

FILED

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

JAN 27 1966

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
By *William H. ...* DEPUTY

1 UNITED STATES OF AMERICA,)
2)
3)
4)
5 Plaintiff,)
6 v.)
7 FALLBROOK PUBLIC UTILITY)
8 DISTRICT, et al.,)
9 Defendants.)

No. 1247-SD-C

ORDER APPROVING FORM FOR
"MONTHLY WATER CONSUMPTION
REPORT"; and DIRECTING COL.
BOWEN TO PROCEED WITH WATER
MEASURING.

10 An Order in the above entitled matter having been
11 entered on December 12, 1962, [Interlocutory Judgment No. 45]
12 relating to determining water extractions from the Santa
13 Margarita river stream system; and said Order having provided
14 that Lt. Col. A.C. Bowen shall prepare forms which shall be
15 approved by this court and which shall be served upon the
16 substantial water users who are not metering extractions from
17 wells or surface diversions; and Lt. Col. A.C. Bowen having
18 prepared and submitted form entitled, "Monthly Water Consump-
19 tion and Crop Data," which was approved by Order dated
20 September 3, 1964.

21 A new Order having been made this date, January
22 27, 1966 relating to water extractions from the Santa
23 Margarita river stream system; and said Order providing that
24 ~~Mr.~~ Col. A.C. Bowen shall prepare forms which shall be
25 approved by this court and which shall be served upon the
26 substantial water users who are not metering extractions from
27 wells or surface diversions; and ~~Mr.~~ Col. A.C. Bowen having
28 prepared and submitted form entitled, "Monthly Water Consump-
29 tion Report".

30 NOW THEREFORE,

31 IT IS ORDERED that the Order of September 3,
32 1964 is superseded by this Order and that said form "Monthly

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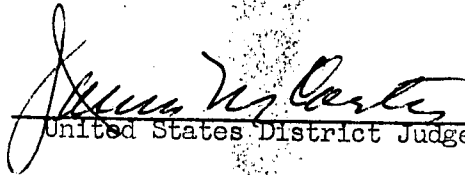
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Water Consumption and Crop Data" shall be no longer used.

IT IS FURTHER ORDERED that form "Monthly Water Consumption Report" is hereby approved. A copy is attached to this Order.

IT IS FURTHER ORDERED that ~~Mr.~~ Col. A.C. Bowen forthwith proceed to put into effect and carry out the various directions to him contained in Order dated January 27, 1966.

DATED: January 27, 1966


United States District Judge

MONTHLY WATER CONSUMPTION REPORT

Owner: _____
Well Location: _____
Quantity pumped for irrigation during the month of _____ Acre Feet
Depth to water end of month _____ Feet
Fuel or Power Consumption _____

Signature of Owner or Agent Date

Quigley

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JAN 27 1966

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

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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 REQUIRING SUBMISSION OF
FACTUAL DATA TO COLONEL BOWEN

It appearing that on December 12, 1962, this Court entered its "Order Relating To Determining Water Extractions From The Santa Margarita River Stream System" and that on September 3, 1964, this Court entered its "Order Approving Form For 'Monthly Water Consumption & Crop Data'; and Directing Col. Bowen To Proceed With Water Measuring," and it further appearing that experience has shown that a substantial number of the designated water users have failed to submit to said Col. Bowen the information requested on the approved form, or have not supplied said Col. Bowen with all of the information requested; and it further appearing that the ascertainment of certain facts concerning water use within the Santa Margarita River Stream System is essential to this Court's

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1 exercise of its continuing jurisdiction of the Final
2 Judgment and Decree entered by this Court on May 8, 1963;

3 NOW, THEREFORE, IT IS HEREBY ORDERED that:

4 1

5 This order shall supersede the Orders of this
6 Court entered on December 12, 1962, and September 3, 1964,
7 referred to above.

8 2

9 Col. Bowen, Officer in Charge, of the Office of
10 Ground Water Resources, Marine Corps Base, Camp Pendleton,
11 California, is hereby designated by this Court to act as
12 this Court's representative to obtain certain factual data
13 concerned with water use within the Santa Margarita River
14 Watershed, and said Col. Bowen shall, from time to time,
15 as ordered by this Court, submit this factual data to this
16 Court by written report, the form of which shall be approved
17 by this Court; any report submitted by said Col. Bowen
18 shall be filed in this proceeding and all parties to this
19 proceeding shall have the right to examine said report
20 and shall also have the right to examine Col. Bowen before
21 this Court concerning the matters set forth in the report
22 and to introduce other evidence which may be relevant
23 to the matters set forth therein.

