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

FILED
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RECEIVED
MAR 13 1989
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]*

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 FALLBROOK PUBLIC UTILITY)
 DISTRICT, et al.,)
)
 Defendants)

Civ. No. 1247-SD-T
ORDER FOR THE APPOINTMENT
OF A WATERMASTER; POWERS
AND DUTIES.

In 1951, the United States of America brought this case to seek a judicial determination of all respective water rights within the Santa Margarita River watershed. That litigation culminated in this Court's decision United States v. Fallbrook Public Utility District, et al., 193 F.Supp. 342 (S.D.Cal. 1961), aff'd in part and reversed in part 347 F.2d 48 (9th Cir. 1965) and finally in the Modified Final Judgment and Decree, entered April 6, 1966.

During the course of this litigation the Court appointed Lieutenant Colonel A. C. Bowen to collect water consumption data from substantial users within the watershed and to report to the Court on his findings. By Order of January 19, 1975, Colonel Bowen was appointed as Watermaster with broad powers to administer and enforce the provisions of the Court's Modified

1 Final Judgment and Decree. Colonel Bowen served in this capacity
2 until his death in 1981. No replacement has been appointed.

3 In June of 1988 the United States of America, Rancho
4 California Water District and Fallbrook Utility District
5 requested that this Court act to appoint a replacement for
6 Colonel Bowen. After a hearing on June 13, 1988, this Court
7 ordered the three parties to advertise for and interview
8 prospective candidates for the position of Watermaster. That
9 process having been completed, notice was given of this hearing
10 for any party^{1/} to show cause why this Court should not appoint
11 the candidate recommended by the United States, Rancho California
12 Water District and the Fallbrook Public Utility District. Having
13 received no substantial objection to this candidate it is hereby
14 Ordered, Adjudged and Decreed:

15 I

16 APPOINTMENT OF A WATERMASTER

17 James Jenks is hereby designated by this Court to act as
18 Watermaster for the Santa Margarita River watershed, to
19 administer and enforce the provisions of the Modified Final
20 Judgment and Decree and subsequent instructions and orders of
21 this Court.

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26 ^{1/} For the purpose of this Order, party shall mean any party to
the original adjudication and their successors in interest.

II

REPORTING DUTIES

Promptly after the end of each water year,^{2/} the Watermaster shall report to the Court, in writing, a summary of his findings and conclusions in accordance with paragraph V of this Order and as follows:

1. A summary of water availability within the Santa Margarita River watershed for the previous water year and, to the extent feasible, a forecast of the same for the upcoming water year. The summary shall include a compilation, by hydrologic sub-unit, of the following water quantities:

a. Surface Water:

1) Surface flow of the Santa Margarita River and its tributaries, with identification by quantity of the specific sources of such surface flow, including water from natural runoff, water imported from outside the watershed, and water from each of the subsurface sources identified in the applicable interlocutory judgments.

2) Diversions of surface water, with identification by quantity of the related consumptive uses, losses, and returns.

3) Water in surface storage on the last day of the previous water year.

b. Subsurface Water:

1) Extractions from each of the subsurface sources identified in the applicable interlocutory judgments, with identification by quantity of the related consumptive uses, losses, and returns.

2) For each such subsurface source, (i) the quantity of water in subsurface storage at the

For the purposes of this Order a "water year" shall be defined as that twelve-month period beginning on October 1 and ending September 30.

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end of the previous water year, (ii) the source and quantity of recharge.

c. The source and quantity of water imported for use within the Santa Margarita River watershed.

d. The source and quantity of water exported from the Santa Margarita River watershed.

2. A list of all water users within the Santa Margarita River watershed, including for each a description of vested rights and appropriate priority dates if any.

3. A report on the use of water by each substantial user^{3/} within the Santa Margarita River watershed for the previous water year showing for each such user the amount of water diverted, extracted, impounded, or imported and the amount used according to category of use, including: domestic, irrigation, other agricultural, industrial, commercial, public and such other types of uses as the Watermaster may deem appropriate.

4. A list of all unauthorized water use within the Santa Margarita River watershed, along with an explanation of actions taken or recommended to be taken with respect to such use.

5. A statement of conditions and activities which, if continued, may pose a threat to the long-term water supply of the Santa Margarita River watershed.

6. Report on the water quality within the Santa Margarita River watershed by hydrologic sub-unit during the previous water year.

7. An update of the Watermaster's projected tasks, expenditures and requirements over the next five years.

^{3/} For the purposes of this Order, "substantial user" means any person that claims a right to use water under the orders, judgments or decrees of this Court in the above entitled action, and any person previously designated by this Court or the Watermaster to be a substantial user; any person using water or who claims a right to use water in an amount equal to or greater than or in a manner similar to the uses designated in Exhibit A to this Order; or any person using water within the Santa Margarita River watershed and designated by the Watermaster to be a substantial user.

1 8. A proposed budget for the following water year, as more
2 fully described in paragraph III, below.

3 A copy of the Watermaster's written report shall be mailed to
4 each party listed on the Court approved mailing list, as attached
5 to this Order, and to any party requesting a copy. In addition,
6 five copies of the report will be made available for inspection
7 by the public, during regular business hours, at the Fallbrook
8 Public Utility District, 990 E. Mission Road, Fallbrook,
9 California; at Rancho California Water District, 28061 Diaz Road,
10 Temecula, California and at Anza, California.

11 Any party that objects to a portion of the Watermaster's
12 report, including the Watermaster's designation of substantial
13 users, may do so by filing written notice of his objection within
14 thirty days of service of the Watermaster's report. Objections
15 filed with this Court must refer to that portion of the
16 Watermaster's report that is objectionable and state specifically
17 the grounds for the objection. Thereafter, the Court may
18 determine a date for hearing the noticed objection. Any party
19 wishing to intervene on behalf of the objecting party or on
20 behalf of the Watermaster may do so within the discretion of the
21 Court.

22 III

23 OPERATING BUDGET

24 The Watermaster shall, within sixty days from the date of this
25 Order, submit for approval by this Court a proposed operating
26 budget for the 1989 water year. The Watermaster shall set forth
the estimated expense for discharging his duties as described

1 herein, including his recommendations for necessary staff,
2 equipment and supplies. A copy of the proposed budget shall be
3 mailed to each of the parties listed on the Court's approved
4 mailing list and to any party that requests a copy of the
5 proposed budget in writing. Any party may file objections to the
6 proposed budget within thirty days of service. Thereafter the
7 Court will set a date for hearing any objections filed.

8 If objections to the proposed budget are heard by the Court, then
9 the final budget may be confirmed or adjusted in whole or part as
10 the Court may deem proper.

11 Within 120 days of this Order the Watermaster shall submit for
12 approval by this Court a proposed operating budget for the 1990
13 water year. Parties shall be served in accordance with paragraph
14 II, above. Objections shall be filed and a hearing held in
15 accordance with paragraph III, above. Thereafter, the Master
16 shall submit his proposed budget for the following water year as
17 a part of his annual report to the Court.

18 IV

19 FEES AND EXPENSES

20 The fees, compensation and expenses of the Watermaster
21 hereunder initially shall be borne by the parties in the
22 following proportions: One third by the United States; one third
23 by the Fallbrook Public Utility District; and one third by Rancho
24 California Water District. For the 1989 Water Year, the total
25 assessment against the three parties shall not exceed
26 \$150,000.00. The Court shall retain the right upon its own

1 motion or the motion of any party to assess any other party using
2 water under the provisions of the applicable judgments, decrees
3 and Orders for the Santa Margarita River watershed for the costs,
4 fees and expenditures of the Watermaster.

5 Payment of the amount assessed to a party shall be paid 30
6 days prior to the beginning of the Water Year to which the final
7 budget is applicable.

8 The Watermaster is directed to use the fund control and
9 payroll services that shall be provided by Fallbrook Public
10 Utility District, and as fully set forth in Exhibit B, for
11 administration of the Watermaster Budget. An interest-bearing
12 account shall be established at a local bank to maintain funds
13 that may be contributed from time to time by the parties. An
14 audit will be conducted annually by an independent auditor and
15 copies of the report will be made available to the parties and
16 provided to the Court.

17 The Watermaster may apply for appropriate relief from this
18 Court for failure of any party to pay the amount assessed for a
19 particular water year.

20 V

21 **POWERS AND DUTIES OF THE WATERMASTER**

22 The Watermaster shall have the following powers and duties:

- 23 1. To update the list of substantial users contained in
24 Sections A, B and C of Exhibit A to this Order.
- 25 2. To collect water consumption data and require monthly
26 reports from the substantial users including, for each such
user, the amount of water diverted, extracted, impounded or
imported and the amount of water used, as follows:

1 a. To require every water user designated in
2 Section A of Exhibit A to supply in writing the
3 following factual data for each well owned or
operated within the watershed:

- 4 1. The well owner;
- 5 2. The location of the well;
- 6 3. The quantity in acre-feet of water
7 pumped during that month and the use by
8 quantity to which the water was put;
9 and
- 10 4. The depth in feet to water on or
11 about the last day of that month and
12 designate the zone(s) or aquifer(s)
13 from which well casing perforations
14 permit the production of water.

15 b. To require every water user designated in
16 Section B of Exhibit A that diverts surface water
17 to supply in writing the following factual data
18 for each designated point of diversion within the
19 watershed:

- 20 1. The diverter's name;
- 21 2. The location of the point of
22 diversion;
- 23 3. The quantity in acre-feet of water
24 diverted for the preceding month; and

25 c. To require every water user designated in
26 Section C of Exhibit A to supply in writing the
following factual data for each designated
surface storage reservoir:

1. The reservoir owner;
2. The location of the storage
facility;
3. The quantity, in acre-feet of water
held in storage in such facility on the
last day of the preceding month.
4. The purpose for which such water
was stored.

1
2 d. To require every water importer subject to
3 this Order that imports water to supply in
4 writing the following factual data:

- 5 1. The importer's name;
- 6 2. The discharge point or point of
7 connection of such imported water;
- 8 3. The quantity in acre-feet, of water
9 imported for the preceding month; and

10 e. To require every water user designated in
11 Section A and B of Exhibit A and every importer
12 of water within the Santa Margarita River
13 Watershed to supply in writing the following
14 factual data:

- 15 1. The user's name;
- 16 2. The quantity of water devoted to
17 the uses listed below in each
18 hydrologic sub-unit or area designated
19 by the Watermaster:
- 20 A. Domestic
 - 21 B. Agricultural irrigation
 - 22 C. Other agriculture
 - 23 D. Industrial
 - 24 E. Commercial
 - 25 F. Public
 - 26 G. Others as Watermaster
may deem appropriate.

f. To require every producer of reclaimed waster
water subject to this Order to supply in writing
the following factual data:

1. the producers' name;
2. The location of use or discharge of
reclaimed water;
3. The quantity in acre-feet of
reclaimed water produced, delivered and
discharged for the preceding month.

1
2 3. To make all reasonable efforts to collect and
3 reconstruct water consumption data for the periods 1966 to
4 date.

4 4. To obtain necessary pump efficiency data.

5 5. To operate and maintain gaging stations, investigate
6 water availability and hydrology, and conduct water quality
7 testing.

7 6. To perform such duties as are required under the
8 Memorandum of Understanding and Agreement on Operation of
9 Lake Skinner.

9 7. To take custody of existing records and reports,
10 maintain proper records, and prepare periodic written
11 reports as required by this Court.

11 8. To locate and investigate unauthorized water
12 appropriations within the Santa Margarita River watershed.

12 9. To assist in locating, investigating and enjoining
13 water quality violations within the Santa Margarita River
14 Watershed.

14 10. The Watermaster shall have the authority to enter,
15 upon reasonable notice and at reasonable times, upon the
16 lands of any party to conduct such tests and measurements
17 as he deems necessary to carry out the provisions of this,
18 or any other order of the Court with respect to the duties
19 enumerated above.

18 11. To the extent not superceded herein, this Order
19 incorporates by reference the powers and duties granted by
20 the Court in its Order filed January 27, 1966, as modified
21 on April 6, 1966.

20 12. To design, print and distribute the forms necessary to
21 convey the information required by this or any other
22 applicable Order of the Court.

22 13. To report to the Steering Committee, established
23 pursuant to Court Order, on a quarterly basis regarding the
24 status of the Watermaster's investigation, proposed budget
25 items for the upcoming water year and to respond to
26 questions regarding the progress of any programs
established by the Watermaster in implementing this Order.

26 14. To prepare a written plan within 120 days of the date
of this Order stating the methodology and procedures for
accomplishing the duties described above, including:

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2 a. A timetable for identifying substantial users
and characterizing their use;

3
4 b. A list of locations, numbers and descriptions
of existing and proposed gaging stations;

5
6 c. A detailed plan for the conduct of water
quality testing to include collecting existing
hydrological information and conducting
7 additional tests of both surface and ground
water;

8 The Watermaster shall serve the above-described plan to the
9 parties in accordance with paragraph II, above.

10 VI

11 FAILURE TO COMPLY

12 Failure to comply with this Order in furnishing information
13 and reports required herein may lead to an Order that the party
14 is in default and whatever sanctions are appropriate.

15 VII

16 JURISDICTION

17 This Court retains jurisdiction, upon the application of any
18 party or of the Watermaster or upon its own motion to make such
19 further or supplemental orders or directions as may be necessary
20 or appropriate for interpretation, enforcement or carrying out of
21 this Court's judgments, decrees and orders with respect to the
22 Santa Margarita River watershed.

23 1 3 MAR 1989

24 
UNITED STATES DISTRICT JUDGE

FILED

APR 6 - 1966

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

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

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 Civil

MODIFICATION OF ORDER REQUIRING SUBMISSION
OF FACTUAL DATA TO COLONEL BOWEN

It appearing that on January 27, 1966, this Court entered its "ORDER REQUIRING SUBMISSION OF FACTUAL DATA TO COLONEL BOWEN" to which was attached an exhibit entitled "Substantial Water Users in Santa Margarita River System," in which order this Court retained jurisdiction to modify the aforesaid exhibit and to designate additional water users not then set forth in the exhibit or to delete water users then set forth in the exhibit, and it further appearing from information presented to the Court by Colonel Bowen that some parties so designated should be deleted from that exhibit, and that additional parties should be designated as substantial water users in that exhibit; NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

I

The exhibit attached to this Court's order of January 27,

EXHIBIT A 1-12

EXHIBIT A

1 1966, be and the same is hereby withdrawn, and exhibit "A" attached
2 to this order be and the same is hereby substituted in place thereof
3 as the current list of substantial water users in the Santa
4 Margarita River stream system who are subject to the aforesaid
5 order of January 27, 1966.

6 II

7 A copy of this order, including the exhibit hereto, ~~and a~~
8 copy of the aforesaid order of January 27, 1966, shall be forthwith
9 served by certified mail on each of the parties hereby added to the
10 list of substantial water users. Each party hereby deleted from
11 that list shall also be notified of such action by mailing to him
12 by certified mail a notice in substantially the following form:

13 (Case heading)

14 To _____:

15 You are hereby notified that by order of this Court
16 dated _____, you are no longer required
17 to furnish to the undersigned the information required
18 to be so furnished by the order of the Court dated
19 January 27, 1965, a copy of which was heretofore served
20 upon you.

21
22 Col. A. C. Bowen
23 Officer in Charge
24 Office of Ground Water Resources
25 Marine Corps Base
26 Camp Pendleton, California 92055

27 DATED: This 6 day of April, 1966.

28
29
30 J. M. C.
31 JAMES M. CARTER, Judge
32 United States District Court

EXHIBIT A 4-13

SUBSTANTIAL WATER USERS IN SANTA MARGARITA RIVER SYSTEM

SECTION A - WELLS

Santa Margarita River

<u>Name</u>	<u>Location</u>
Henderson, M.	88/3W 33Q1
Naval Enclave	95/4W 14W1
	95/4W 26M1
	95/4W 29L1
	10S/4W 5D1
	10S/4W 7A2
	10S/4W 7B2
	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	

Marrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Armfield, Frona	75/3W 29A
	75/3W 29A
Aub-Bren Construction Co.	75/3W 28J
Barr, T. O.	75/3W 28R
Bloemans, A.	75/3W 21Q
	75/3W 28B
	75/3W 28B
Cain, C.	75/3W 21K
Cantarini, D.	75/3W 27J
Chillingworth, S. C.	75/3W 18L
	75/3W 18L
	75/3W 18Q

4/6/66

EXHIBIT A

EXHIBIT A 1-14

EXHIBIT A

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Clave, Ralph A. & Mickel, Paul B.	7B/3W 20Q
Contreras, G.	7B/3W 20R
Cox, T. A.	7B/3W 6D
	7B/3W 6E
	7S/3W 6K
	7B/4W 1A
	7B/4W 1A
	7S/4W 1B
	7B/4W 1B
Denny, P.	7B/3W 17M
Dillon, Ted	7S/3W 17J
Draucker, C. D.	7B/3W 27B
Dwyer, A.	7B/3W 27J
	7S/3W 27Q
El Rancho Trebol	7B/3W 18Q
	7B/3W 18Q
Giersom, H. W.	7B/3W 20B
Guanther's Murrieta Hot Springs	7S/3W 23A
	7B/3W 23A
	7B/3W 24D
Gwinn, W. A.	7B/3W 20L
	7B/3W 20L
Heanault, W. J.	7B/3W 17M
	7B/3W 18J
Howell, G.	7B/3W 28C
Kidder, R. C.	7B/3W 18B
King, C.	7S/3W 27M
K & L Properties	7B/4W 2G
Lovelady, A. L. & P.	7B/4W 2B
Mardley Company	7S/3W 20E
Mayer, B. L.	7S/3W 17D
	7S/3W 17D

Murrieta-Tamscula Area

<u>Name</u>	<u>Location</u>
Mays, F.	78/3W 21M
McDaniel, R.	78/3W 20Q
	78/3W 20Q
	78/3W 29B
Mejia, A.	6S/4W 35P
Morrov, H.	78/3W 7R
Morton, R. G.	78/3W 28B
Murrieta Mutual Water Company, Inc.	78/3W 17R Leasing, L. O. Lynch
	78/3W 20C Buying, C. W. Holliday
Murrieta Stud	78/3W 20E
	78/3W 20Q
Nelson, Leslie B. & Morton, Robert G.	78/3W 21K
Pascoc, W. T.	78/3W 27Q
	78/3W 33B
Querry, F.	8S/2W 19J
Rangren, D. A.	6S/4W 35L

EXHIBIT A - 16
-3-

Murrieta - Temecula Area

Name

Location

Rancho California

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

EXHIBIT A 417

Murrieta - Temecula Area

Name
 Rancho California

Location

88/2W 15D1 (No. 50)
 88/2W 16A1 (Dairy artesian)
 88/2W 16Q1 (Main Camp artesian)
 88/2W 17F1 (Cantarini D)
 88/2W 17Q1 (Studley artesian)
 88/2W 17N1 (Navy well)
 88/2W 17Q1 (Cantarini A)
 88/2W 18M1 (TF 3)
 88/2W 18N1 (TF 2)
 88/2W 18N2 (TF 4)
 88/2W 18R1 (McSweeney
 Domestic)
 88/2W 20B1 (P.R. 27)
 88/2W 20B2 (P.R. 28)
 88/2W 20B3 (P.R. 29)
 88/2W 20B4 (Cantarini)
 88/2W 20C1 (Cat)
 88/2W 20C2
 88/2W 20K1 (Cantarini Camp
 of Cant. Wm.)
 88/2W 20L1 (Pen well)
 88/2W 28C1 (Lody)
 88/3W 1P2 (Cantarini -
 Murrieta)
 88/3W 1P3 (O'Kell 14)
 88/3W 1Q1 (NW 96)
 88/3W 12B1 (NW 100)
 88/3W 12C1 (NW 98)
 88/3W 12C2 (NW 98A)
 78/3W 28D
 68/4W 35Q3

Reeves, G. H.

Ribaudo, J.

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Roripaugh, Leo	7B/3W 25E
	7B/3W 25E
	7B/3W 26Q
	7B/3W 34G
	7B/3W 35C
	7B/3W 25M
	7B/3W 26R
	7B/3W 35B
Schirmer, L. B. Jr.	7B/3W 20P
Bykes, E. H.	7B/3W 17R
Talbert, T. V. & Romano, A. A.	68/4W 35P
	68/4W 35P
Thompson, W.	7B/3W 7R
	7B/3W 18A
Thralls, W. A., et al	7B/4W 1E
Turner, C. W.	7B/4W 28E
	7B/3W 28G
	7B/3W 28G
	7B/3W 28G
	7B/3W 28K
Venable, W. E.	7B/3W 21G
Vessels, M.	7B/3W 18A
Weinstein, A.	7B/3W 7E
Wilks, T. E.	7B/4W 2A
	7B/4W 2B
Winter, H. C.	7B/3W 21P
Withrow, C. B.	68/4W 35D
Yoder, M. J.	7B/3W 15Q
	7B/3W 15Q

Murrieta - Temecula Area

<u>Name</u>	<u>Location</u>
Younger, H. C.	68/4W 36N
	68/4W 36P

Aguanga Area

Allen, W. H.	88/1E 8Q
	88/1E 17A
	88/1E 17B
Cottle, W. H.	88/1E 19K
	88/1E 19K
Gibbon, Katherine C.	88/1E 19Q
Marana, John L.	88/1W 13K
Oviatt, J.	88/1E 7J
	88/1E 7N
	88/1E 18B
	88/1E 18B
Reed, John E.	88/1E 33C
Trunnell, D.	88/1E 28P
Yerkes, Virginia C	88/1E 29K
	88/1E 29K

Cahuilla Area

Minor, J.	78/2E 32C
	78/2E 32F
	78/2E 32L
	78/2E 32C
	78/2E 32D

EXHIBIT A 120

SECTION B - SURFACE DIVERSIONS

<u>Name</u>	<u>Location</u>
Naval Enclave	
Weir Dam	98/4W/5E
Naval Weapons Station	98/4W/14N
Fallbrook Public Utility District	98/3W/7D
Rancho California	88/1W/10D
Cottle-Gibbon	88/1E/29L
Yerkes, Virginia C.	88/1E/29K

EXHIBIT A #21

SECTION C - SURFACE IMPOUNDMENTS

Naval Enclave

Lake O'Neill

Rancho California

Vail Lake

FALLBROOK PUBLIC UTILITY DISTRICT

990 E. Mission Road, P.O. Box 932 -- (619) 728-1125
FALLBROOK, CALIFORNIA 92028-2299

January 24, 1989

~~Mr. Stanley T. Mills, Manager~~
Rancho California Water District
P. O. Box 174
Temecula, CA 92390-0174

Dear Stan:

The Fallbrook Public Utility District agrees to provide the following services to the Watermaster for the Santa Margarita River watershed commencing on or about April 1, 1989.

1. Office Space. 384 square feet, unfurnished 1 room building located on the District's Red Mountain Reservoir facility approximately 1 mile west of I-15 off East Mission Road. The building has electric service and an installed heat pump for heating and air conditioning. No water or toilet facilities are available. Water can be made available at the desire of the Watermaster and rental of a portable toilet facility by the Watermaster can be arranged. Electric and telephone service would be put in the name of the Watermaster.

Monthly Rental

\$200.00

2. Accounting, Payroll, and Financial Management. A Watermaster bank account will be established at a local bank. Initial working capital will be provided on or about April 1, 1989, by Fallbrook Public Utility District, Rancho California Water District and U.S. Marine Corps Base, Camp Pendleton, in the amount of \$10,000 each. Disbursements will be made by the Fallbrook Public Utility District Treasurer upon request of the Watermaster based upon budgets approved by the U.S. District Court within guidelines to be established by the Court appointed Steering Committee. Quarterly financial statements will be provided to the Steering Committee and the Court. Additional capital funds will be requested of the three parties by the Fallbrook Public Utility District Treasurer based on quarterly requirements established by the Watermaster. An annual audit will be performed by a

EXHIBIT B - 1

BOARD OF DIRECTORS
Merritt S. Dunlap, *President*
A. Spencer Lehmann, *Vice President*

Directors Elwin Fuller
W.A. Morgan
C.J. Wolk, Jr.

Gordon W. Tinker, *General Manager
and Chief Engineer*
Robert James, *General Counsel*

Page 2
January 23, 1989

qualified independent accounting firm selected by the Steering Committee and approved by the Court.

Monthly Service Charge \$200.00

Sincerely,



Gordon W. Tinker
General Manager
and Chief Engineer

GWT/am

EXHIBIT B + 2

FALLBROOK PUBLIC UTILITY DISTRICT

990 E. Mission Road, P.O. Box 932 — (619) 728-1125
FALLBROOK, CALIFORNIA 92028-2299

January 24, 1989

~~Brigadier General Richard H. Huckaby~~
Commanding General
Marine Corps Base
Camp Pendleton, CA 92055

Dear General Huckaby:

The Fallbrook Public Utility District agrees to provide the following services to the Watermaster for the Santa Margarita River watershed commencing on or about April 1, 1989.

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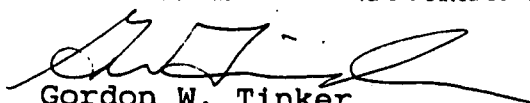
Gordon W. Tinker, *General Manager
and Chief Engineer*
Robert James, *General Counsel*

Page 2
January 23, 1989

qualified independent accounting firm selected by the Steering
Committee and approved by the Court.

Monthly Service Charge \$200.00

Sincerely,



Gordon W. Tinker
General Manager
and Chief Engineer

GWT/am

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