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APR 9 1963

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

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FALLBROOK PUBLIC UTILITY
DISTRICT, et al.,

Defendants.

No. 1247-SD-C

ORDER AMENDING
INTERLOCUTORY JUDGMENT NO. 33A

WHEREAS, this Court, having previously entered Interlocutory Judgment No. 1, which relates to lands within the sub-watershed of Wilson and Coahuilla Creeks; and

WHEREAS, the lands to which that Interlocutory Judgment pertain neither abut upon nor are traversed by the Santa Margarita River or its tributaries and the ground waters, if any, found in those lands are "vagrant, percolating, local waters, not being a part of any surface stream or sub-surface basin of the Santa Margarita River or its tributaries,"; and

WHEREAS, this Court entered on August 4, 1961, Interlocutory Judgment No. 33A which pertains to the "Lands in Wilson Creek and Coahuilla Creek Sub-Watersheds Which Do Not Overlie Any Ground Waters Which Feed or Contribute to those Streams or Their Tributaries,"; and

WHEREAS, the lands to which Interlocutory Judgment No. 1 pertain are generally within the area embraced in Interlocutory Judgment No. 33A, and the vagrant, local and percolating waters to which all of the Interlocutory

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Judgments have application are in contemplation of the law identical in character with those referred to in Interlocutory Judgment No. 33A; and
GOOD CAUSE BEING SHOWN, better to conclude this litigation and to simplify the entering of the final judgment,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Interlocutory Judgment No. 1 is hereby incorporated into, merged and consolidated with and made a part of the above mentioned Interlocutory Judgment No. 33A and the apparent owners referred to in that Judgment and the lands to which they relate are subject to all of the terms and provisions of the last mentioned Interlocutory Judgment.

Dated: 4/9/63


JAMES M. CARTER
Judge, United States District Court

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