

ENTERED

FILED

JAN 16 1975

JAN 16 1975

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *Myra Robinson*

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
Myra Robinson DEPUTY

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

FALLBROOK PUBLIC UTILITY DISTRICT)
a public service corporation of the State of)
California, et al.,)

Defendants.)

No. 1247-SD-C

FINDINGS OF FACT
AND ORDER ON LAKE
SKINNER OPERATION
AND WATERMASTER
SERVICE

Defendants Fallbrook Public Utility District, Kaiser Aetna and The Metro-
politan Water District of Southern California having filed a Joint Petition with this
Court to approve a Memorandum of Understanding and Agreement on Operation of
Lake Skinner, *and evidence, oral and documentary, have been introduced* and this Petition having been heard upon appropriate notice and good
cause appearing, this Court makes the following Findings and Order: ¹

1. The court entered its Final Judgment and Decree on May 8, 1963; and
entered a Modified Final Judgment and Decree on April 6, 1966, as directed by the
Court of Appeals in its Decision dated May 26, 1965. On June 27, 1968, this
Court amended the Modified Final Judgment and Decree in this cause by incor-
porating a Memorandum of Understanding and Agreement, dated March 4, 1968,
between the United States and the Fallbrook Public Utility District.

2. Article V of the Modified Final Judgment and Decree retains continuing
jurisdiction as to the use of all surface waters within the watershed of the
Santa Margarita River system and of all underground or subsurface waters that
have been determined to be a part of any specific river or creek, or to add to,
contribute to, or support the Santa Margarita River stream system; and Article
II thereof adopts by reference Interlocutory Judgment 28 entered herein

1 on May 26, 1961, Article II of which in turn retains continuing jurisdiction over
2 the impoundment or diversion of the surface waters of said stream system.

3 3. The Metropolitan Water District of Southern California, referred to
4 herein as "Metropolitan," has recently constructed a Dam and Reservoir with
5 a storage capacity of some 44,000 acre-feet in Auld Valley, Riverside County
6 at a cost of approximately 28 million dollars; on Tualota Creek which is a
7 tributary of the Santa Margarita River by way of Santa Gertrudis Creek and
8 Murrieta Creek. That Dam was formerly known as Auld Valley Dam and
9 is now known as the Robert A. Skinner Dam; and the Reservoir formed by
10 that Dam is now known as Lake Skinner. The Robert A. Skinner Dam and
11 Lake Skinner are referred to herein collectively as the "Project."

12 4. The Project lies within the Tualota Creek subwatershed which is a
13 part of the Santa Gertrudis Creek subwatershed, as those subwatersheds are
14 described in Interlocutory Judgments 31 and 31A filed herein on January 25, 1963
15 and July 27, 1961, respectively, both of which Interlocutory Judgments have been
16 incorporated into Article II of the Modified Final Judgment and Decree. At the
17 Project site, Tualota Creek is normally a dry stream bed with no surface
18 waterflow except during short storm periods during winter months.

19 5. The purpose of the Project is to provide regulatory and emergency storage
20 capacity for water imported from outside the Southern California coastal plain,
21 rather than to impound surface waters of the Santa Margarita River system.
22 However, Skinner Dam and Lake Skinner will unavoidably impound small amounts
23 of waters of Tualota Creek.

24 6. Operation of Lake Skinner will facilitate the service of supplemental
25 water imported from outside the Southern California Coastal plain, for use
26 within Riverside and San Diego Counties, including the Santa Margarita River
27 Watershed; and will thus facilitate augmentation of that watershed's water supply.
28 The value of imported water stored in Lake Skinner exceeds 55 dollars per
29 acre foot and is projected to increase substantially in the future.

30 7. Metropolitan has acquired approximately 5700 acres of land within the
31 Tualota Creek subwatershed as described in said Interlocutory Judgments
32 31 and 31A, along with respective appurtenant water rights described in said
Interlocutory Judgments; and is a party of record in this cause.

1 8. Kaiser Aetna is a California general partnership composed of Temecula
2 Properties, Inc., a California corporation; Kaiser Rancho California, Inc., a
3 California corporation; Westward Properties, Inc., a California corporation;
4 and Aetna Life Insurance Company, a Connecticut corporation; is a successor
5 in interest to Rancho California and The Vail Company; and is a party to this
6 cause.

7 9. Subject to the approval of this Court, Fallbrook Public Utility District,
8 Kaiser Aetna and Metropolitan have negotiated and executed an Agreement on
9 operation of Lake Skinner to assure that surface waters will be released promptly
10 from Lake Skinner to compensate for any impoundment in Lake Skinner of
11 waters of Tualota Creek that would otherwise flow at the site of Skinner Dam;
12 and that the Project will not impair any rights adjudicated by the Modified
13 Final Judgment and Decree. That Agreement is embodied in the attached Memo-
14 randum of Understanding and Agreement, dated November 12, 1974; and is re-
15 ferred to herein as the "Agreement."

16 10. The procedures for operation of Lake Skinner embodied in the Agree-
17 ment provide a reasonable criteria for assuring that the operation of Lake
18 Skinner will not impair any rights, including those of the Pechanga Band of
19 Mission Indians, adjudicated by the Modified Final Judgment and Decree, and
20 in fact will to some extent benefit areas downstream of Lake Skinner by inci-
21 dentally providing a degree of flood control and water conservation.

22 11. The operation of Lake Skinner under the Agreement will result in the
23 release into Tualota Creek of water imported from outside the Southern
24 California coastal plain, that will contain somewhat larger amounts of certain
25 dissolved salts than would otherwise flow down Tualota Creek in surface
26 waters, but smaller amounts of such salts than are contained in local Auld
27 Valley ground waters. Additional salts introduced into the watershed in that
28 manner will be limited and will be insignificant in comparison to the amounts
29 of additional salts introduced into the watershed as a result of normal agricultural
30 irrigation operations.

31 12. The Court designated Colonel A. C. Bowen to perform Watermaster
32 duties relating to the determination of water extractions from the Santa Margarita

1 River stream system, by Interlocutory Judgment 45 filed herein on
2 December 12, 1962 and incorporated into Article II of the Final Judgment
3 and Decree. Colonel Bowen has continued to perform related watermaster
4 duties as General Manager of the Santa Margarita-San Luis Rey Watershed
5 Planning Agency and that Agency's predecessor agencies.

6 13. The Santa Margarita-San Luis Rey Watershed Planning Agency is a
7 public entity formed under the joint exercise of powers provisions of the
8 Government Code of the State of California to, among other things, adopt
9 and update a water quality Management Plan for the Santa Margarita and San
10 Luis Rey Watershed. Each of the members of that Agency is a public agency.

11 14. Said Agency has agreed to provide Watermaster service within the
12 watershed of the Santa Margarita River through its General Manager,
13 Colonel A. C. Bowen, to monitor accordingly administration of the Lake
14 Skinner Operating Criteria embodied in the Agreement, and to advise
15 this Court promptly if Colonel Bowen is unable to continue to perform those
16 duties on behalf of that Agency; all pursuant to the attached document dated
17 January 16, 1975 and entitled "Consent To Provide Watermaster Service For
18 The Watershed of The Santa Margarita River." That method of monitoring
19 the administration of the Agreement and of performing related Watermaster
20 duties together with the continuing jurisdiction provisions of the Modified Final
21 Judgment and Decree provide adequate means to assure that Lake Skinner
22 operations do not impair water rights adjudicated by the Modified Final Judgment
23 and Decree.

24 IT IS THEREFORE HEREBY ORDERED that

25 A. The attached Memorandum of Understanding and Agreement on Oper-
26 ation of Lake Skinner, dated November 12, 1974, is approved; the Modified
27 Final Judgment and Decree in this cause is amended by incorporation of said
28 Memorandum into the same; the procedures set forth in said Memorandum
29 are binding on all parties to this cause; and the third cause of action in
30 the Complaint in Intervention filed in this cause by the Pechanga Band of
31 Mission Indians is dismissed on the merits.

32 B. Colonel A. C. Bowen, General Manager of the Santa Margarita-

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

San Luis Rey Watershed Planning Agency is appointed watermaster to administer and enforce the provisions of the Modified Final Judgment and Decree and the subsequent instructions and orders of this Court, and the Watermaster's duties shall include monitoring administration of the Memorandum of Understanding and Agreement on Operation of Lake Skinner. Said Agency shall promptly advise this Court if Colonel Bowen is unable to continue to act as Watermaster on behalf of that Agency.

C. The Court shall retain continuing jurisdiction over administration of said Memorandum of Understanding and Agreement pursuant to Article V of the Modified Final Judgment and Decree and Article II of Interlocutory Judgment 28 as incorporated in Article II of the Modified Final Judgment and Decree.

DATED: January 16, 1975



JAMES M. CARTER
United States Circuit Judge

1 MEMORANDUM OF UNDERSTANDING AND AGREEMENT
 2 ON OPERATION OF LAKE SKINNER

3 This Memorandum of Understanding and Agreement dated this
 4 twelfth day of November, 1974, among THE METROPOLITAN WATER DISTRICT
 5 OF SOUTHERN CALIFORNIA (herein referred to as "Metropolitan"), a
 6 public corporation of the State of California; FALLBROOK PUBLIC
 7 UTILITY DISTRICT (herein referred to as "Fallbrook"), a public
 8 corporation of the State of California; and KAISER AETNA. (herein
 9 referred to as "Kaiser"), a California general partnership composed
 10 of Temecula Properties, Inc., a California corporation, Kaiser
 11 Rancho California, Inc., a California corporation, Westward
 12 Properties, Inc., a California corporation, Kaiser Hawaii Kai
 13 Development Co., a Nevada corporation, and Aetna Life Insurance
 14 Company, a Connecticut corporation and successor in interest to
 15 Rancho California and The Vail Company.

16 Whereas, the United States District Court for the Southern
 17 District of California, in the case entitled United States v.
 18 Fallbrook Public Utility District, et al., No. 1247-SD-C (herein
 19 referred to as "The Action"), has adjudicated water rights to the
 20 Santa Margarita River stream system (herein referred to as "System")
 21 by the Modified Final Judgments and Decrees entered on April 6, 1966
 22 and June 27, 1968 (herein referred to as the "Judgment");

23 Whereas, Fallbrook, and Kaiser are the principal water
 24 users in the System; have been involved for the past two decades
 25 in litigation to determine, the respective rights and duties of the
 26 users of the waters of the System; and are parties of record in the
 27 Action;

28 Whereas, Article V of the 1966 Order in the Judgment
 29 retains continuing jurisdiction as to the use of all surface waters
 30 within the watershed of the System, and Article II thereof adopts
 31 Interlocutory Judgment 28 by reference, which in turn retains contin-
 32 uing jurisdiction over the impoundment of the surface waters of the

1 System;

2 Whereas, Metropolitan has now completed construction of a
3 dam and reservoir with a capacity of some 44,000 acre feet in Auld
4 Valley, Riverside County, on Tualota Creek which is a tributary of
5 the Santa Margarita River by way of Santa Gertrudis Creek and
6 Murietta Creek, being known as Auld Valley Dam and Lake Skinner
7 (herein referred to as the "Project");

8 Whereas, the Project's purpose is to provide regulatory
9 storage capacity for the San Diego pipelines, rather than to impound
10 surface water of the System as set forth more fully in Attachment A
11 hereto;

12 Whereas, the Project will nonetheless unavoidably impound
13 small amounts of surface waters of the system for short periods of
14 time;

15 Whereas, the Project lies within the Tualota Creek sub-
16 watershed which is a part of the Santa Gertrudis Creek sub-watershed
17 as described in Interlocutory Judgments 31 and 31A, both of which
18 have been incorporated by reference into the Judgment;

19 Whereas, Metropolitan has acquired a portion of the lands
20 riparian to Tualota Creek, along with the respective appurtenant
21 water rights set forth in Interlocutory Judgment 31 listed in Attach-
22 ment B hereto;

23 Whereas, the defendants in the Action, that are listed in
24 Attachment C hereto, have assigned all or part of their water rights
25 in Tualota Creek to Metropolitan;

26 NOW, THEREFORE, in evidence of the understandings and agree-
27 ments which have been reached, the undersigned parties to this memoran-
28 dum do hereby declare such understandings and agreements to be as
29 follows:

30 I. Metropolitan will operate the Project in accordance with the
31 following principles:

32 A. The basic function of Lake Skinner is to provide

1 regulatory Storage Capacity for the San Diego Pipelines. Only
2 water that would not have been available in the Drainage Basin in
3 the absence of the Reservoir is to be stored for Export.

4 B. Lake Skinner will be operated so that both surface and
5 subsurface water Outflow will approximate the flows that would
6 have occurred in the absence of the Reservoir.

7 C. The quantity of all Local Runoff into Lake Skinner will
8 be determined and a like quantity of water will be released from
9 the Reservoir into Tualota Creek.

10 D. Local Runoff from lands owned by Metropolitan will be
11 released into Tualota Creek and the rainfall on the Reservoir
12 will be retained in Lake Skinner.

13 E. Water conservation and flood control are not explicit
14 functions of Lake Skinner.

15 F. The Groundwater immediately downstream from the Dam
16 will be maintained at the approximate level that would have
17 existed in the absence of the Project.

18 G. The Outflow from Lake Skinner will have no significant
19 effect on the quality of the water downstream of the Dam.

20 II. Metropolitan will implement those principles set forth in
21 Article I, above, by operating the Project under the following
22 criteria:

23 A. Local Runoff shall be determined as follows with more
24 specific descriptions set forth in Attachment D hereto:

25 1. Local Runoff into the Reservoir from the Drainage
26 Basin above the Dam will be computed daily.

27 2. Local Runoff into the Reservoir will be computed
28 as a residual quantity in a water balance of all other
29 measured Imports, Inflows, Exports, Outflows, and changes
30 in Storage Content of the Reservoir.

31 3. Local Runoff from the Rawson Creek sub-drainage
32 basin will be gaged by a flume to more accurately measure

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

the runoff from this area during moderate rainfall occurrences.

4. In the determination of Local Runoff, no distinction will be made between runoff from lands belonging to Metropolitan and runoff from land owned by others.

5. Rainfall on the Reservoir surface will not be included as a component of Local Runoff into the Reservoir but will be considered as if it were a Metropolitan Import.

6. Evaporation from the Reservoir surface will be included in the water balance as if it were a Metropolitan Export.

7. Miscellaneous consumptive uses of water for the Skinner Filtration Plant, for recreational developments and other local uses, will be included in the water balance as if the water were a Metropolitan Export.

B. Reservoir Releases shall be determined as follows, with more specific description set forth in Attachment E hereto:

1. Releases from the Reservoir into Tualota Creek will begin shortly after the daily quantity of Local Runoff is computed and will be adjusted daily as required by subsequent determinations of Local Runoff.

2. The rate of Release from the Reservoir into Tualota Creek will be limited to the computed mean daily rate of Local Runoff into the Reservoir, except as noted in paragraph 3, below.

3. Releases into Tualota Creek may be made as requested by the Watermaster, within reasonable and safe limits that would neither impair Metropolitan's use of the Project nor expose it to public liability.

4. The start of any Release from the Reservoir into Tualota Creek will be made at a low rate, and any increases in the rate of Release will be made gradually to alert down-

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

stream parties.

5. Within the constraints imposed by physical limitations and other operating limits as mentioned in Paragraph 3, above, Releases to Tualota Creek will be made at rates similar to those which would have occurred in the absence of the Reservoir.

6. Releases from the Reservoir into Tualota Creek will be continued during and following each flood event until the total computed quantity of Local Runoff has been released.

7. As a general operating procedure, freeboard will be maintained between the elevation of the water surface and the spillway crest elevation.

C. No Storage Space is specifically reserved in the Reservoir for flood control or conservation use; and Releases from the Reservoir into Tualota Creek will normally be made through the Dam outlets, as described more fully in Attachment F hereto.

D. The water level of the Groundwater immediately below the Dam will be monitored by means of a representative well, and will be maintained at levels that would have existed in the absence of the Project by means of Releases from the Reservoir, if seepage through the Dam and Subsurface Flows are inadequate for this purpose, as more fully described in Attachment G hereto.

E. The quality of the imported water which is stored in the Reservoir will be adequate for all intended uses; and Releases from the Reservoir will have little if any, effect on the general water quality as compared to the quality that would have existed in the absence of the Reservoir, as more fully described in Attachment H hereto.

F. Metropolitan will file a copy of the monthly Record Sheet described in Attachment E hereto, with the Watermaster prior

1 to the end of each respective following month. The Watermaster
2 will in turn deliver copies of each month's sheet to each party
3 to the Judgment.

4 III. The following terms used in this Memorandum of Understanding
5 and Agreement, shall have the respective meaning given below unless
6 otherwise indicated:

7 A. Dam--The Auld Valley Dam constructed by Metropolitan on
8 Tucalota Creek.

9 B. Discharge Capacity--The maximum capability of the Dam
10 outlets or spillway with the Dam valves or gates in a full-open
11 position.

12 C. Drainage Basin--The area tributary to Tucalota Creek
13 upstream from the Auld Valley Dam.

14 D. Export--Water which is released from the Reservoir
15 through the San Diego pipelines evaporation from the Reservoir
16 surface and local consumptive use by Metropolitan.

17 E. Groundwater--The general subsurface water body in the
18 zone of saturation in the basin downstream of the Dam.

19 F. Import--Water which flows into the Reservoir through
20 the San Diego Canal and pipelines and rainfall on the Reservoir
21 surface.

22 G. Inflow--Local Runoff and Subsurface Flow into the
23 Reservoir from the Drainage Basin above the Dam.

24 H. Local Runoff--Surface water runoff from the Drainage
25 Basin into the Reservoir.

26 I. Outflow--Releases made through the Dam outlets and over
27 the Dam spillway into Tucalota Creek and seepage through the Dam
28 and other Subsurface Flow.

29 J. Release--Water which flows through the Dam outlets or
30 over the Dam spillway into Tucalota Creek.

31 K. Reservoir--Lake Skinner created by Auld Valley Dam.

32 L. Storage Capacity--The maximum volume of water which

1 may be stored in the Reservoir.

2 M. Storage Content--The volume of water actually stored in
3 the Reservoir at a given time.

4 N. Storage Space--The Storage Capacity of the Reservoir
5 which is not filled with water at a given time.

6 O. Subsurface Flow--All water flowing below the land
7 surface.

8 P. Watermaster--The individual appointed pursuant to Inter-
9 locutory Judgment 45 as incorporated in the Judgment.

10 IV. Metropolitan's operation of the Project in the manner
11 described in Articles I and II will not impair the downstream rights
12 of any of the parties to the Action.

13 V. Notwithstanding any other provision of this Agreement or
14 anything which might reasonably be implied or inferred therefrom,
15 nothing herein shall be construed to affect in any manner any rights
16 to the use of water from the Santa Margarita River or its tributaries
17 which the Parties to this Agreement hold. Nothing in this Agreement
18 shall be construed as a transfer of or an attempt to transfer such
19 rights or any part thereof between the parties.

20 VI. Upon execution of this Memorandum and Agreement by the
21 respective undersigned representatives on behalf of Fallbrook, Kaiser
22 and Metropolitan, Metropolitan shall present this instrument to the
23 United States District Court for the Southern District of California
24 for approval and incorporation into the Judgment as the Court may
25 determine appropriate in the circumstances. Upon approval by the
26 Court this Agreement shall become fully effective.

27 VII. No assignment or transfer of the rights defined in this
28 Agreement or any part or interest therein shall be valid unless
29 approved all the parties hereto.

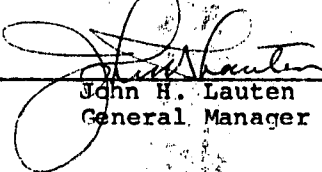
30 VIII. The criteria and reservoir release data referred to in
31 Article II hereof, the terms used in Article III hereof, and the
32 formulae included in the Attachments hereto shall be periodically

1 reviewed and, based on operating experience, will be modified if
2 deemed necessary or appropriate by the parties hereto.

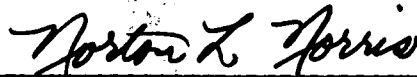
3 IX. No member of or Delegate to Congress or Resident Commissioner
4 shall be admitted to any share or part of this Agreement or to any
5 benefit that may arise herefrom; but this restriction shall not be
6 construed to extend to this Agreement if made within a corporation or
7 company for its general benefit.

8 IN WITNESS WHEREOF the undersigned have executed this
9 Memorandum of Understanding and Agreement on behalf of their respective
10 principals.

12 THE METROPOLITAN WATER DISTRICT
13 OF SOUTHERN CALIFORNIA

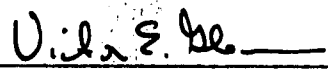
14 
15 John H. Lauten
16 General Manager

16 ATTEST:

17 
18 Norton L. Norris
19 Executive Secretary

20
21 APPROVED AS TO FORM
22 AND EXECUTION:

23 Robert P. Will
24 General Counsel

25 By 
26 Victor E. Gleason
27 Deputy General Counsel

28
29
30
31
32

1 ATTEST:

2

3 Anita Macha

4

FALLBROOK PUBLIC UTILITY DISTRICT

5

6

By William Kamm

7

8 ATTEST:

9

10 _____

KAISER AETNA

11

12

By Fritz Stollings

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

BACKGROUND INFORMATION

1. The Metropolitan Water District of Southern California has constructed a Dam and Reservoir in Auld Valley, Riverside County, State of California, known as Lake Skinner. Specifically, the Reservoir is located eight miles south of the community of Winchester and one-half mile east of the intersection of Washington Avenue and Benton Road. (See attached map.)

2. Lake Skinner was built to serve as a regulatory and emergency water storage facility integral with Metropolitan's San Diego Canal and Pipelines. This portion of Metropolitan's water distribution system transports over 100 billion gallons of water annually to semi-arid regions of Southern California. Lake Skinner will also serve as a public recreation area under an agreement between the County of Riverside and Metropolitan. This agreement includes development proposals for camping, fishing, and boating with related support facilities. Also proposed are picnic areas, playgrounds, hiking trails, a museum or interpretive center for the protection of historical artifacts and areas, and a wildlife preserve with water access.

3. The Dam is approximately one mile in length and 100 feet high and creates a Reservoir with a capacity of over 44,000 acre-feet with a surface area of approximately 1,140 acres, when the Reservoir is full. Capacity and surface area are plotted as functions of elevation on the accompanying graph. Initial filling of the Reservoir was accomplished by the importation of water through the San Diego Canal. All local rainfall runoff from the 52 square miles of the Tualota Creek drainage basin which flows into the Reservoir will be released into Tualota Creek soon after such runoff occurs.

4. Tualota Creek is a tributary of the Santa Margarita River via the Santa Gertrudis and Murrieta Creeks. The Santa Margarita River system and the water rights applicable thereto are

-2-

currently under the continuing jurisdiction of the U.S. District Court in San Diego (United States v. Fallbrook PUD, No. 1247-SD-C). The court expressly retained jurisdiction over the impoundment of the surface waters of that river system. However, Metropolitan advised the State Water Resources Control Board on January 16, 1969, that Lake Skinner would not collect Tualota Creek flow for its use.

5. The facilities at Lake Skinner were designed to effectively pass all local runoff which originates in the basin upstream of the Dam. This design required extensive hydrologic studies over the entire area, including data such as stream parameters, topography, geology, climatology, soil characteristics, ground cover and use, precipitation, and local runoff. From these studies it was estimated that the mean annual local runoff, which occurred at the damsite, was 2,400 acre-feet. It was further estimated that the annual local runoff range over a 59-year period of record was between 15,900 acre-feet and 280 acre-feet. Respectively, these volumes have a one-percent and ninety-percent probability of exceedance.^{1/} It has been determined that the maximum possible subsurface flow at the damsite was approximately 0.5 acre-feet per day (113 gpm or 0.25 cfs).^{2/}

6. Now that the Dam has been constructed and the facilities are operational, it is necessary that a detailed criterion be established for the following purposes:

- a. Determining the quantity and rate of local runoff from the drainage basin above Lake Skinner.
- b. Determining the quantity of water that should be released from Lake Skinner to maintain downstream water rights.

^{1/} W. A. Wahler & Associates. Preliminary Design Report--Auld Valley Reservoir--Part C.

^{2/} MWD Report No. 863. Hydrology of the Auld Valley Reservoir Area.

-3-

in at least the same magnitude as existed in the absence of Lake Skinner, and providing for the release of this water into Tusalota Creek downstream of the Reservoir.

c. Maintaining the groundwater level downstream of the Reservoir as close as possible to that which would have existed in the absence of Lake Skinner.

BACKGROUND INFORMATION

1. The Metropolitan Water District of Southern California has constructed a Dam and Reservoir in Auld Valley, Riverside County, State of California, known as Lake Skinner. Specifically, the Reservoir is located eight miles south of the community of Winchester and one-half mile east of the intersection of Washington Avenue and Benton Road. (See attached map.)

2. Lake Skinner was built to serve as a regulatory and emergency water storage facility integral with Metropolitan's San Diego Canal and Pipelines. This portion of Metropolitan's water distribution system transports over 100 billion gallons of water annually to semi-arid regions of Southern California. Lake Skinner will also serve as a public recreation area under an agreement between the County of Riverside and Metropolitan. This agreement includes development proposals for camping, fishing, and boating with related support facilities. Also proposed are picnic areas, playgrounds, hiking trails, a museum or interpretive center for the protection of historical artifacts and areas, and a wildlife preserve with water access.

3. The Dam is approximately one mile in length and 100 feet high and creates a Reservoir with a capacity of over 44,000 acre-feet with a surface area of approximately 1,140 acres, when the Reservoir is full. Capacity and surface area are plotted as functions of elevation on the accompanying graph. Initial filling of the Reservoir was accomplished by the importation of water through the San Diego Canal. All local rainfall runoff from the 52 square miles of the Tocalota Creek drainage basin which flows into the Reservoir will be released into Tocalota Creek soon after such runoff occurs.

4. Tocalota Creek is a tributary of the Santa Margarita River via the Santa Gertrudis and Murrieta Creeks. The Santa Margarita River system and the water rights applicable thereto are

-2-

currently under the continuing jurisdiction of the U.S. District Court in San Diego (United States v. Fallbrook PUD, No. 1247-SD-C). The court expressly retained jurisdiction over the impoundment of the surface waters of that river system. However, Metropolitan advised the State Water Resources Control Board on January 16, 1969, that Lake Skinner would not collect Tualota Creek flow for its use.

5. The facilities at Lake Skinner were designed to effectively pass all local runoff which originates in the basin upstream of the Dam. This design required extensive hydrologic studies over the entire area, including data such as stream parameters, topography, geology, climatology, soil characteristics, ground cover and use, precipitation, and local runoff. From these studies it was estimated that the mean annual local runoff, which occurred at the damsite, was 2,400 acre-feet. It was further estimated that the annual local runoff range over a 59-year period of record was between 15,900 acre-feet and 280 acre-feet. Respectively, these volumes have a one-percent and ninety-percent probability of exceedance.^{1/} It has been determined that the maximum possible subsurface flow at the damsite was approximately 0.5 acre-feet per day (113 gpm or 0.25 cfs).^{2/}

6. Now that the Dam has been constructed and the facilities are operational, it is necessary that a detailed criterion be established for the following purposes:

- a. Determining the quantity and rate of local runoff from the drainage basin above Lake Skinner.
- b. Determining the quantity of water that should be released from Lake Skinner to maintain downstream water rights

^{1/} W. A. Wahler & Associates. Preliminary Design Report--Auld Valley Reservoir--Part C.

^{2/} MWD Report No. 863. Hydrology of the Auld Valley Reservoir Area.

-3-

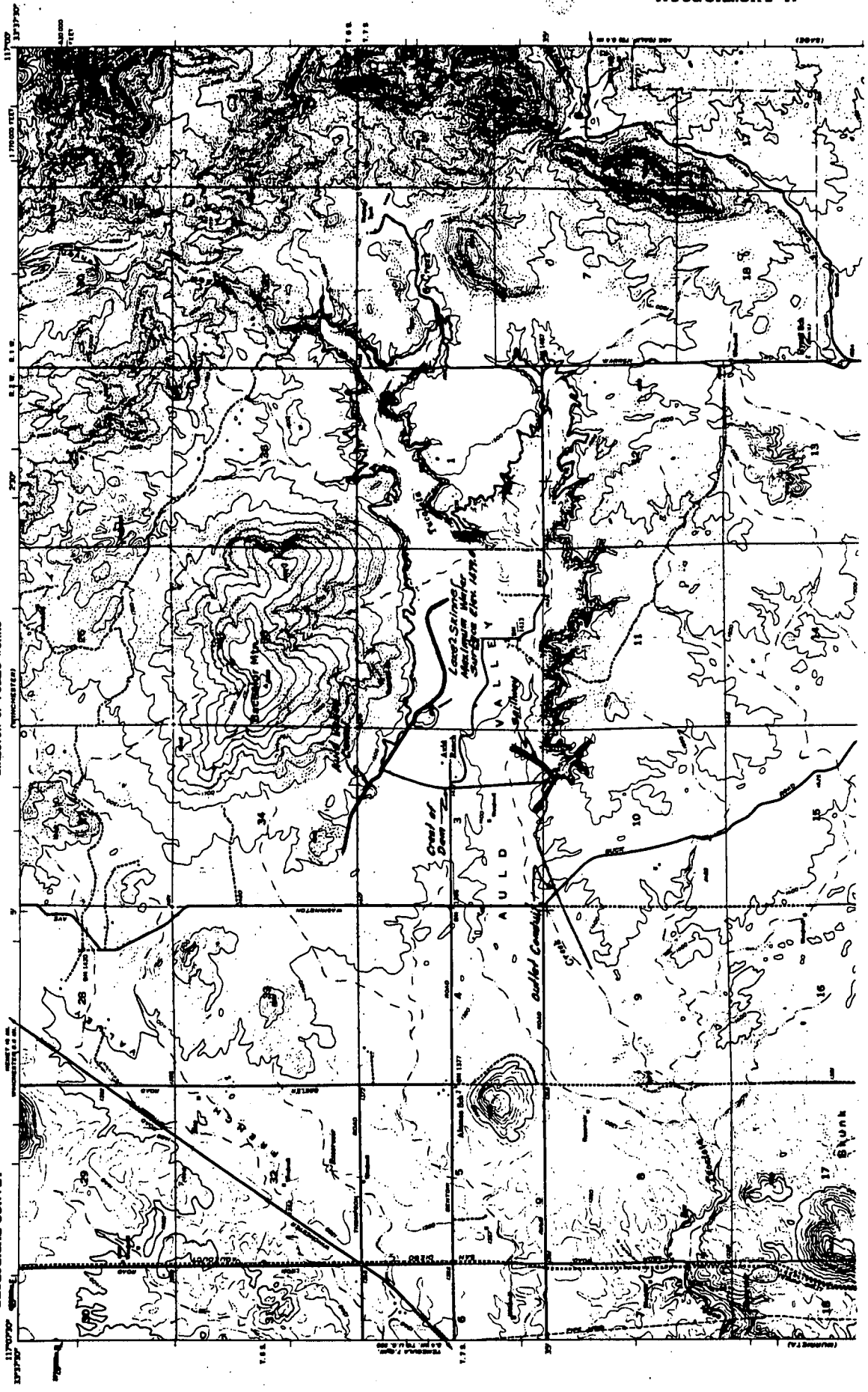
in at least the same magnitude as existed in the absence of Lake Skinner, and providing for the release of this water into Tualota Creek downstream of the Reservoir.

c. Maintaining the groundwater level downstream of the Reservoir as close as possible to that which would have existed in the absence of Lake Skinner.

BACHELOR MTN. QUADRANGLE
CALIFORNIA—RIVERSIDE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)
1964 (REVISED BY ADDITIONS)

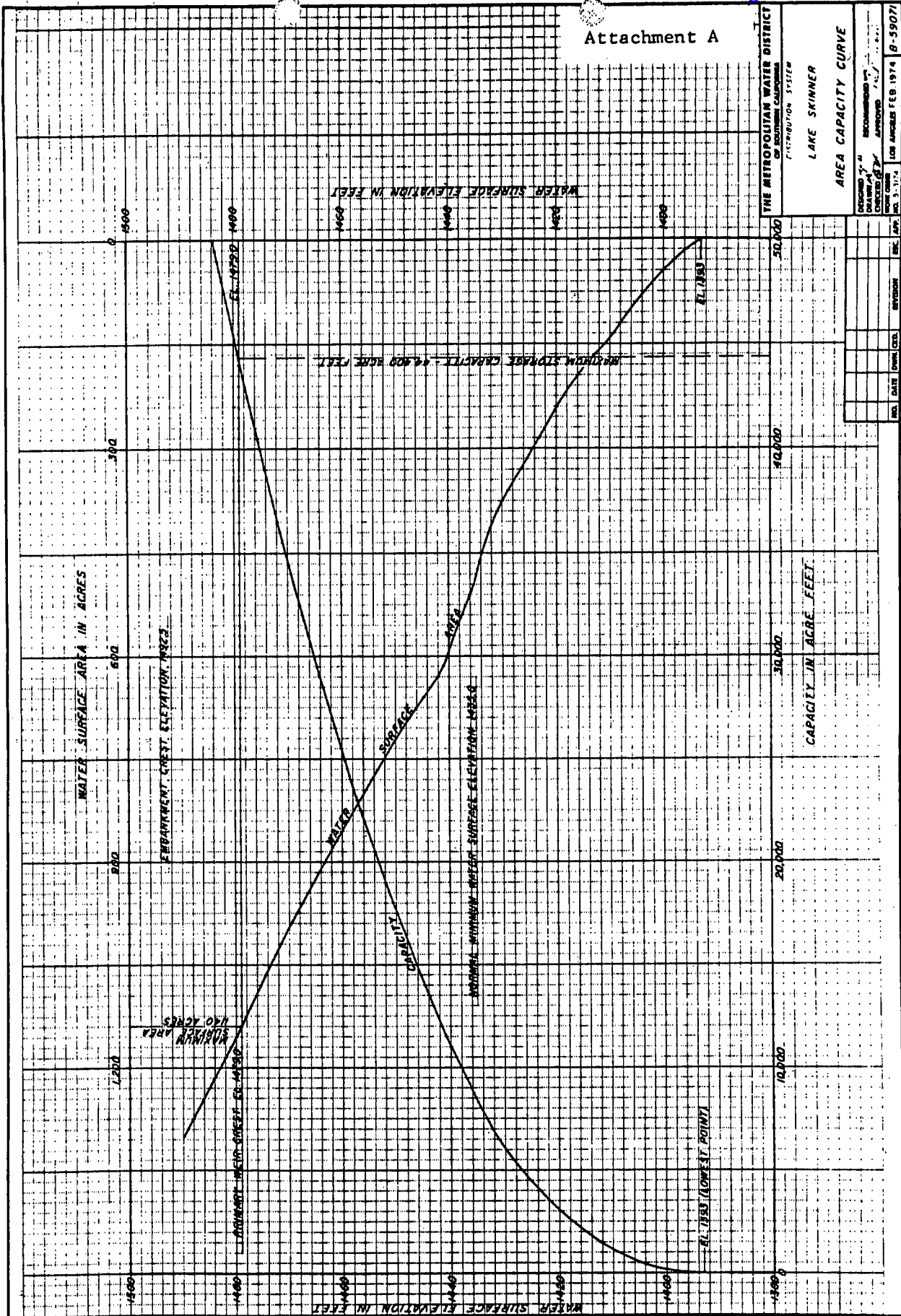
STATE OF CALIFORNIA
REPRESENTED BY THE
DIRECTOR OF PUBLIC WORKS
(UNINCORPORATED)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Attachment A

SPECIFICATIONS NO. SHEET NO.



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA
DISTRIBUTION SYSTEM
LAKE SKINNER
AREA CAPACITY CURVE

DESIGNED BY: []
DRAWN BY: []
CHECKED BY: []
APPROVED: []
FOR LOS ANGELES FEB 1974 B-59071

NO.	DATE	DESCR.	BY	CHK.

NO.	DATE	DESCRIPTION

REVISION COORDINATION CHECK
 ORIGINAL REVISION COORDINATION CHECK
 DELETED REVISION COORDINATION CHECK
 INTERSECTIONAL COORDINATION CHECK

METROPOLITAN'S AULD VALLEY PROPERTY

Metropolitan has acquired 6,058.77 acres of land in Auld Valley in connection with the construction of the Auld Valley Dam, Lake Skinner and related facilities. Interlocutory Judgments 31 and 31A categorize property in this area as either riparian or non-overlying and adjudicate the respective water rights of specific parcels within the Tocalota Creek & Santa Gertrudis Creek watersheds. Approximately 4,450 acres of the property that Metropolitan acquired were classified as riparian and approximately 1,250 acres were classified as non-overlying. The remaining acreage is not located within the relevant watersheds. Thus, Metropolitan now owns all or part of the property designated in those Judgments by the following parcel numbers:

<u>Riparian</u>	<u>Non-overlying</u>
61W-67	61&2E;61&2W;71&2W-1
61W-31-81	61W;71W;62W-67
71W-67	62W-32-127
71W-7-94	71W-6-93
72W-1-129	72W-3-134
72W-1-130	72W-7,12,13-141
72W-1-131	72W-11-145
72W-1,2,3-132	72W-12-146
72W-11,12-132	
72W-2-133	
72W-3,4,9,10,22-135	

METROPOLITAN'S ASSIGNED RIGHTS

The following Defendants in United States v. Fallbrook PUD have assigned all or portions of their adjudicated riparian rights to the indicated lands in Auld Valley to Metropolitan:

<u>Defendants</u>	<u>Riparian Parcels</u>
AULD, Barbara Ann & William K.	72W-1,2,3,11,12-132
BAATZ, Elmer	72W-1-129
BASHAW, J. N. & Helen J.	72W-2-133
BUTTON, Jesse D. & Lota T.	71W-7-94
DIETTERICK, Mary R.	72W-1-130
GARTLER, Stanley	72W-1-131
HOTCHKISS, Ray B. & Minnie J.	61W-31-81
MEEK, Nathan A., Jr., & Wilma	61W-31-81
NICOLAS, Marius A. & Mary	72W-3,4,10-135
RAWSON, Lewis	71W-6-67
ROBERTS, John L.	71W-6-67
ROBERTSON, Alma C.	72W-1,2,3,11,12-132
SCHUMATE, Olive O.	72W-1-129
SHIPLEY, Roy E. & Beryl	61W-31-67

COMPUTATION OF LOCAL RUNOFF

1. The quantity of water which is additional to Metropolitan's importation will be computed from a water balance pursuant to attached Procedure 1. All water imported through the San Diego Canal to the Reservoir will be gaged by an acoustical flowmeter. Exports from the Reservoir will be measured at several locations, including San Diego Pipelines 3 and 4. Releases made through the two bottom Dam outlets to Tocalota Creek will also be gaged. The Discharge Capacity of the two bottom Dam outlets as a function of Reservoir elevation is shown on attached Graph 1. In addition to these outlet facilities, emergency outflows from the Reservoir may occur over the Dam spillway and through the Dam's emergency discharge pipeline. Releases through these two facilities can be estimated because their Discharge Capacities are rated in terms of Reservoir stage pursuant to attached Graphs 2 and 3. The Dam's emergency discharge pipeline will be used only in rare events requiring rapid dewatering. Dam spillway discharge will occur only on rare occasions during exceptionally large flood events.

2. Metropolitan has installed a weather station at Lake Skinner, including a rain gage and an evaporation pan which make it possible to determine rainfall and evaporative loss on the Reservoir surface. Additionally, recording devices at the Reservoir keep a constant record of water surface elevation.

3. Determination of the quantity of water to be released into Tocalota Creek downstream is further complicated by the fact that the available water in Lake Skinner has been increased by virtue of the fact that a water surface now exists where previously there was a semi-arid valley. The average annual rainfall for the 52-square mile Drainage Basin is 16.9 inches.^{1/} This would result in 47,000 acre-feet of annual Local Runoff if 100 percent of the

^{1/} W. A. Wahler & Associates. Preliminary Design Report--Auld Valley Reservoir--Part C.

-2-

rainfall actually ran off; however, the average annual Local Runoff from the Drainage Basin into the Reservoir is only 2,400 acre-feet or approximately 5.2 percent of the rainfall that falls in the Basin. Since the 1,140-acre Reservoir surface has an effective Local Runoff of 100 percent, the 16.9 inches of annual rainfall will yield 1,600 acre-feet of Local Runoff, instead of the 83.5 acre-feet the same area would have yielded had the Reservoir not been created.

4. Due to the fact that the Judgment does not explicitly apportion specific quantities of water, Metropolitan does not now intend to exercise any of the specific water rights applicable to the approximately 4,450 acres of riparian land which it has purchased for the Project. However, precipitation which falls on the Reservoir surface, including that portion which would have run off in the absence of the Reservoir will be credited to Metropolitan. As indicated in paragraph 3 above, the average annual volume of Local Runoff is only 5.2 percent of the annual precipitation on the Drainage Basin.

5. An inherent problem exists in the computation of Local Runoff by the method outlined in Procedure 1. A very small error in one gage reading could result in a substantial error in the Local Runoff calculations for moderate-duration, low-intensity rainfall. It has been observed that during small storm events that Local Runoff enters Lake Skinner only from Rawson Creek. Metropolitan will construct a Parshall flume in Rawson Creek so as to accurately measure Local Runoff from this subdrainage basin. Additionally, small earth dikes will be constructed in each major inlet channel to Lake Skinner. The readings obtained from the recording device on the flume will be used as a measure of Local Runoff to Lake Skinner in lieu of the quantity calculated in Procedure 1, provided the earth dikes are undisturbed in all other inlet channels. This method should provide much greater accuracy in establishing Local Runoff for moderate-duration, low-intensity rainfall.

PROCEDURE 1

Procedure for determining quantity and rate of water accumulated in Lake Skinner, which is additional to Metropolitan's importation, for each 24-hour period.

Definitions:

I = Import from San Diego Canal in acre-feet

O = Export through outlet conduit to San Diego Pipelines
3 and 4 in acre-feet

D = Release through outlet works to Tualota Creek in
acre-feet

E = Evaporation from Reservoir surface in acre-feet

S = Change in Reservoir Storage Content in acre-feet

Q = External accumulation in acre-feet

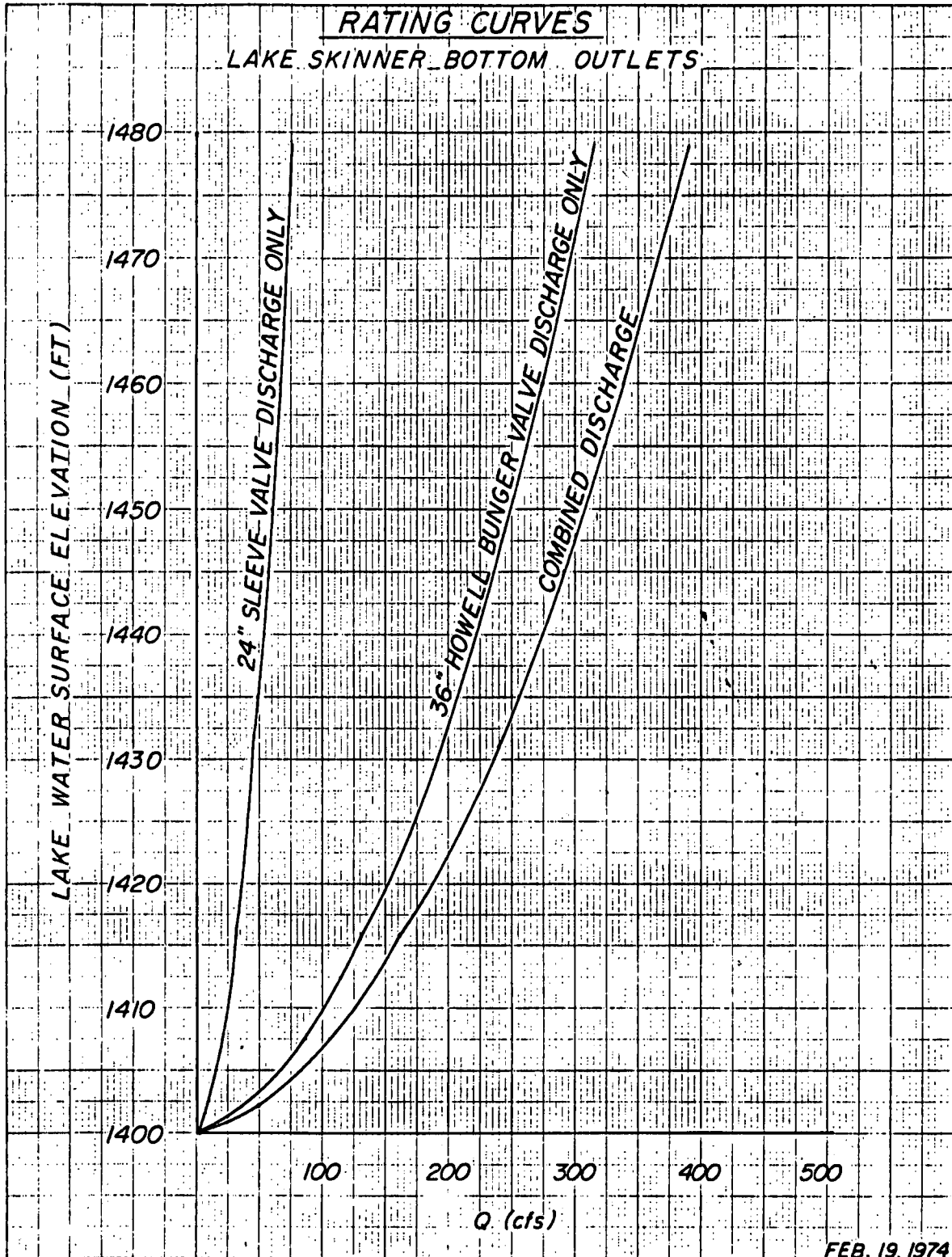
R = Rate of accumulation (24-hour* average in cfs)

Calculations:

$$Q = S + O + D + E - I$$

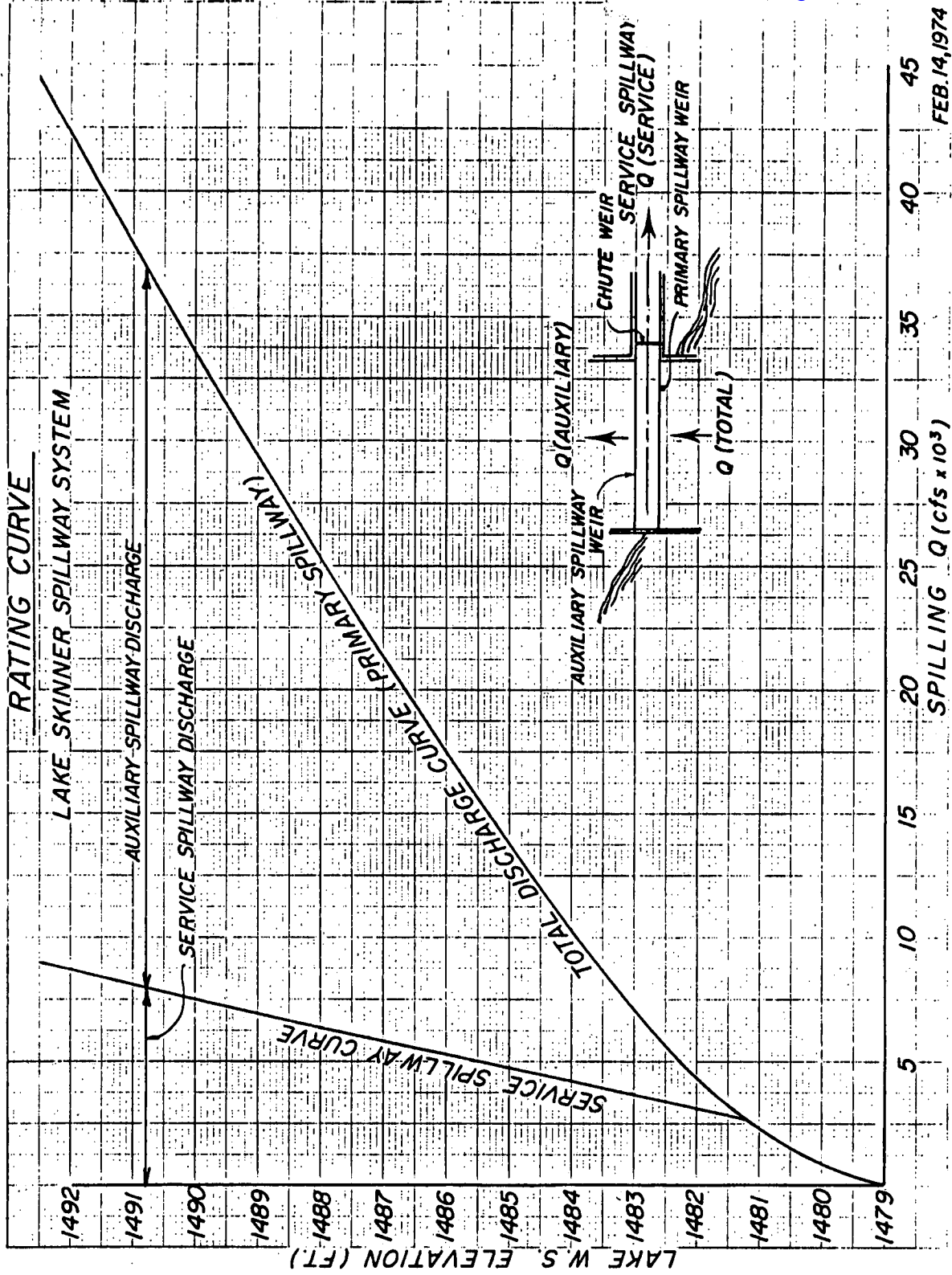
$$R = 0.504 Q$$

*The period of calculation is to be the 24 hours starting and ending at 0700 hours.



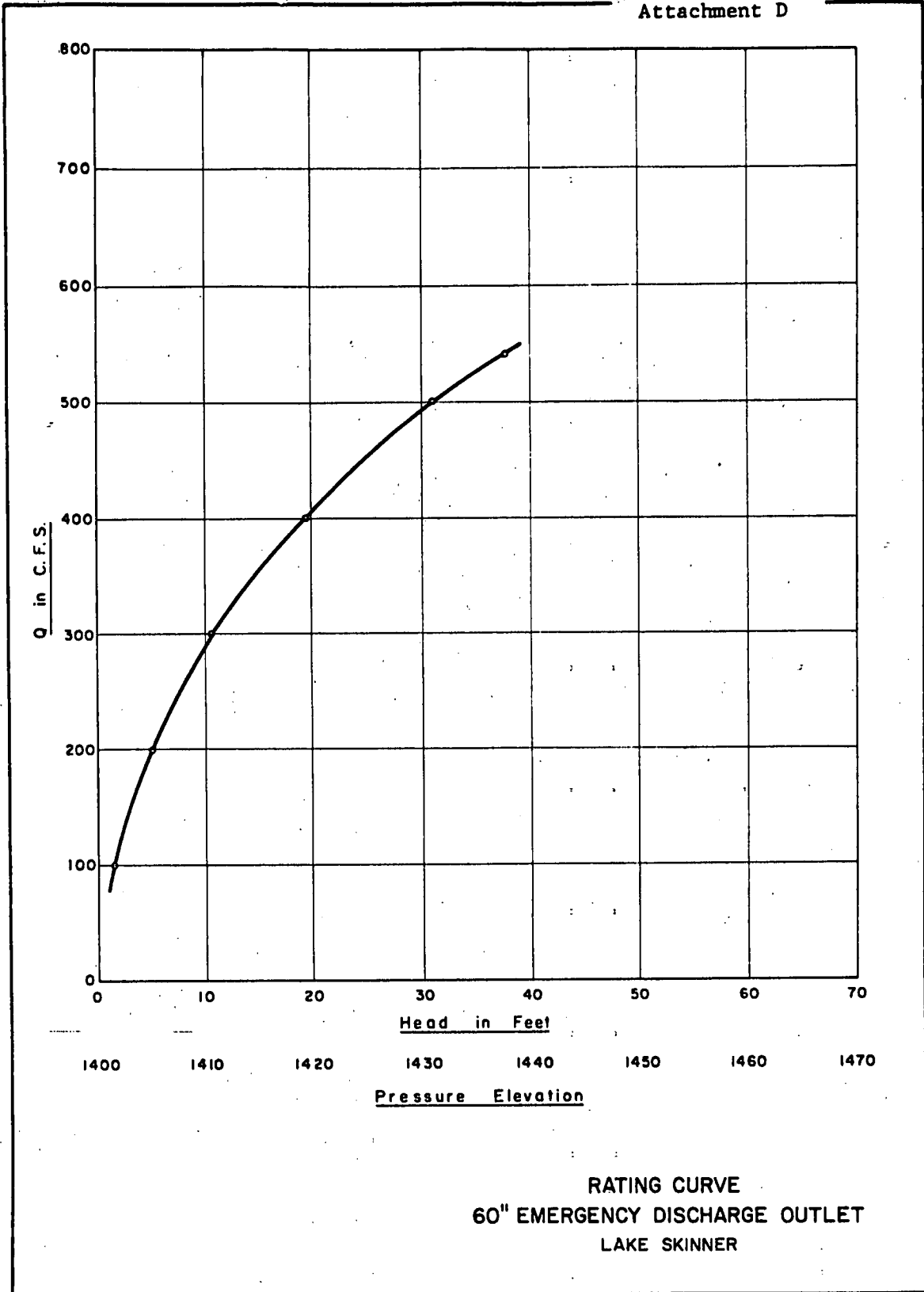
FEB. 19, 1974

DESIGNED BY: J. W. COOPER
 DRAWN BY: J. W. COOPER
 CHECKED BY: J. W. COOPER
 DATE: FEB. 14, 1974



FEB. 14, 1974

Attachment D



RESERVOIR RELEASES

1. Local Runoff into Lake Skinner will be released downstream at a rate no higher than the 24-hour average rate of accumulation of the Local Runoff, unless higher flows are requested by appropriate authorities as indicated in attached Procedure 2. Procedure 2 and the attached Monthly Record Sheet provide details regarding Reservoir Releases. Such Releases will begin approximately four hours after the preceding 24-hour accumulation period.

2. It should be noted that if the Local Runoff rate exceeds Discharge Capacity, Metropolitan will continue to make Releases at the maximum Discharge Capacity and increase the duration of the Release until volume equivalence is reached. It should also be noted that the spillway at the Dam is ungated. Any Reservoir elevation above the Dam's spillway crest elevation will automatically result in water being spilled until the Reservoir level returns to the spillway crest elevation. Metropolitan will not use elevations in excess of the spillway crest at any time in its calculations. Therefore, any temporary surcharge storage above the spillway crest will not be included in the computation of Reservoir Releases.

3. Metropolitan will observe a maximum Reservoir elevation during the rainy season which will keep 1,000 acre-feet of Storage Space below the Dam's spillway crest evacuated at all times except during flood events. The purpose of this is to preclude any spillway overflow in excess of that which would have naturally passed downstream.

4. It is impossible to identify precisely that portion of the Local Runoff which will enter Reservoir bank storage during the short period of time that Local Runoff is held in Lake Skinner. However, this quantity will be small and will be more than offset by the increase in Local Runoff due to the saturated lands adjacent to the Reservoir.

PROCEDURE 2

Procedure for determining quantity of water and rate of Release from Lake Skinner into Tualota Creek.

Definitions:

- Q = External accumulation in acre-feet
- P = Precipitation on the lake surface in acre-feet
- A = Actual Local Runoff into Lake Skinner that is to be released downstream in acre-feet

Calculation:

$$A = Q - P$$

Notes:

- (1) Release of runoff will begin at 1100 hours after readings and calculations are made relative to the period ending at 0700 hours.
- (2) The rate of release will begin at 5 cfs or less and be incremented in 5 cfs or less steps until the rate (from Procedure 1) is attained and then will be continued constant until the volume A has been released.
- (3) The rate of Release possible is shown on Graph 1. Metropolitan will release incidentally stored water at rates greater than rate R upon request from responsible authorities, within reasonable limits that will neither impair Metropolitan's use of the Project nor expose it to public liability.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
 LAKE SKINNER-TUCALOTA CREEK WATER RIGHTS
 MONTHLY RECORD SHEET

(month)	I INFLOW (af)	Q OUTFLOW (af)	D RELEASE (af)	E EVAPORATION (af)	S STORAGE CHANGE (af)	Q EXTERNAL WATER (af)	R RATE OF ACCUMULATION (cfs)	P PRECIPITATION (af)	A RUNOFF (af)	L MIN WELL DEPTH AV-28 (ft)	LAKE STORAGE (af)
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											
TOTAL											
NOTES	Q=S+O+D+E-I R=0.504Q A=Q-P										
	Attachment E										

WATER CONSERVATION AND FLOOD CONTROL

1. Lake Skinner will impound water from the Drainage Basin every time there is Local Runoff. Because of this incidental storage characteristic and the dampening of Local Runoff intensity by the averaged rate of Release, a measure of flood control and water conservation will be provided the downstream parties. Moreover, in the event of a major flood the limit of Metropolitan's discharge facilities will also dampen Local Runoff intensity. This regulation is inherent in Metropolitan's facilities and the benefit thereof is derived by the downstream water users.

2. Metropolitan did not construct the Project for the purpose of flood control, and does not intend to allocate any Storage Capacity in the Reservoir for flood control. However, Metropolitan will normally have some Storage Space available during the mid-winter months and therefore could provide flood control and conservation storage to the extent that it does not conflict with the primary function of the Reservoir. Such Storage Space provides the possibility of water conservation and most beneficial use of flood waters.

3. Due to Metropolitan's operational commitments, such services as those mentioned above cannot be guaranteed. However, for due consideration Metropolitan is prepared to provide such services when consistent with the principle function of the Reservoir.

SUBSURFACE FLOW AND GROUNDWATER

1. Subsurface Flow presents a significant problem as it is most difficult to determine and therefore most difficult to regulate. Metropolitan has been continuously monitoring numerous wells in the Tualota Creek area since 1965 and has established their fluctuations and the water table in general. Metropolitan's Report No. 863 deals with this work in great detail. The report establishes the maximum possible Subsurface Flow where the Dam was constructed, as 0.5 acre-feet per day (113 gal/min. or .25 cfs). Metropolitan believes that seepage through the Dam will more than offset any Subsurface Flow attributable to infiltration which would have taken place above the Dam and subsequently would have been realized downstream of the Dam. However, to insure that the natural Groundwater table integrity below the Dam is continued whole, Metropolitan is prepared to recharge that basin as required to maintain the Groundwater at levels that would have existed in the absence of the Dam (see Procedure 3).

2. The operating criteria for Groundwater will be based on key well MWD No. AV-28, State No. 7S/2W-3-11, which is representative of the Groundwater table immediately downstream of the Reservoir. A record of this well's fluctuations since early 1965 is shown on attached Metropolitan Drawing No. B-59073. As can be seen from the drawing, the level of this well has been abnormally varied since about mid-1968 until early 1974 by construction projects and the floods of January and February 1969. Therefore, there exists only approximately three years of undisturbed record (1965 through 1967) to be used as a base for the Groundwater table elevation.

3. In the area east of the bedrock constriction shown on MWD Drawing No. 20294-1, located approximately 1.4 miles downstream of the Dam on Tualota Creek, the Groundwater level will be maintained. So long as pumping from that area by others is not increased,

Attachment G

-2-

Metropolitan will recharge that basin whenever the Groundwater table falls below the minimum of the 1965-1967 years of record. That recharge will continue until resurfacing flow becomes visible at the bedrock constriction. Such a recharge program should not only maintain the Groundwater table at levels that naturally occur in this area, but should also maintain Groundwater levels in areas downstream thereof by precluding excessive infiltration of runoff upstream of the constriction.

4. If seepage through the Dam results in Groundwater levels in excess of those that would have existed in the absence of the Dam, as indicated by Groundwater levels in the key well, Metropolitan may pump such excessive seepage back into the Reservoir.

PROCEDURE 3

Procedure for maintaining the Groundwater level downstream of the Reservoir equal to that which would exist in the absence of the Project.

L MIN = low water level of well AV-28 during the undisturbed period of record (19.18 feet from surface)

Whenever the level in Well AV-28 reaches a depth of L MIN, Release from Lake Skinner will be made at a rate less than that which would cause continuous surface flow from the discharge point to the bedrock constriction. Such Release will continue until such time as surface flow is realized at the bedrock constriction by natural resurfacing of waters from the Groundwater table.

Notes:

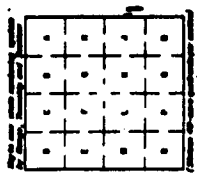
- (1) Well AV-28 is located approximately 2,000 feet downstream of the Dam and will be constantly monitored by a recording device.
- (2) L MIN is a variable which could be adjusted downward in the future. Such downward variation would only occur in events such as if pumping from the Groundwater is increased by others in the basin above the bedrock constriction and below the face of the Dam.

REPORT NO. 683 - PLATE NO. 1

Comparison of 1957 and 1958 Water Table Elevations (Feet) at Various Locations

Location	1957 Elev. (Feet)	1958 Elev. (Feet)
1	100.0	100.0
2	100.0	100.0
3	100.0	100.0
4	100.0	100.0
5	100.0	100.0
6	100.0	100.0
7	100.0	100.0
8	100.0	100.0
9	100.0	100.0
10	100.0	100.0
11	100.0	100.0
12	100.0	100.0
13	100.0	100.0
14	100.0	100.0
15	100.0	100.0
16	100.0	100.0
17	100.0	100.0
18	100.0	100.0
19	100.0	100.0
20	100.0	100.0
21	100.0	100.0
22	100.0	100.0
23	100.0	100.0
24	100.0	100.0
25	100.0	100.0
26	100.0	100.0
27	100.0	100.0
28	100.0	100.0
29	100.0	100.0
30	100.0	100.0
31	100.0	100.0
32	100.0	100.0
33	100.0	100.0
34	100.0	100.0
35	100.0	100.0
36	100.0	100.0
37	100.0	100.0
38	100.0	100.0
39	100.0	100.0
40	100.0	100.0
41	100.0	100.0
42	100.0	100.0
43	100.0	100.0
44	100.0	100.0
45	100.0	100.0
46	100.0	100.0
47	100.0	100.0
48	100.0	100.0
49	100.0	100.0
50	100.0	100.0
51	100.0	100.0
52	100.0	100.0
53	100.0	100.0
54	100.0	100.0
55	100.0	100.0
56	100.0	100.0
57	100.0	100.0
58	100.0	100.0
59	100.0	100.0
60	100.0	100.0
61	100.0	100.0
62	100.0	100.0
63	100.0	100.0
64	100.0	100.0
65	100.0	100.0
66	100.0	100.0
67	100.0	100.0
68	100.0	100.0
69	100.0	100.0
70	100.0	100.0
71	100.0	100.0
72	100.0	100.0
73	100.0	100.0
74	100.0	100.0
75	100.0	100.0
76	100.0	100.0
77	100.0	100.0
78	100.0	100.0
79	100.0	100.0
80	100.0	100.0
81	100.0	100.0
82	100.0	100.0
83	100.0	100.0
84	100.0	100.0
85	100.0	100.0
86	100.0	100.0
87	100.0	100.0
88	100.0	100.0
89	100.0	100.0
90	100.0	100.0
91	100.0	100.0
92	100.0	100.0
93	100.0	100.0
94	100.0	100.0
95	100.0	100.0
96	100.0	100.0
97	100.0	100.0
98	100.0	100.0
99	100.0	100.0
100	100.0	100.0

Attachment G

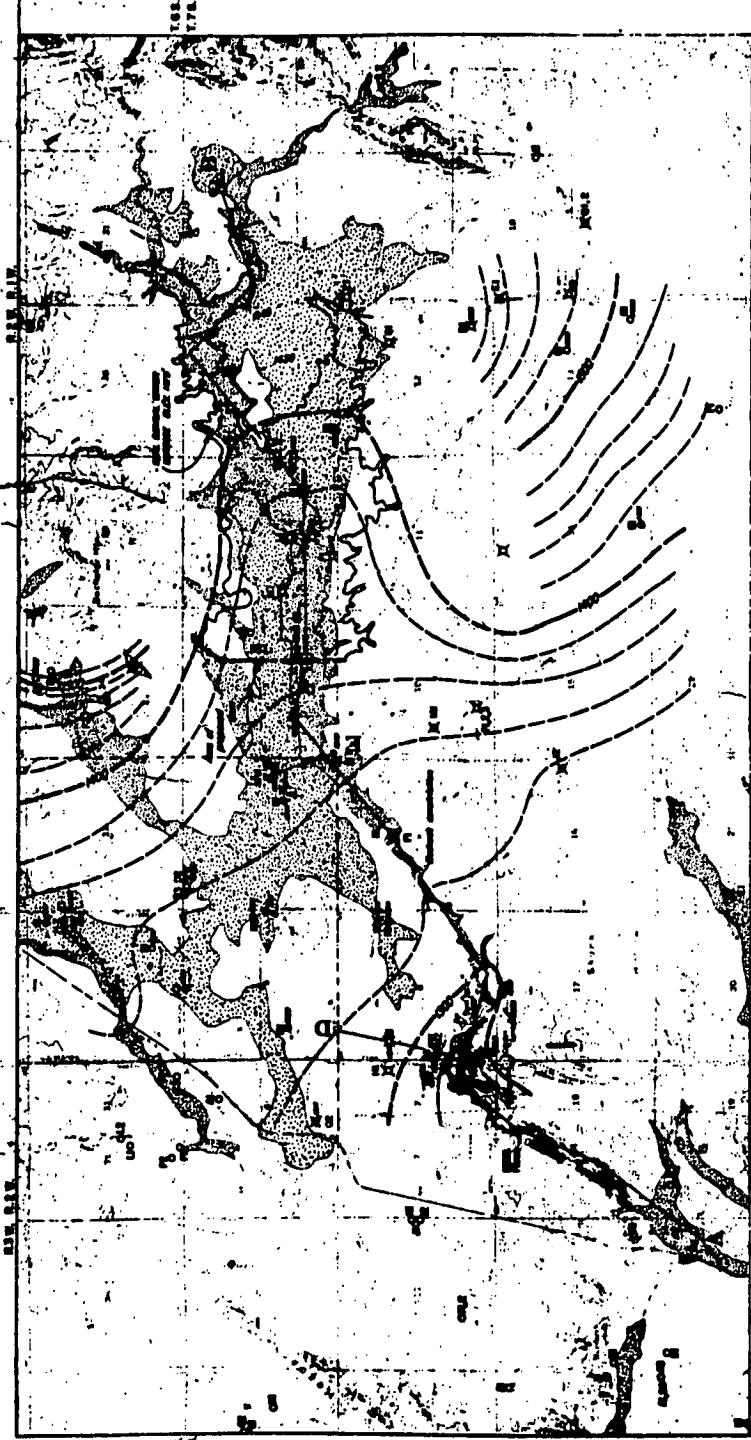


SYMBOLS

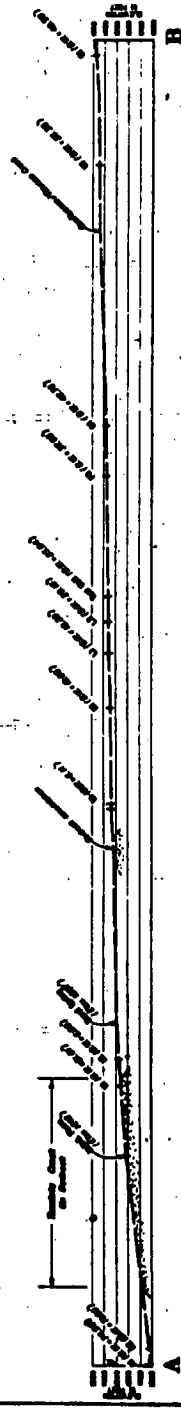
- Piezometer
- Well
- Water table elevation
- Groundwater contour
- Piezometer
- Well
- Water table elevation
- Groundwater contour
- Piezometer
- Well
- Water table elevation
- Groundwater contour



TUCUMAN WATER DISTRICT
 117 W. 1st St., TUCUMAN, CALIFORNIA
 WATER TABLE ELEVATIONS AND
 GROUNDWATER CONTOURS
 WATER TABLE ELEVATIONS, TUCUMAN CREEK
 1957 AND 1958
 DATE: 1958
 BY: [Name]



PLAN



PROFILES OF WATER TABLE TUCUMAN CREEK



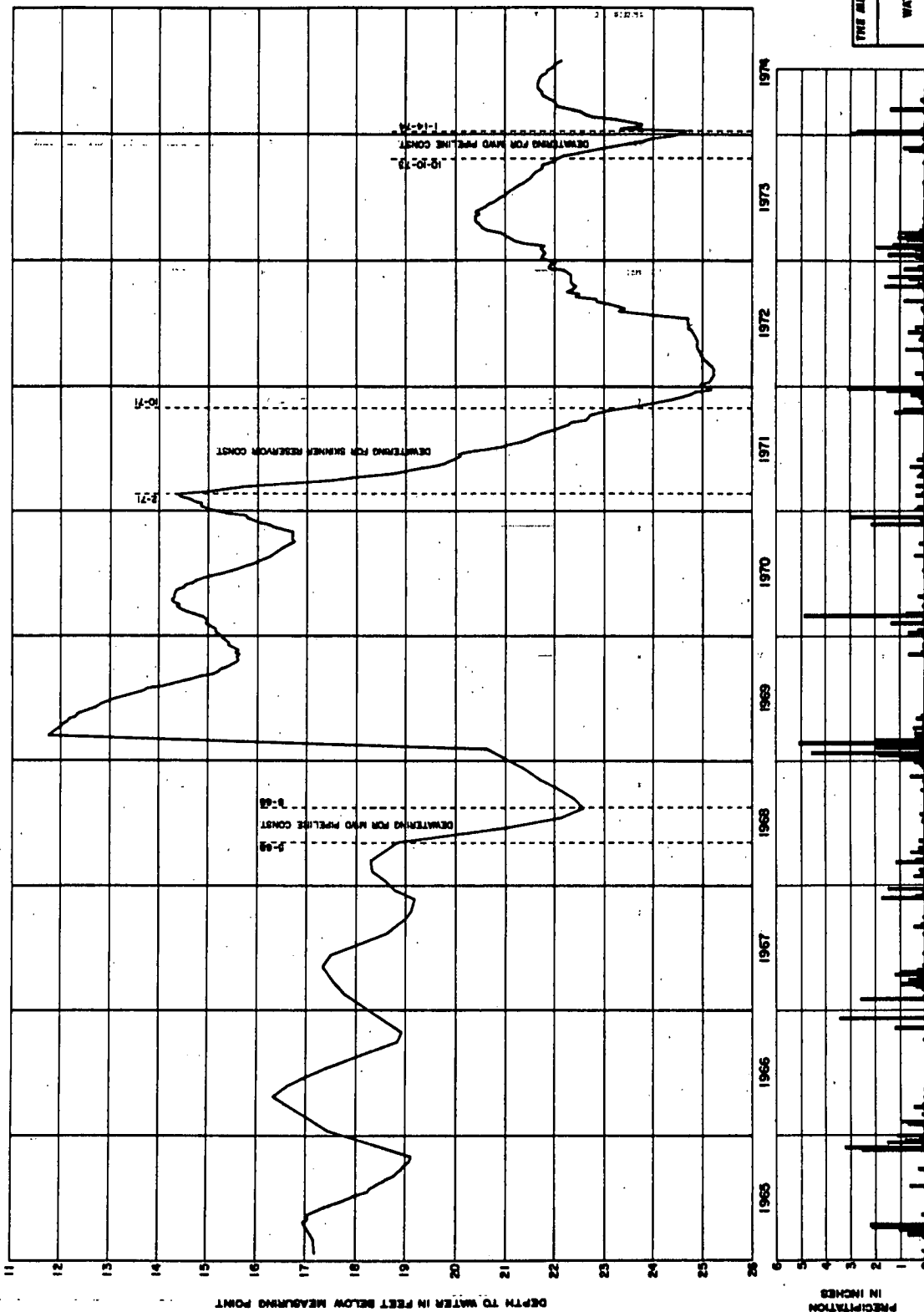
Attachment G

SHEET NO.

SPECIFICATIONS NO.

THE METROPOLITAN WATER DISTRICT
 OF DENVER
 TUCALATA CREEK
 WATER TABLE FLUCTUATIONS
 AND RAINFALL RECORD
 MWD WELL NO. AV-28
 1965-1974

DATE: 10/1/74
 BY: J. J. [unclear]
 CHECKED BY: [unclear]
 FOR APPROVAL: [unclear]
 MWD FORM NO. 100 (REV. 1-65)



REVISION	COORDINATION	DATE

WATER QUALITY

Lake Skinner was originally filled with Colorado River water. However, future Imports to the Reservoir will consist of a blend of Colorado River water and State project water. Initially, the blend will be 50 percent from each source with a higher proportion of State project water to be introduced in later years. Table 1 permits the comparison of several quality parameters of the naturally occurring waters in the area of Lake Skinner and the blended water Metropolitan plans to import initially. The table indicates that the quality of the imported supply compares favorably with all naturally occurring waters with the exception of storm flows. In view of this comparison and the fact that the Drainage Basin contributes only about one tenth of the total storm flow in the Santa Margarita Basin, the import of Releases on the general water quality will be inconsequential. Metropolitan's water supplies are utilized throughout Southern California for Groundwater replenishment and are considered adequate for all intended uses.

TABLE 1

Constituent (mg/liter)	Average Values for Year Ending 12-31-73				Murrieta Creek Rising Water ¹	Murrieta Creek Storm Flows ¹	Auld & French Groundwater Basins ¹
	Colorado River Water	State Project Water	50/50 Blend				
TDS	719	336	527.5	500-700	200	889	
Chlorides Cl	96	62	79	130	30	148	
Nitrates NO ₃	0.6	0.9	0.75	6.0	2.0	13	
Sulfates SO ₄	312	91	201.5	90	25	189	
Boron B	0.11	0.2	0.16	0.4	0.1	1.3	

I. "Comprehensive Water Quality Management Study" by Joint Administration Committee of the Santa Margarita and San Luis Rey Watershed Planning Agencies, Volume 1, 1973. (Rising water is normal surface flow as opposed to that which occurs immediately after a large storm.)

DECLARATION OF SERVICE BY MAIL

I, Mary Cooke, declare that I am a citizen of the United States, over 18 years of age, and not a party to the written cause; my business address is 1111 Sunset Boulevard, P. O. Box 54153, Los Angeles, California 90054. I served a true copy of the attached proposed Findings of Fact and Order on Lake Skinner Operation and Watermaster Service, including the November 12, 1974, Memorandum of Understanding and Agreement incorporated therein, on each of the persons shown on the attached list by placing same in envelopes addressed respectively as shown on that list.

Each said envelope was then on January 9, 1975, sealed and deposited in the United States Mail at Los Angeles, California, the County in which I am employed, with the postage thereon fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 9, 1975, at Los Angeles, California.



Mary Cooke

Donald W. Redd, Esq.
United States Department of Justice
Land & Natural Resources Division
Washington, D.C. 20530

Carl J. Klein, Esq.
Assistant United States Attorney
U. S. Court House, Annex A
325 West F Street
San Diego, California 92101

Ronald Albu, Esq.
California Indian Legal Services
1860 So. Escondido Blvd.
P.O. Box 1868
Escondido, California 92025

Franz Sachse, Esq.
P.O. Box 427
Fallbrook, California 92028

Fritz R. Stradling, Esq.
Rutan & Tucker
P.O. Box 1976
Santa Ana, California 92702

Col. A. C. Bowen, General Manager
Santa Margarita-San Luis Rey
Watershed Planning Agency
P. O. Box 475
Fallbrook, California 92028