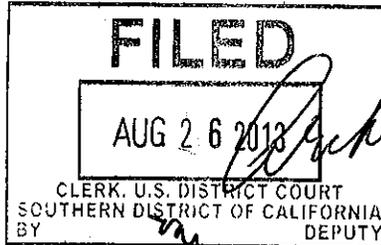


Archie D. McPhee  
40482 Gavilan Mountain Road  
Fallbrook CA 92028  
August 5, 2013

Judge: Honorable Gonzalo P. Curiel  
United States District Court  
Southern District of California  
221 West Broadway  
San Diego, CA 92101



Dear Judge Curiel,

In response to the Report "U.S.A. v Fallbrook PUD et al., Civil No. 51-cv-1247-GPC-RBB, Final Annual WATERMASTER Report for WATER Year 2011-12 ( the most recent WATERMASTER Report published). My concerns are as follows:

- 1) There cannot be even a suggestion of the possibility of collaboration between the WATERMASTER, Charles W. Binder and the Fallbrook PUD and/or any other member of the Steering Committee. This Steering Committee is presently comprised of the U.S. Department of the Navy, Eastern MWD, Western MWD, Fallbrook PUD, Metropolitan WD, Rancho California WD, and the Pechanga Tribe (Was the San Diego County Water Authority not allowed to participate in the Steering Committee? It was not identified in any information I received).
- 2) **Ray Maybus, the United States Secretary of the Navy must approve any and all changes involving the Santa Margarita River Conjunctive Use Project per ENCLOSURE 1.** The Santa Margarita River is defined as a "Water of the United States of America" which, therefore, is subject to Corps of Engineers jurisdiction under Section 404 of the clean water act (A jurisdictional water of the United States is defined in Section 328.3 of Title 38 of the Code of Federal Regulations). Camp Pendleton must **by law** submit to the County all evidence that appropriate permits have been issued pursuant to the Federal Water Pollution Control Act (33 U. S. C. Sec. 1251 et seq.) authorizing any Grading, or a statement from the U.S. Army Corps of Engineers certifying that a permit is not required. This has not occurred. The Commanding Officer of Camp Pendleton must also grant the County a **Right of Entry onto the site for the purpose of inspection and this too has not occurred.** Why has this info been neglected by the Watermaster?
- 3) Waters of the United States as defined by the U. S. Army Corps of Engineers' Regulations are identified as:
  - . **Territorial seas, measured seaward a distance of 3 miles;**
  - . **Coastal and inland waters, lakes, rivers and streams, and their tributaries;** ✓✓

- . Interstate waters and their tributaries;
- . Wetlands adjacent to all of the above waters; and
- . Isolated wetlands and lakes, intermittent streams, and other waters that are not a part of a tributary system to interstate waters or to navigable waters of the United States, the degradation or destruction of which would affect interstate commerce. See ENCLOSURE 3.

Therefore, the Santa Margarita River is a "Water of the United States" and as such requires a regulatory permit from the Army Corps of Engineers. WHY has the Watermaster neglected to inform the so called "STEERING COMMITTEE" of these permit requirements? Could it possibly be because the Watermaster is actually an employee of both the Fallbrook PUD as well as Judge: Honorable Gonzolo P. Curiel. Therefore, a conflict of interest is occurring because of the directly opposing work requirements of each of these employers? No man can serve two masters who are in opposition.

The stated activities requiring a U.S. Army Corps of Engineers permit includes, among many other activities, the following: "Any construction of revetments, groins, break-waters," DAMS ", levees, dikes and weirs". Camp Pendleton has constructed an existing "partial" dam across the Santa Margarita River without any permit, thereby, "back-flooding" the waters of the Santa Margarita River (SMR) over its natural banks for the creation of existing wells on the banks of the SMR. This well water is presently used on Camp Pendleton for base showers, base wash basins, base irrigation, etc. with no evidence that this dam was ever permitted before/during/after WW2. Camp Pendleton has recently advertised plans to construct a newer, higher, wider, larger dam across the Santa Margarita River to flood more areas on upstream banks of the SMR. This new "DAM" across the SMR will provide more well water EXCLUSIVELY FOR the Fallbrook PUD with water unlawfully originating from the SMR by not obtaining all necessary permits from the U.S. Army Corps of Engineers. See ENCLOSURE 2.

- 4) My overall experiences with the Camp Pendleton Marine Corps Commanding Officers and/or Staff/Government Employees is that the Camp Pendleton command and/or civilian personnel have determined that they are not really a member of the United States of America (they believe they are individually supreme) and are therefore not subject to any U.S. Government environmental laws. It appears that some in the Camp Pendleton Command have decided, illegally, that they are a separate entity from the United States and thereby separate from all of the laws of the United States they disagree with. These

personnel have succeeded for many years with the philosophy of “the LAW is what we declare it to be”.

- 5) Wild raccoons, beavers, bobcats, coyotes, red tail hawks, mountain lions, bears, numerous species of fish, Coastal Sage, Gnat Catcher's, Arroyo Toad's, Least Bell's vireo's, etc. are endangered species found in and around the Santa Margarita River in the Camp Pendleton area. Most of these protected species can be found on the Banks and/or mouth of the Santa Margarita River in Camp Pendleton near populated areas. **The Watermaster did not mention these protected animal and plants species in any of his reports, Why not?** The presence of these plants and animals in Camp Pendleton restrict any *Camp Pendleton* grading and construction. **Why has the Watermaster ignored the presence of these protected plants and animals in his reports?** They are extremely important in work involving grading, construction, and for "WELL" pipeline connections from Camp Pendleton to its border with the Fallbrook PUD.
- 6) The California Endangered Species Act (CESA) states that "all native species of fishes, amphibians, birds mammals, invertebrates, and plants threatened with extinction and those experiencing a significant decline, which if not halted, would lead to threatened or endangered designation, will be protected or preserved". They can be found in/near the Santa Margarita River and some endangered species are concentrated close to the Camp Pendleton Base Water Wells and extend to/into the Pacific Ocean shore line. **See ENCLOSURE 3.**
- 7) I have, in the past 12 years in Fallbrook, witnessed many shocking, actions that have occurred in/on Camp Pendleton that are illegal in the real civilian world.  
(A) Please note on Page 46 of the 2011-12 Watermaster Report; the term on line 8, P. 49 stating – "Department of the Navy Marine Corps Camp Pendleton" **IS INCORRECT. Please refer to Enclosure 1** which states: "The Department of the Navy consists of two uniformed Services, the United States Navy and the United States Marine Corps. In effect, all authority within the Navy and Marine Corps, unless specifically exempted by law, is derivative of the authority vested in the Secretary of the Navy". In the chain of Command, the Camp Pendleton General is at least 4 levels of command below that of the U.S. Secretary of the Navy. Consequently, the grouping of the "Marine Corps Base Camp Pendleton" with the U.S. Secretary of the Navy as shown on Page 46, becomes an affront to both the Navy and the Marine Corps and is a deliberate attempt to dispute the authority of the United States Secretary of the Navy (I am ex-Navy). Please eliminate the words "Marine Corps Camp Pendleton" from the above line 8, page 49, of the Watermaster 2012-12 report. It is, in effect, unlawful. (B) The last paragraph on page 49 of the 2011-12 Watermaster report is extremely confusing and should either be removed or clarified. The abbreviation "**SWRCB**" has not been, and must be, identified. The term "**appropriated**" has 2 dictionary

definitions. The term **confluence** means “Merging into one” and/or “streams that blend into one”. There is only one Santa Margarita River flowing thru Camp Pendleton and the word “**appropriated** means – to take or use something forcefully of without permission” Please define “the Santa Margarita River stream” as used in this paragraph, properly using plain English. The Santa Margarita River is a single river flowing from Temecula Creek in Riverside County into the Pacific Ocean in San Diego County. Please define this paragraph more clearly using clarifying ,common sense wording.

- 8) Data from the Fallbrook PUD monthly reports reveals the WATERMASTER received funding from the Fallbrook PUD (FPUD) as follows:

May 31, 2013 for \$23,200.00 - 4 th quarter,

March 31, 2013 for \$23,000.00 – 3 rd quarter,

Dec. 31, 2012 for \$23,200.00 – 2 nd quarter,

Aug. 27, 2012 for \$21,645.00 – 1 st quarter,

TOTAL WATERMASTER FY 2012-13 FUNDING BY FPUD = \$91,045.00

If you want, or need, copies of these WATERMASTER funding documents please advise. I do not wish to clutter up this communication any more than required. The Fiscal Year for FPUD **starts** on July 1, 2012 and **ends** on June 30, 2013. The total amount of these payments by FPUD to the WATERMASTER in FY 2012 consists of **\$91,045.00**. However, if every member of the steering committee is required to pay this same amount of money then the WATERMASTER (Mr. Binder) will receive **\$637,315.00** per year via Steering Committee members. (If the San Diego County Water Authority is included as a member of the Steering Committee, the total income for Mr. Binder increases to **\$728,360.00** per year). Please provide me with info on all of the monies each Steering Committee members paid to the WATERMASTER during the time period July 1, 2012 to June 30, 2013. The Watermaster's FY is 10/1/12- 9/30/13.

**An approved WATERMASTER Budget for years 2012-13** appears on page 105 of the “titled 2011-12” (2012-13 ?) Watermaster Report as well as a proposed Budget for years 2013-14 for proposed expenditures. These expenditures appear to disagree with FPUD expenditures specified in the FPUD Budget. The Watermaster Budget must be **audited** and copies of the audit must be forwarded to each FPUD Director, et al, each year. The Fallbrook PUD in its recent budget (2013-14 - “July 1 to June 30”) has employed the Watermaster for a number of tasks. This is income for the Watermaster; the Fallbrook PUD ratepayers are entitled to know how much in total monies that one of their employees (the Watermaster) earns in one fiscal year. At present, the Fallbrook PUD ratepayers do not know the total of monies that is allocated to the Watermaster. I have **NOT** seen a rent payment receipt for the \$18,000 **RENT**

from the Watermaster payable to the Fallbrook PUD, this year, in our Financial Reports and I need proof of payment. Please refer to **ENCLOSURE 4**.

**ENCLOSURE 5** contains a copy of a document from FPUD's "2013-2014 Final Budget" called the "Santa Margarita Water Rights Development" This document description states: "**All costs associated with securing water rights for both the Conjunctive Use Project and Lake Skinner. Includes legal costs and Watermaster fees to support securing, protecting and maintaining the Districts water rights**". Please note: the Watermaster is allocated in this document \$94,300.00 in year 2013-14 and \$97,140.00 each year for the following 5 years (an overall total of \$580,000.00). This is very positive evidence and looks as if the Watermaster has been bought and paid for by the Fallbrook Public Utility District management, excluding me. The **Watermaster works for Judge Curiel and at the same time he also works for the Fallbrook Public Utility District (FPUD) on the same project but with opposing goals to that of Judge Curiel's employment goals for the Watermaster. Therefore. It appears that the Watermaster may be involved in something unlawful as are those FPUD management officials who are also involved. It seems as if this is a form of bribery?**

- 9) **ENCLOSURE 6 identifies FPUD money spent on the "Santa Margarita Conj. Use project" & projected 2012-13 budget costs are \$282,600 & 2013-14 Budget costs are \$270,000". Where is this money going? Who is receiving this money? This funding has been going for several years and is planned to continue until years 2018-19. Please Advise, this is not chicken feed and it is the Fallbrook PUD ratepayers who are paying these monies and not the tooth fairy. Enclosure 6 funding extends to "Out Year" 2018-19 & totals over a million dollars just for the Santa Margarita Conjunctive Use Project. Who IS GETTING these KICKBACKS FROM THE FALLBROOK PUD?**
- 10) **The Fallbrook PUD has no water rights on the Santa Margarita River and neither has the U. S. Marine Corps. The U.S. Department of the Navy has water rights on the Santa Margarita River. See ENCLOSURE 1. FPUD has water rights only in/on Tocalota Creek, Riverside County. Furthermore, "All authority within the Navy and Marine Corps, unless specifically exempted by law, is derivative of the authority vested in the Secretary of the Navy". