

OWNERS:

HENDERSON, Max M.

HENDERSON, Aurelie S.

Parcel 93W-4 & 5 - 56

That portion of the West Half of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California; and, the Southeast Quarter of the Southeast Quarter of Section Five (5), said Township and Range, described as follows: Beginning at the Northwest Corner of the Southwest Quarter of said Section Four (4); thence North 89°03' East, 1136.50 feet; thence South 27°55'05" West, 159.89 feet; thence South 17°36'30" East, 213.45 feet; thence South 24°47'10" West, 312.41 feet; thence South 42°45'25" East 252.40 feet; thence South 32°44'40" West, 594.73 feet; thence South 68°13' 10" West, 807.47 feet; thence South 42°07'05" West, 291.76 feet; thence North 11°49' West, 490.42 feet; thence North 89°25'50" East, 134.32 feet to Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section Five (5); thence North 01°06'40" East, 1303.27 feet to point of beginning.

OWNERS:

JONES, Alex N.

JONES, Marilyn M.

JEFFRIES, George T.

JEFFRIES, Eleanor

Parcel 83W-34-57

The East Half of the Northeast Quarter of the Northwest Quarter of the Southeast Quarter of Section Thirty-four (34), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNERS:

TODD, Wallace M.

TODD, LeDoris M.

Parcel 83W-31 & 93W-6 - 60

The West Half of the Southeast Quarter; the South Half of the Southwest Quarter; the Northeast Quarter of the Southwest Quarter; and, the Southeast Quarter of the Northwest Quarter of Section Thirty-one (31), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California. EXCEPT the Westerly 165 feet of the Northeast Quarter of the Southwest Quarter.

OWNERS:

SAWDAY, Charles F.

SAWDAY, Ruth Cornell

CAREY, Arthur W.

CAREY, Inez Wagner

GOODWIN, Ewart W.

GOODWIN, Mary Alice

BRADSHAW, Paul D.

BRADSHAW, Margaret

Parcel 83W-31-61

The South Ten acres of Lot Three (3), ( $S\frac{1}{2}$  of  $S\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Section Thirty-one (31), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside,



Parcel 83W-31-61 Continued

State of California.

OWNERS:

DI SILVESTRO, I.

LONG, C. R.

Parcel 84W-25-66A

Lots 1, 2, 4, 5 and South Half of the Southwest Quarter of Section Twenty-five (25), Township Eight (8) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNERS:

YACKEY, George F.

YACKEY, Alma H.

Parcel 83W-31-67

Government Lot Six (6) and the Westerly 165 feet of the Northeast Quarter of the Southwest Quarter of Section Thirty-one (31), Township Eight (8) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of Riverside, State of California.

OWNERS:

SHIPPEE, Shirley R.

SHIPPEE, Kathryn E.

Parcel 84W-36-71

Section Thirty-six (36), Township Eight (8) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of Riverside, State of California, EXCEPT that portion of the Southerly Half described as follows: Beginning at a point in the South line of said Section, distant 1779.85 feet Westerly from the Southeast Corner

Parcel 84W-36-71 continued

of said Section Thirty-six (36); thence North 27°08'35" West, 84.65 feet; thence North 15°52'25" West, 549.59 feet; thence North 11°41' East, 336.27 feet; thence North 13°13' West 218.75 feet; thence South 45°33'40" West, 316.25 feet; thence North 81°24'30" West, 370.79 feet; thence North 33°17' West, 501.44 feet; thence South 89°22'25" West, 426.37 feet; thence South 24°32'15" East, 327.49 feet; thence South 29°46'50" East, 1279.37 feet to said South line of said Section; thence Easterly along said South line 693.50 feet to point of beginning.

OWNERS:

TAYLOR, Millicent Y.

Parcel 94W-1-77

The East Half of the Northeast Quarter of Section One (1), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion conveyed to Fallbrook Public Utility District described as follows: Beginning at the Southwest Corner of said East Half of the Northeast Quarter; thence along the South line thereof North 89°56'32" East, 631.27 feet; thence North 09°33'45" West 314.65 feet; thence North 36°19'10" West, 341.32 feet; thence North 01°04'30" East, 194.48 feet; thence North 85°20'50" East, 230.10 feet; thence North 21°45'05" West, 200.30 feet; thence North 33°34'40" West, 263.06 feet; thence South 89°17'05" West, 181.60 feet; thence North 50°31'50" West, 175.09 feet; thence North 47°51'30" East, 312.45 feet; thence North 52°06'05" East, 143.82 feet; thence South 87°47'30" East, 126.29 feet; thence North 07°41' East, 174.46 feet; thence North 29°51' East, 107.98 feet; thence North 60°59'35" East, 220.51 feet; thence North 69°08'40" East, 273.77 feet; thence North 37°02'05" East, 511.25 feet; thence North 22°40'05" East, 82.74 feet to East line of said Northeast Quarter;

Parcel 94W-1-77 Continued

thence North 02°40'05" East, 82.74 feet to East line of said Northeast Quarter; thence North 02°37'40" East along said East line, 364.29 feet to the Northeast Corner of said Northeast Quarter; thence South 54°56'25" West, 665.40 feet; thence North 88°28'45" West, 215.87 feet; thence North 27°08'35" West, 405.85 feet to North line of said Northeast Quarter; thence South 88°52'34" West along said North line 374.09 feet to the Northwest Corner of said East Half of the Northeast Quarter; thence South 02°10'15" West along West line of said East Half, 2902.35 feet to point of beginning. Also, the North Half of the Southeast Quarter of said Section One (1) EXCEPT that portion conveyed to Fallbrook Public Utility District, described as follows: Beginning at the Northeast Corner of said Southeast Quarter; thence South 02°37'40" West along East line of said Southeast Quarter, 225.23 feet; thence South 24°35'40" West, 1090.44 feet; thence North 15°09' West, 524.58 feet; thence North 05°24'20" West, 398.15 feet; thence North 48°36' East, 474.09 feet to North line of the North Half of the Southeast Quarter; thence North 89°56'32" East along said North line 282.21 feet to point of beginning.

OWNERS:

SILL, Charles F.

SILL, Pauline H.

Parcel 93W-6-78

Lot Four (4) (NW $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Section Six (6), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California.

OWNERS:

MASON, Roland G.

MASON, Marion R.

Parcel 94W-12-88

The Northwest Quarter of the Southeast Quarter; and, the Southwest Quarter of the Northeast Quarter of Section Twelve (12), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California.

OWNERS:

WAGENAAR, John L.

WAGENAAR, Mary Agenes

Parcel 94W-12-89

All of the Southeast Quarter of the Southwest Quarter of Section Twelve (12), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, lying Easterly of the U. S. Naval Reservation (formerly the Rancho Santa Margarita y Las Flores). Also, all of the South Half of the Southeast Quarter, and all of the Northeast Quarter of the Southeast Quarter of said Section Twelve (12), EXCEPT that portion conveyed to Fallbrook Public Utility District by deed recorded in Book 6170 at page 149, Official Records of San Diego County, described as follows: Beginning at the Northeast Corner of the Northeast Quarter of the Southeast Quarter of said Section Twelve (12); thence South 88°25'50" West 962.84 feet; thence South 48°41'20" East, 522.33 feet; thence South 45°25'50" East, 86.47 feet; thence South 31°14' East, 72.30 feet; thence South 85°56'50" East, 415.84 feet; thence North 6°13' East 520.77 feet to the point of beginning.

OWNERS:

MOTT, Milton

MOTT, Edith

HILBERT, Lucile M.

HILBERT, William R.

Parcel 94W-12-90

The South 417.42 feet of the West 313.06 feet of the Southeast Quarter of the Northeast Quarter of Section Twelve (12), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California. EXCEPT the Southerly 20 feet of the Westerly 104 feet of the said Southeast Quarter of the Northeast Quarter.

OWNERS:

TURNBULL, James O.

TURNBULL, Betty Lucille

Parcel 93W-8-104

The Southeast Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion described as follows: Beginning at the Southwest Corner of said Southeast Quarter of the Northwest Quarter; thence North  $01^{\circ}02'50''$  West along West line thereof 98.47 feet; thence North  $57^{\circ}20'50''$  East, 406.29 feet; thence North  $71^{\circ}30'50''$  East, 443.18 feet; thence North  $31^{\circ}38'50''$  East, 856.01 feet; thence North  $44^{\circ}36'20''$  East, 139.81 feet to the Northeast Corner of said Southeast Quarter of the Northwest Quarter; thence Southerly along East line thereof 1282.63 feet to the Southeast Corner thereof; thence South  $89^{\circ}52'20''$  East along South line thereof 1340.25 feet to point of beginning.

OWNERS:

HAYES, Richard L.

HAYES, Grace E.

Parcel 93W-17, 5; and 93W-8, 11X1

Those portions of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), and the Southeast Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of Section Seventeen (17); thence along the West line of said Northeast Quarter South  $1^{\circ}12'40''$  West, 375.08 feet; thence parallel with the North line of Section Seventeen (17), South  $89^{\circ}58'40''$  East 737.37 feet; thence North  $57^{\circ}45'50''$  East 702.62 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said section; thence along the West line of the Southeast Quarter of the Southeast Quarter of Section Eight (8) North  $0^{\circ}41'$  West 1051.33 feet to a point distant South  $0^{\circ}41'$  East 300 feet from the Northwest Corner of said Southeast Quarter of the Southeast Quarter; thence parallel with the North line of said Southeast Quarter of the Southeast Quarter North  $89^{\circ}57'$  East 662.07 feet; thence parallel with the West line of said Southeast Quarter of the Southeast Quarter North  $0^{\circ}41'$  West 300 feet to the North line of said Southeast Quarter of the Southeast Quarter; thence along said North line South  $89^{\circ}57'$  West to the West line of the East 30 acres of the North Half of the Southeast Quarter of Section Eight (8); thence North along said West line to the South line of land conveyed to Fallbrook Public Utility District by deed dated 10-14-55, recorded in Book 5891 at page 27 of Official Records; thence along said South line of Fallbrook lands North  $37^{\circ}00'20''$  West 610.15 feet; thence North  $54^{\circ}41'45''$  West 260.68 feet; thence North  $86^{\circ}37'55''$  West 667.11 feet; thence South  $32^{\circ}20'10''$  West 877.90 feet to the West line of the Southeast Quarter of Section Eight (8); thence South along said West line to the point of beginning.

Parcel 93W-17, 5; and 93W-8, 11X1 Continued

OWNERS:

STENTON, Fred J.

STENTON, Florence M.

Parcel 93W-7 - 15X1

The East Half of the Northwest Quarter of the Southeast Quarter, and the Westerly 300 feet of the Northeast Quarter of the Southeast Quarter of Section Seven (7), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, lying Southerly of a line described as follows: Beginning at a point in the East line of the Northwest Quarter of the Southeast Quarter, distant South  $1^{\circ}27'44''$  West 227.59 feet from the Northeast Corner of the Northwest Quarter of the Southeast Quarter; thence South  $72^{\circ}46'$  West 700.10 feet; thence South  $0^{\circ}54'$  West 241.83 feet; thence North  $88^{\circ}24'50''$  East 66.82 feet; thence South  $0^{\circ}53'22''$  West 86.28 feet to the true point of beginning; thence South  $61^{\circ}19'55''$  East 186.24 feet; thence South  $11^{\circ}45'35''$  East 322.42 feet; thence South  $70^{\circ}52'$  East 455.61 feet to the end of said line in the North Half of the Southeast Quarter of Section Seven (7).