24 3

25 Each of the water users designated in Section A
26 of the exhibit attached to this order shall supply, in
27 writing, to said Col. Bowen on or about the first day of
28 each month the following factual data for each well
29 designated in the exhibit attached hereto for the
30 preceding month:

31 A. The owner of the well.

- 1 B. The location of the well.
2 C. The quantity in acre-feet of water
3 pumped for irrigation during that month.
4 D. The depth in feet to water on or about the
5 last day of that month.

6 4

7 Each of the water users designated in Section B
8 of the exhibit attached to this order shall supply in
9 writing to Col. Bowen on or about the first day of each
10 month, the following factual data for each designated
11 diversion from surface stream flow for the preceding month:

- 12 A. The quantity in acre-feet of water
13 diverted during that month.

14 5

15 Each of the water users designated in Section C
16 of the exhibit attached to this order shall supply in
17 writing to said Col. Bowen on or about the first day of
18 each month the following factual data for each designated
19 surface storage reservoir for the preceding month:

- 20 A. The amount in acre-feet of water stored
21 on the last day of that month in the
22 reservoir.

23 6

24 Col. Bowen is hereby directed to forthwith
25 supply each of the water users designated in the exhibit
26 attached hereto with appropriate forms upon which the
27 above factual data is to be set forth by them and returned
28 to said Col. Bowen as herein ordered.

29 7

30 On or about the first day of June of each year
31 Col. Bowen shall make a written recommendation to this

1 Court as to each well or pumping plant upon which a well
2 pump efficiency test is desired and which shall have attached
3 thereto a form which shall designate the factual data to
4 be determined from the test; Col. Bowen shall serve upon
5 the landowners or water users concerned a copy of his
6 written recommendation and the attached form. If any
7 landowner or water user concerned objects to the recommenda-
8 tions of Col. Bowen he may file with this Court within 10
9 days after the service upon him of said recommendation and
10 attached form his objections thereto, and serve upon Col.
11 Bowen by mail at the address set forth in paragraph 2 of
12 this order a copy of the objections. At a date to be set
13 by the Court such landowner or water user will have the
14 right to examine Col. Bowen as to the propriety of his
15 recommendation and said landowner or water user concerned
16 may also submit to this Court on that date such evidence
17 as may be relevant on the issue as to whether a pump
18 efficiency test should be made, and the factual data to
19 be determined from the test if made. The Court shall
20 thereafter enter such order as is appropriate.

21 If a landowner or water user concerned does not
22 file his objections with this Court within 10 days after
23 the service upon him of the recommendation and form as
24 provided above, he shall, during the month of July, at
25 his expense, accomplish the well pump efficiency test
26 recommended by Col. Bowen and shall complete on the form
27 which he received the factual data requested, and return
28 said completed form to Col. Bowen not later than August 15
29 of that year.

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Col. Bowen shall have the authority to enter upon the lands of any water user designated in the exhibit attached hereto, and to conduct such tests and measurements as he deems necessary. He shall also have the authority to cooperate with and assist any landowner or water user in complying with the provisions of this order.

9

This Court retains jurisdiction to modify this order and the exhibit attached to this order and to designate additional water users not now set forth in said exhibit or to delete water users now set forth in said exhibit.

10

As used herein, the designated Col. Bowen shall include persons who are working under his supervision.

11

Should any water user or landowner fail to submit to Col. Bowen the factual data required by this order, at the time required by this order, Col. Bowen shall notify this Court and this Court will thereupon cause to be issued and served upon that water user or landowner an Order to Show Cause why he or she should not be held in contempt of Court for failure to comply with this Court's order, or such other order as may be appropriate.

Jan 29, 1966 James M. Carter
JUDGE

SUBSTANTIAL WATER USERS IN SANTA MARGARITA RIVER SYSTEMSECTION A - WELLSSanta Margarita River

<u>Name</u>	<u>Location</u>
Henderson, M.	8S/3W 33Q1
Naval Enclave	9S/4W 14N1
	9S/4W 26M1
	9S/4W 29L1
	10S/4W 5D1
	10S/4W 7A2
	10S/4W 7H2
	10S/4W 7R2
	10S/4W 18E3
	10S/4W 18M4
	10S/5W 13R2
	10S/5W 23J1
	10S/5W 23K1
	10S/5W 26C1
	10S/5W 26F1
	11S/5W 2A1

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Abshire, C. M.	7S/3W 27?
Aub-Bren Construction Co.	7S/3W 28J
Barr, T. D.	7S/3W 28R
Bloemsa, A.	7S/3W 21L
	7S/3W 21Q
	7S/3W 28H
Cain, C.	7S/3W 21K
	7S/3W 21L
	7S/3W 21Q

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Cantarini, D.	78/3W 27J2
Ceas, A. N.	78/3W 24A1
	78/3W 24Q
Chillingworth, S. C.	78/3W 18L
	78/3W 18L
	78/3W 18L
	78/3W 18L
	78/3W 18Q
Contreras, G.	78/3W 20R
	78/3W 20R3
	78/3W 20R5
Cox, T. A.	78/3W 6D
	78/3W 6E
	78/3W 6K
	78/4W 1A
	78/4W 1A
	78/4W 1H
	78/4W 1H
Cutler, D.	78/3W 28D
Denny, F.	78/3W 17M
Dillon, Ted	78/3W 17J1
	78/3W 17Q
Dwyer, A.	78/3W 27J
	78/3W 27Q
El Rancho Trebol	78/3W 18Q
	78/3W 18Q
Genger, L. M.	78/3W 17R3
Gleron, W. H.	78/3W 20H
Guenther's Murrieta Hot Springs	78/3W 14J1
	78/3W 23A1
	78/3W 23A2
	78/3W 24D1

Murrieta-Temecula Area

<u>Name</u>	<u>Location</u>
Gwinn, W. A.	7S/3W 20L
	7S/3W 20L
Hesnault, W. J.	7S/3W 17M
	7S/3W 18J
Howell, G.	7S/3W 28C
Jordan, W.	7S/3W 21J2
Keen, R. R.	7S/3W 29A1
	7S/3W 29A2
Kidder, R. C.	7S/3W 7R1
King, C.	7S/3W 27M1
K & L Properties	7S/4W 2G1
Lamb, R. G.	7S/3W 28K
Lovelady, A. L. & F.	7S/4W 2H
Mardley Company	7S/3W 20L
Mayer, B. L.	7S/3W 17D
	7S/3W 17D
Mays, F.	7S/3W 21L1
	7S/3W 21M
McDaniel, R.	7S/3W 20Q
	7S/3W 20Q
	7S/3W 29B
Majia, A.	6S/4W 35F2
Macrow, H.	7S/3W 7R2
Morton, R. G.	7S/3W 28B
Murrieta Mutual Water Company, Inc.	7S/3W 17R Leasing, L.O. Lynch
	7S/3W 20C Buying, C. W. Holliday
Murrieta Stud	7S/3W 20E
	7S/3W 20Q
Nicolas Ranch	7S/2W 20M1
Pascoe, W. T.	7S/3W 27Q
	7S/3W 33B

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Querry, F.	8S/2W 19J2
	8S/2W 29C1
	8S/2W 29D1
Rangren, D. A.	6S/4W 35L
	7S/2W 25D (#6)
Rancho California	7S/2W 26B (#4)
	7S/2W 27J (#1)
	7S/2W 30D1
	7S/2W 30D3
	7S/2W 33E1
	7S/2W 36J (#2)
	7S/3W 25R1
	7S/3W 35P1 (MV 93)
	7S/3W 35P2 (MV 132)
	7S/3W 36D (#5)
	8S/1W 6G (#3)
	8S/2W 7A1 (MV 131 Shrode Well)
	8S/2W 11H1
	8S/2W 11J1 (P.R. 30)
	8S/2W 11J2 (30-A)
	8S/2W 11J4 (Diesel)
	8S/2W 11J5 (P.R. 26)
	8S/2W 11L1 (No. 40)
	8S/2W 11P1 (P.R.U.C. well)
	8S/2W 11P2 (New C.G.C. well)
8S/2W 12H1 (Windmill well)	
8S/2W 12J1 (No. 10)	
8S/2W 12K1 (J.K. well)	
8S/2W 14B (#7)	
8S/2W 15C1 (China Garden well)	