OWNERS:

KUNKEL, A. O.

KUNKEL, Ada J.

LANDS RIPARIAN TO SANTA MARGARITA RIVER

WITHIN SANTA MARGARITA RIVER WATERSHED BELOW

TEMECULA GORGE AND ABOVE BOUNDARY OF NAVAL ENCLAVE  
-----

Parcel 83W, 84W & 93W - 1

S $\frac{1}{2}$  of NW $\frac{1}{4}$ ; W $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; and, S $\frac{1}{2}$  of SW $\frac{1}{4}$ ,  
Sec. 33, T8S, R3W.

Apparent Owner: UNITED STATES OF AMERICA

Gross Acreage 320.0 Wells:

Irrigable Acreage

Surface Diversions:

Parcel 83W-23 & 24 - 3

Lots 1, 2, 3 & 4, Sec. 23, T8S, R3W  
Lot 6, Sec. 24, T8S, R3W.

Portion of Temecula Rancho within Santa Margarita River Watershed  
below Temecula Gorge and Above Boundary of Naval Enclave.

Apparent Owner: VAIL COMPANY, INC.

Gross Acreage \* Wells:

Irrigable Acreage

Surface Diversions:

\*Covered in Interlocutory Judgment No. 35

Parcel 83W-93W-4

Frac. Sec. 22, T8S, R3W

Lot 5 & SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 23, T8S, R3W

NW $\frac{1}{4}$ ; N $\frac{1}{2}$  of SW $\frac{1}{4}$ ; SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 26, T8S, R3W.

N $\frac{1}{2}$  of NE $\frac{1}{4}$ ; SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; S $\frac{1}{2}$  of SW $\frac{1}{4}$ , Sec. 27, T8S, R3W.

S $\frac{1}{2}$  of SE $\frac{1}{4}$  & NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Frac. Sec. 28, T8S, R3W.

NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 33, T8S, R3W.

N $\frac{1}{2}$  of NW $\frac{1}{4}$ , Sec. 34, T8S, R3W.

Lot 1 (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ), Sec. 4, EXC por daf: Beg at SW Cor of NE $\frac{1}{4}$  of  
NE $\frac{1}{4}$ ; th N 02°06'50" E. 402.23'; th N 76°44'45" E 224.85'; th S 07°00'50"  
W, 312.89'; th S 19°06'40" W, 147.62' to S li of NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; th S 88°38'  
50" W along sd S li, 147.19' to pob.



Parcel 83W-93W-4

Apparent Owners: MURRAY SCHLOSS FOUNDATION, Trustees of

Gross Acreage 2,365.5 Wells: None

Irrigable Acreage 86.0

Surface Diversions:

None

---

Parcel 83W-26-4A

NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 26, R8S, R3W

Apparent Owners: SHANE, E. & Gussie

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 83W-27-5

SW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; and, NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 27, T8S, R3W.

Apparent Owner: BOGART, Guy

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 83W-27-6

SW $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 27, T8S, R3W

Apparent Owner: GILLILAND, Margaret Ellen

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 93W-3&4 - 21

Por. of S $\frac{1}{2}$  of NE $\frac{1}{4}$ , Sec. 4, T9S, R3W, daf: Beg at NE Cor of sd S $\frac{1}{2}$ ; th S 88°38'50" W, 1236.35'; th S 19°06'40" W, 245.69'; th S 53°49' E, 1612.97' to E li of sd S $\frac{1}{2}$ ; th N 0°41'10" E along sd E li 1213.65' to pob

Apparent Owner: MORTZ, Paul D.

Gross Acreage 21.5 Wells: 93W-4G1

Irrigable Acreage 1.4

Surface Diversions:

---

Parcel 93W-4-22

Lots 2 & 3 (NW $\frac{1}{4}$  of NE $\frac{1}{4}$  & NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ) of Sec. 4, T9S, R3W, EXC por of Lot 2 daf: Beg at SE Cor of sd Lot 2; th N 02°06'50" E, 402.23'; th S 76°44'45" W, 259.63'; th S 29°49'05" E, 205.14'; th S 73°26'30" E, 657.41' to S li sd Lot 2; th N 88°38'50" W, 970.31' to pob.

Apparent Owner: MARSHALL, John W.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 93W-4-26

Por of Sec. 4, T9S, R3W, daf: Beg at pt in S li of N $\frac{1}{2}$ , Sec. 4, dist. S 89°03' W, 2186.68' fr SE Cor of sd N $\frac{1}{2}$ ; th N 58°09'50" W, 947.96'; th S 37°47'20" W, 311.44'; th S 25°24' W, 146.49'; th S 60°18'E, 88.70'; th S 65°42' E, 380.55'; th N 39°36' E, 345.40'; th N 25°26' E, 101.37'; th N 01°18'40" E, 53.62' to pt on S li of sd N $\frac{1}{2}$ , dist. 595.46' fr pob; th S 89°03' W, 595.46' to pob.

Apparent Owners: PETERS, Ray G. & Gladys P.

Gross Acreage 12.0 Wells: 93W-4F1

Irrigable Acreage 10.0

Surface Diversions:

Parcel 93W-4,8,&9-28 \_\_\_\_\_

Beg at SE Cor of NE $\frac{1}{4}$  of Sec 8, T9S, R3W; th S 89°57'53" W, 874.36'; th N 30°09' W, 633.93'; th N 50°51' E, 184.72'; th N 88°41'40" E, 411.63' to NE Cor of S $\frac{1}{2}$  of NE $\frac{1}{4}$ ; th S 0°06'10" E along E li sd NE $\frac{1}{4}$ , 600' to pob.

Apparent Owners: BOUSLOG, Houston H.  
MONFORT, Gordon W.  
KELLER, Robert H.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 93W-4-30 \_\_\_\_\_

SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Sec. 4, T9S, R3W, EXC por daf: Beg at NW Cor thereof; th along N li S 89°32'30" E, 179.84'; th S 34°03' W, 334.03' to W li of sd SE $\frac{1}{4}$ ; th N 01°29'50" E along sd W li, 275.41' to pob.

Apparent Owners: JENNINGS, Theodore F. & Janice B.

Gross Acreage 39.5 Wells: 93W-4N1

Irrigable Acreage 23.6

Surface Diversions:

Parcel 93W-8-33

SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 8, T9S, R3W EXC por daf: Beg at SW Cor of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ ; th N 0°45'40" W along W li 1301.25' to NW Cor thereof; th along N li N 89°05' E. 496.18'; th S 30°09' W, 531.81'; th S 30°09' E, 343.70'; th N 69°12'05" E, 951.10'; th S 39°53'30" E, 125.61' to E li of sd Sec 8; th N 89°51'40" W, 262.23'; th S 31°17'35" W, 258.23' to pt in S li of SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , dist thereon 396.75' fr SE Cor thereof; th along sd S li 958.71' to pob.

Apparent Owners: DETHLEFS, Walter E., Sr. & Mary E.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 84W, 93 & 4 W - 35

That portion of The Survey Condemnation Area of Fallbrook Public Utility District in Sec 4, 5, 6, 7, 8 & 9, T9S, R3W, and Sec. 12, T9S, R4W.

Apparent Owner: FALLBROOK PUBLIC UTILITY DISTRICT

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Beg at SE Cor of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec 4, T9S, R3W; th N 36°38'40" W, 615.69'; th N 60°44'20" E, 212.92'; th N 14°18'30" E, 218.28'; th N 34°03' E, 276.71' to E li of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; th S 01°29'50" W, 1059.22' to pob.

Apparent Owner: SINGLETON, Louis J.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 83W-33 & 34 - 55

NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; S $\frac{1}{2}$  of SE $\frac{1}{4}$ ; and, S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 33, T8S, R3W.

Apparent Owners: HENDERSON, Max M. & Aurelie S.

Gross Acreage 200.0 Wells: 83W-33Q11

Irrigable Acreage 21.5

Surface Diversions:

---

Parcel 93W-4 & 5 - 56

Beg at the NW Cor of SW $\frac{1}{4}$  of Sec 4, T9S, R3W; th N 89°03' E, 1136.50'; th S 27°55'05" W, 159.89'; th S 17°36'30" E, 213.45'; th S 24°47'10" W, 312.41'; th S 42°45'25" E, 252.40'; th S 32°44'40" W, 594.73'; th S 68°13'10" W, 807.47'; th S 42°07'05" W, 291.76'; th N 11°49' W, 490.42'; th N 89°25'50" E, 134.32' to NE Cor of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 5; th N 01°06'40" E, 1303.27' to pob.

Apparent Owners: JONES, Alex N. & Marilyn M.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 94W-12-88

NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; and, SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 12, T9S, R4W.

Apparent Owners: WAGENAAR, John L. & Mary Agenes

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 94W-12-89

All of SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 12, T9S, R4W, lying Ely of U. S. Naval Reservation (formerly Rho Santa Margarita y Las Flores). Also, all of S $\frac{1}{2}$  of SE $\frac{1}{4}$ ; and NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 12, EXC that por conv to FPUD by deed recorded in Book 6170 at page 149 OR of San Diego Snty, daf: Beg at NE Cor of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of sd Sec. 12; th S 88° 25'50" W, 962.84'; th S 48°41'20" E, 522.33'; th S 45°25'50" E, 86.47'; th S 31°14' E, 72.30'; th S 85°56'50" E, 415.84'; th N 6°13' E, 520.77' to pob.

Apparent Owners: MOTT, Milton & Edith  
HILBERT, William R. & Lucile M.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 94W-12-90

S 417.42' of W 313.06' of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 12, T9S, R4W EXC Sly 20' of Wly 104' of sd SE $\frac{1}{4}$  of NE $\frac{1}{4}$ .

Apparent Owners: TURNBULL, James O. & Betty Lucille

Gross Acreage 2.9 Wells: 94W-12H1 - Domestic

Irrigable Acreage .7

Surface Diversions:

Parcel 93W-8-104

SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 8, T9S, R3W EXC that por daf: Beg at SW Cor of sd SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; th N 01°02'50" W along W li thereof 98.47'; th N 57°20'50" E, 406.29'; th N 71°30'50" E, 443.18'; th N 31°38'50" E, 856.01'; th N 44°36'20" E, 139.81' to NE Cor of sd SE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; th Sly along E li thereof 1282.63' to SE Cor thereof; th S 89°52'20" E along S li thereof 1340.25' to pob.

Apparent Owners: HAYES, Richard L. and Grace E.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

Parcel 93W-17, 5; and 93W-8, 11X1

Beg at NW Cor of NE $\frac{1}{4}$  of Sec 17, T9S, R3W; th along W li of sd NE $\frac{1}{4}$   
 S 1°12'40" W, 375.08'; th p/w N li Sec 17, S 89°58'40" E, 737.37';  
 th N 57°45'50" E, 702.62' to NE Cor of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of sd Sec; th  
 along W li of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 8, T9S, R3W, N 0°41' W, 1051.33'  
 to pt dist S 0°41' E, 300' fr NW Cor of sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th p/w N  
 li of sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$  N 89°57' E, 662.07'; th p/w W li of sd SE $\frac{1}{4}$   
 of SE $\frac{1}{4}$  N 0°41' W, 300' to N li of sd SE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th along sd N  
 li S 89°57' W to W li of E 30 acres of N $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec 8; th  
 N along sd W li to S li of land conv to FPUD by deed 10-14-55,  
 5891/27 OR; th along sd S li of FPUD lands N 37°00'20" W, 610.15';  
 th N 54°41'45" W, 260.68'; th N 86°37'55" W, 667.11'; th S 32°20'10"  
 W, 877.90' to W li of SE $\frac{1}{4}$  of Sec 8; th S along sd W li to pcb.

Apparent Owners: STENTON, Fred J. & Florence M.

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 93W-7-15X1

E $\frac{1}{2}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , and Wly 300' of NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec 7, T9S, R3W,  
 lying Sly of li daf: Beg at pt in E li of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , dist S  
 1°27'44" W, 227.59' fr the NE Cor of NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; th S 72°46' W,  
 700.10'; th S 0°54' W, 241.83'; th N 88°24'50" E, 66.82'; th S  
 0°53'22" W, 86.28' to true pcb. Th S 61°19'55" E, 186.24'; th  
 S 11°45'35" E, 322.42'; th S 70°52' E, 455.61' to end of sd li  
 in N $\frac{1}{2}$  of SE $\frac{1}{4}$  of Sec. 7.

Apparent Owners: KUNKEL, A. O. and Ada J.

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions:

LANDS RIPARIAN TO STONE CREEK

WITHIN SANTA MARGARITA RIVER WATERSHED BELOW  
TEMECULA GORGE AND ABOVE BOUNDARY OF NAVAL ENCLAVE

-----

Parcel 83W-93W-4

SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 26, T8S, R3W  
NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; SE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; S $\frac{1}{2}$  of SE $\frac{1}{4}$ ; and, NW $\frac{1}{4}$  of SE $\frac{1}{4}$ , EXC E $\frac{1}{2}$  of NE $\frac{1}{4}$  of  
NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 34, T8S, R3W.  
NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ; NE $\frac{1}{4}$ ; and, W $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 35, T8S, R3W  
N $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 3, T9S, R3W.  
That por. of Lot 1 (NE $\frac{1}{4}$  of NE $\frac{1}{4}$ ) of Sec. 4, T9S, R3W as described in  
Exhibit A-1.

Apparent Owners: MURRAY SCHLOSS FOUNDATION, Trustees of.

Gross Acreage 636.35 Wells:

Irrigable Acreage 35.0

Surface Diversions:

---

Parcel 83W-34 & 35 - 7

S $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 35, T8S, R3W. Also, NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ; and, SE $\frac{1}{4}$  of  
NE $\frac{1}{4}$  of Sec. 34, T8S, R3W.

Apparent Owners: RIDENOUR, Ralph O. & Myrtle E.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 83W-35-8

NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 35, T8S, R3W

Apparent Owners: CARTER, John T. & Helen C.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:



Parcel 83W-33 & 34 - 55

SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Sec. 34, T8S, R3W.

Apparent Owners: HENDERSON, Max M. & Aurelie S.

Gross Acreage 70.0

Wells: 83W-34N1 - Dry

Irrigable Acreage 1.0

Surface Diversions

---

Parcel 83W-34-57

E $\frac{1}{2}$  of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 34, T8S, R3W

Apparent Owners: TODD, Wallace M. & LeDoris M.

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions

LANDS RIPARIAN TO BRIANS CREEK

WITHIN SANTA MARGARITA RIVER WATERSHED BELOW  
TEMECULA GORGE AND ABOVE BOUNDARY OF NAVAL ENCLAVE

-----

Parcel 83W, 84W, 93W - 1

Lots 1 & 2, Sec. 31, T8S, R3W.

Apparent Owner: UNITED STATES OF AMERICA

Gross Acreage 29.24 Wells:

Irrigable Acreage

Surface Diversions:

\_\_\_\_\_

Parcel 84W, 93 & 4W - 35

That portion of the Survey Condemnation Area of Fallbrook Public Utility District in Sec. 1, T9S, R4W.

Apparent Owner: FALLBROOK PUBLIC UTILITY DISTRICT

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

\_\_\_\_\_

Parcel 83W-31 & 93W-6-60

W $\frac{1}{2}$  of SE $\frac{1}{4}$ ; S $\frac{1}{2}$  of SW $\frac{1}{4}$ ; NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; and, SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 31, T8S, R3W EXC Wly 165' of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ .

Apparent Owners: SAWDAY, Charles F. & Ruth Cornell  
CAREY, Arthur W. & Inez Wagner  
GOODWIN, Ewart W.- & Mary Alice  
BRADSHAW, Paul D. & Margaret

Gross Acreage 189.0 Wells: 83W-31P1 - Dug, domestic  
31P2 - Dug, irrigation

Irrigable Acreage 71.6

Surface Diversions:

Reservoir - 83W-31L - Capacity 24.4 A.F.  
31L - Capacity 19.0 A.F.

Parcel 83W-31-61

The S. 10 acres of Lot 3, ( $S\frac{1}{2}$  of  $S\frac{1}{2}$  of  $NE\frac{1}{4}$  of  $NW\frac{1}{4}$ ) of Sec. 1, T8S, R3W.

Apparent Owners: DI SILVESTRO I.  
LONG, C. R.

Gross Acreage 10.0 Wells: None

Irrigable Acreage None

Surface Diversions: None

---

Parcel 83W-31-67

Govt. Lot 6, and Wly 165' of  $NE\frac{1}{4}$  of  $SW\frac{1}{4}$  of Sec. 31, T8S, R3W

Apparent Owners: SHIPPEE, Shirley R. & Kathryn E.

Gross Acreage Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 84W-36-71

$SE\frac{1}{4}$  of  $SE\frac{1}{4}$  of Sec. 36, T8S, R4W.

Apparent Owner: TAYLOR, Millicent Y.

Gross Acreage 40.0 Wells:

Irrigable Acreage None

Surface Diversions: None

Parcel 94W-1-77

$E\frac{1}{2}$  of  $NE\frac{1}{4}$  of Sec. 1, T9S, R4W, EXC that portion conveyed to Fallbrook Public Utility District.

Apparent Owners: SILL, Charles F. & Pauline H.

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions:

---

Parcel 93W-6-78

Lot 4 ( $NW\frac{1}{4}$  of  $NW\frac{1}{4}$ ) Sec. 6, T9S, R3W.

Apparent Owners: MASON, Roland G. & Marion R.

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions:

LANDS RIPARIAN TO SANDIA CREEK

WITHIN SANTA MARGARITA RIVER WATERSHED BELOW  
TEMECULA GORGE AND ABOVE BOUNDARY OF NAVAL ENCLAVE

-----  
That portion of the Santa Rosa Grant within Sandia Creek Watershed.

Apparent Owners: VAIL COMPANY, INC.

Covered in Interlocutory Judgment No. 35.

-----  
Parcel 84W-93 & 94W - 35

That portion of The Survey Condemnation Area of Fallbrook Public Utility District in Sections 25 & 36, T8S, R4W, and Sections 1 & 12, T9S, R4W.

Apparent Owner: FALLBROOK PUBLIC UTILITY DISTRICT

Gross Acreage

Wells:

Irrigable Acreage

Surface Diversions:

-----  
Parcel 84W-25-66A

Lots 1, 2, 4, 5 & S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec. 25, T8S, R4W.

Apparent Owners: YACKEY, George F. & Alma H.

Gross Acreage 206.6

Wells: 84W-25Q1 - Domestic  
25Q2 - Domestic & Irri.  
25Q3 - Not used

Irrigable Acreage 68.1

Surface Diversions:

25Q1 Capacity 3 A.F.

25Q2 Capacity 5 A. F.

Parcel 84W-36-71

Sec. 36, T8S, R4W, EXC that por of Sly  $\frac{1}{2}$  daf: Beg at pt in S li of sd Sec. dist. 1779.85' Wly fr SE Cor of sd Sec. 36; th N 27°08' 35" W, 84.65'; th N 15°52'25" W, 549.49'; th N 11°41' E, 336.27'; th N 13°13' W, 218.75'; th S 45°33'40" W, 316.25'; th N 81°24'30" W, 370.79'; th N 33°17' W, 501.44'; th S 89°22'25" W, 426.37'; th S 24° 32'15" E, 327.49'; th S 29°46'50" E, 1279.37' to sd S li of sd Sec; th Ely along sd S li 693.50' to pob.

Apparent Owners: TAYLOR, Millicent Y.

Gross Acreage 616.0 Wells: 84W-36D1 - Not used

Irrigable Acreage 28.7

Surface Diversions:

36D1 Masonary  
36D2 Capacity 45,000 Gallons

---

Parcel 94W-1-77

For description and acreage see Exhibit A-3

PARCELS WHERE PORTION ABUTTING UPON THE STREAM WERE

SOLD TO F.P.U.D. BUT RIPARIAN RIGHTS WERE RESERVED.

SANDIA CREEK

Parcel 94W-1-77:

The East Half of the Northeast Quarter of Section One (1), Township Nine (9) South, Range Four (4) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, EXCEPT that portion conveyed to Fallbrook Public Utility District, described as follows: Beginning at the Southwest Corner of said East Half of the Northeast Quarter; thence along South line thereof North  $89^{\circ}56'32''$  East, 631.27 feet; thence North  $09^{\circ}33'45''$  West 314.65 feet; thence North  $36^{\circ}19'10''$  West 341.32 feet; thence North  $01^{\circ}04'30''$  East, 194.48 feet; thence North  $85^{\circ}20'50''$  East, 230.10 feet; thence North  $21^{\circ}45'05''$  West, 200.30 feet; thence North  $33^{\circ}34'40''$  West, 263.06 feet; thence South  $89^{\circ}17'05''$  West, 181.60 feet; thence North  $50^{\circ}31'50''$  West, 175.09 feet; thence North  $47^{\circ}51'30''$  East, 312.45 feet; thence North  $52^{\circ}06'50''$  East, 143.82 feet; thence South  $87^{\circ}47'30''$  East, 126.29 feet; thence North  $07^{\circ}41'$  East, 174.46 feet; thence North  $29^{\circ}51'$  East, 107.98 feet; thence North  $60^{\circ}59'35''$  East, 220.51 feet; thence North  $69^{\circ}08'40''$  East, 273.77 feet; thence North  $37^{\circ}02'05''$  East, 511.25 feet; thence North  $22^{\circ}40'05''$  East, 82.74 feet to East line of said Northeast Quarter; thence North  $02^{\circ}37'40''$  East along said East line, 364.29 feet to the Northeast Corner of said Northeast Quarter; thence South  $54^{\circ}56'25''$  West, 665.40 feet; thence North  $88^{\circ}28'45''$  West, 215.87 feet; thence North  $27^{\circ}08'35''$  West, 405.85 feet to North line of said Northeast Quarter; thence South  $88^{\circ}52'34''$  West along said North line 374.09 feet to the Northwest Corner of said East Half of the Northeast Quarter; thence South  $02^{\circ}10'15''$  West along West line of said East Half, 2902.35 feet to point of beginning. Also, the North Half of the Southeast Quarter of said Section One (1) EXCEPT that portion

Parcel 94W-1-77 Continued:

conveyed to Fallbrook Public Utility District, described as follows: Beginning at the Northeast Corner of said Southeast Quarter; thence South 02°37'40" West along East line of said Southeast Quarter, 225.23 feet; thence South 24°35'40" West, 1090.44 feet; thence North 15°09' West, 524.58 feet; thence North 05°24'20" West, 398.15 feet; thence North 48°36' East, 474.09 feet to North line of North Half of Southeast Quarter; thence North 89°56'32" East along said North line 282.21 feet to point of beginning.

OWNERS:

SILL, Charles F. & Pauline H.

SANTA MARGARITA RIVER

Parcel 93W-3&4 - 21

That portion of the South Half of the Northeast Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at the Northeast Corner of said South Half; thence South 88°38'50" West 1236.35 feet; thence South 19°06'40" West, 245.69 feet; thence South 53°49' East, 1612.97 feet to East line of said South Half; thence North 0°41'10" East along said East line 1213.65 feet to point of beginning.

OWNERS:

MORTZ, Paul D.

Parcel 93W-4-26:

That portion of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at a point in the South line of the North Half of Section Four (4) distant South 89°03' West 2186.68 feet from the Southeast Corner



Parcel 93W-4-26 Continued:

of said North Half; thence North 58°09'50" West 947.96 feet;  
thence South 37°47'20" West 311.44 feet; thence South 25°24'  
West 146.49 feet; thence South 60°18' East 88.70 feet; thence  
South 65°42' East 380.55 feet; thence North 39°36' East 345.40  
feet; thence North 25°26' East 101.37 feet; thence North 01°18'  
40" East 53.62 feet to a point on South line of said North Half  
distant 595.46 feet from point of beginning; thence South 89°03'  
West 595.46 feet to point of beginning.

OWNERS:

PETERS, Ray G. & Gladys P.

Parcel 93W-4, 8 & 9 - 28:

That portion of the South Half of the Northeast Quarter of  
Section Eight (8), Township Nine (9) South, Range Three (3)  
West, San Bernardino Base and Meridian, in the County of  
San Diego, State of California, described as follows: Beginning  
at the Southeast Corner of the Northeast Quarter of Section  
Eight (8); thence South 89°57'53" West, 874.36 feet; thence  
North 30°09' West, 633.93 feet; thence North 50°51' East  
184.72 feet; thence North 88°41'40" East, 411.63 feet to the  
Northeast Corner of the South Half of the Northeast Quarter;  
thence South 0°06'10" East along East line of said Northeast  
Quarter, 600 feet to point of beginning.

OWNERS:

BOUSLOG, Houston H.

KELLER, Robert H.

MONFORT, Gordon W.

Parcel 93W-4-30:

The Southeast Quarter of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion described as follows: Beginning at the Northwest Corner thereof; thence along North line South  $89^{\circ}32'30''$  East, 179.84 feet; thence South  $34^{\circ}03'$  West, 334.03 feet to West line of said Southeast Quarter; thence North  $01^{\circ}29'50''$  East along said West line, 275.41 feet to point of beginning.

OWNERS:

JENNINGS, Theodore F. & Janice B.

Parcel 93W-8-33:

The Southeast Quarter of the Northeast Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion described as follows: Beginning at the Southwest Corner of said Southeast Quarter of the Northeast Quarter; thence North  $0^{\circ}45'40''$  West along West line thereof 1301.25 feet to the Northwest Corner thereof; thence along North line North  $89^{\circ}05'$  East, 496.18 feet; thence South  $30^{\circ}09'$  West, 531.81 feet; thence South  $20^{\circ}09'$  East, 343.70 feet; thence North  $69^{\circ}12'05''$  East, 951.10 feet; thence South  $39^{\circ}53'30''$  East, 125.61 feet to East line of said Section Eight (8); thence North  $89^{\circ}51'40''$  West 262.23 feet; thence South  $31^{\circ}17'35''$  West 258.23 feet to a point in the South line of the Southeast Quarter of the Northeast Quarter, distant thereon 396.75 feet from the Southeast Corner thereof; thence along said South line 958.71 feet to point of beginning.

OWNERS:

DETHLEFS, Walter E. Sr. & Mary E.

Parcel 93W-4-40:

That portion of the Southwest Quarter of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California, described as follows: Beginning at the Southeast Corner of said Southwest Quarter of the Southwest Quarter; thence North  $36^{\circ}38'40''$  West, 615.69 feet; thence North  $60^{\circ}44'20''$  East 212.92 feet; thence North  $14^{\circ}18'30''$  East 218.28 feet; thence North  $34^{\circ}03'$  East 276.71 feet to the East line of the Southwest Quarter of the Southwest Quarter; thence South  $01^{\circ}29'50''$  West, 1059.22 feet to point of beginning.

OWNERS:

SINGLETON, Louis J.

Parcel 93W-4 & 5 - 56:

That portion of the West Half of the Southwest Quarter of Section Four (4), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California; and, the Southeast Quarter of the Southeast Quarter of Section Five (5), said Township and Range, described as follows: Beginning at the Northwest Corner of the Southwest Quarter of said Section Four (4); thence North  $89^{\circ}03'$  East, 1136.50 feet; thence South  $27^{\circ}55'05''$  West, 159.89 feet; thence South  $17^{\circ}36'30''$  East, 213.45 feet; thence South  $24^{\circ}47'10''$  West, 312.41 feet; thence South  $42^{\circ}45'25''$  East 252.40 feet; thence South  $32^{\circ}44'40''$  West, 594.73 feet; thence South  $68^{\circ}13'10''$  West, 807.47'; thence South  $42^{\circ}07'05''$  West, 291.76 feet; thence North  $11^{\circ}49'$  West, 490.42 feet; thence North  $89^{\circ}25'50''$  East, 134.32 feet to Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section Five (5); thence North

Parcel 93W- 4 & 5 - 56 Continued:

01°06'40" East, 1303.27 feet to point of beginning.

OWNERS:

JONES, Alex N. & Marilyn M.

Parcel 93W-8-104:

The Southeast Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, in the County of San Diego, State of California EXCEPT that portion described as follows: Beginning at the Southwest Corner of said Southeast Quarter of the Northwest Quarter; thence North 01°02'50" West along West line thereof 98.47 feet; thence North 57°20'50" East, 406.29 feet; thence North 71°30'50" East, 443.18 feet; thence North 31°38'50" East, 856.01 feet; thence North 44°36'20" East, 139.81 feet to the Northeast Corner of said Southeast Quarter of the Northwest Quarter; thence Southerly along East line thereof 1282.63 feet to the Southeast Corner thereof; thence South 89°52'20" East along South line thereof 1340.25 feet to point of beginning.

OWNERS:

HAYES, Richard L. & Grace E.

Parcel 93W-17, 5; and 93W-8, 11X1:

Those portions of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), and the Southeast Quarter of Section Eight (8), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, described as follows: Beginning at the Northwest Corner of the Northeast Quarter of Section Seventeen (17); thence along the West line of said Northeast Quarter South 1°12'40" West, 375.08 feet; thence parallel with the North line of Section Seventeen (17) South 89°58'40" East 737.37 feet; thence North 57°45'50" East 702.62 feet to the

Parcel 93W-17, 5; and 93W-8, 11X1 Continued:

Northeast corner of the Northwest Quarter of the Northeast Quarter of said section; thence along the West line of the Southeast Quarter of the Southeast Quarter of Section Eight (8) North 0°41' West 1051.33 feet to a point distant South 0°41' East 300 feet from the Northwest Corner of said Southeast Quarter of the Southeast Quarter; thence parallel with the North line of said Southeast Quarter of the Southeast Quarter North 89°57' East 662.07 feet; thence parallel with the West line of said Southeast Quarter of the Southeast Quarter North 0°41' West 300 feet to the North line of said Southeast Quarter of the Southeast Quarter; thence along said North line South 89°57' West to the West line of the East 30 acres of the North Half of the Southeast Quarter of Section Eight (8); thence North along said West line to the South line of land conveyed to Fallbrook Public Utility District by deed dated 10-14-55, recorded in Book 5891 at page 27 of Official Records; thence along said South line of Fallbrook lands North 37°00'20" West 610.15 feet; thence North 54°41'45" West 260.68 feet; thence North 86°37'55" West 667.11 feet; thence South 32°20'10" West 877.90 feet to the West line of the Southeast Quarter of Section Eight (8); thence South along said West line to the point of beginning.

OWNERS:

STENTON, Fred J. & Florence M.

Parcel 93W-7 - 15X1:

The East Half of the Northwest Quarter of the Southeast Quarter, and the Westerly 300 feet of the Northeast Quarter of the Southeast Quarter of Section Seven (7), Township Nine (9) South, Range Three (3) West, San Bernardino Base and Meridian, lying Southerly of a line described as follows: Beginning at a point in the East line of the Northwest Quarter of the Southeast Quarter, distant

Parcel 93W-7 - 15X1 Continued:

South 1°27'44" West 227.59 feet from the Northeast Corner of the Northwest Quarter of the Southeast Quarter; thence South 72°46' West 700.10 feet; thence South 0°54' West 241.83 feet; thence North 88°24'50" East 66.82 feet; thence South 0°53'22" West 86.28 feet to the true point of beginning; thence South 61°19'55" East 186.24 feet; thence South 11°45'35" East 322.42 feet; thence South 70°52' East 455.61 feet to the end of said line in the North Half of the Southeast Quarter of Section Seven (7).

OWNERS:

KUNKEL, A. O. & Ada J.

VESTED AND INCORPORATE APPROPRIATIVE RIGHTS TO USE OF WATER WITHIN  
 SANTA MARGARITA RIVER WATERSHED BELOW TEMECULA CREEK  
 GORGE AND DOWNSTREAM TO NAVAL ENCLAVE.

<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>
Fallbrook Public Utility District	11586	10/11/46	Santa Margarita River	NW <sup>1</sup> of NE <sup>1</sup> , Sec 7 T9S, R3W	2.5 cfs	Irr Dom Muni.	License
Fallbrook Public Utility District	11587	10/11/46	Santa Margarita River	SE <sup>1</sup> of NE <sup>1</sup> , Sec 12 T9S, R4W	10,000 ac ft	Irr Dom Muni	Permit
Fallbrook Public Utility District	12178	11/28/47	Santa Margarita River	SE <sup>1</sup> of NE <sup>1</sup> , Sec 12 T9S, R4W	9,500 ac ft	Irr Dom Muni	Permit
Fallbrook Public Utility District	12179	11/28/47	Santa Margarita River	SE <sup>1</sup> of NE <sup>1</sup> , Sec 12 T9S, R4W	8,500 ac ft	Irr Dom Muni	Permit
Sawday, Charles F. et al	14561	11/02/51	Brians Creek	NE <sup>1</sup> of SW <sup>1</sup> , Sec 31 T8S, R3W	35 ac ft	Irr	Permit
Sawday, Charles F. et al	18156	4/26/58	Brians Creek	NE <sup>1</sup> of SW <sup>1</sup> , Sec 31 T8S, R3W	35 ac ft	Irr	Permit
Yackey, George F. & Taylor, M. Y	18393	10/30/58	Sandia Creek	SW <sup>1</sup> of NW <sup>1</sup> , Sec 36 T8S, R4W	1800 ac ft		Permit

Interlocutory Judg. #39  
 Exhibit "g"

22  
 22  
 22