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Rancho California	8S/2W 15D1 (No. 50)
	8S/2W 16A1 (Dairy artesian)
	8S/2W 16G1 (Main Camp artesian)
	8S/2W 17F1 (Cantarini D)
	8S/2W 17G1 (Studley artesian)
	8S/2W 17M1 (Navy well)
	8S/2W 17Q1 (Cantarini A)
	8S/2W 18M1 (TF 3)
	8S/2W 18N1 (TF 2)
	8S/2W 18N2 (TF 4)
	8S/2W 18R1 (McSweeney Domestic)
	8S/2W 20B1 (P.R. 27)
	8S/2W 20B2 (P.R. 28)
	8S/2W 20B3 (P.R. 29)
	8S/2W 20B4 (Cantarini)
	8S/2W 20C1 (Cat)
	8S/2W 20C2
	8S/2W 20E1 (Cantarini Camp of Cant. Wm.)
	8S/2W 20L1 (Pen well)
	8S/2W 28C1 (Ludy)
	8S/3W 1P2 (Cantarini - Murrieta)
	8S/3W 1P3 (O'Kell 14)
	8S/3W 1Q1 (MV 96)
	8S/3W 12B1 (MV 100)
	8S/3W 12C1 (MV 98)
	8S/3W 12C2 (MV 98A)
Reeves, G. H.	7S/3W 28D
Ribaudo, J.	6S/4W 35Q3

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Roripaugh, Leo	7S/3W 24Q2
	7S/3W 25E1
	7S/3W 26J1
	7S/3W 26N1
	7S/3W 34G1
	7S/3W 35C1
	7S/3W 35C
Shamel, J. B.	7S/3W 25M
	7S/3W 25M
	7S/3W 26R
	7S/3W 35B
	7S/3W 35B
Shirmer, L. B. Jr.	7S/3W 20F
Sykes, H. L.	7S/3W 17R
Talbert, T. V. & Romano, A.A.	6S/4W 35P
	6S/4W 35P
Thompson, W.	7S/3W 7N1
	7S/3W 17L4
	7S/3W 18A3
Thralls, W. A.	7S/4W 1E3
Turner, C. W.	7S/3W 28E
	7S/3W 28G
	7S/3W 28G
	7S/3W 28G
	7S/3W 28K
Venable, W. E.	7S/3W 21G
	7S/3W 21G
	7S/3W 21G
Vessels, M.	7S/3W 18A
Weinstein, A.	7S/3W 7E

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Wilks, T. E.	78/4W 2A
	78/4W 2B1
Wilks, T. H.	68/4W 35Q2
Winter, H. C.	78/3W 21P
	78/3W 21P
Withrow, C. B.	68/4W 35D1
Younger, H. C.	68/4W 36N1
	68/4W 36P

Aguanga Area

<u>Name</u>	<u>Location</u>
Allen, W. H.	8S/1E 8K2
	8S/1E 8Q1
	8S/1E 17A2
	8S/1E 17C1
	8S/1E 17H1
Cottle, W. H.	8S/1E 19K3
	8S/1E 19K
Gibbon, W. R.	8S/1E 19K
	8S/1E 19K
	8S/1E 19Q
	8S/1E 19Q
	8S/1E 19Q
	8S/1E 19R
	8S/1E 20N
Marana, John L.	8S/1W 13K
	8S/1W 13Q
	8S/1W 13Q
	8S/1W 24B
Oviatt, J.	8S/1E 7J1
	8S/1E 7Q1
	8S/1E 7Q4
	8S/1E 18B
Reed, John E.	8S/1E 18C1
	8S/1E 33G1
Trunnell, D.	8S/1E 28P1
Yerkes, Virginia C.	8S/1E 29K
	8S/1E 29K

Cahuilla Area

Name
Minor, J.

Location

7S/2E 29Q
7S/2E 29R
7S/2E 32A
7S/2E 32F
7S/2E 32J
7S/2E 32J
7S/2E 32K
8S/2E 5C
8S/2E 5F
8S/2E 5F
8S/2E 5?

SECTION B - SURFACE DIVERSIONS

<u>Name</u>	<u>Location</u>
Naval Enclave	
Weir Dam	9S/4W/5E
Naval Weapons Station	9S/4W/14N
Fallbrook Public Utility District	9S/3W/7D
Rancho California	8S/1W/10D
Cottle-Gibbon	8S/1E/29L
Yerkes, Virginia C.	8S/1E/29K

SECTION C - SURFACE IMPOUNDMENTS

Naval Enclave

Lake O'Neill

Rancho California

Vail Lake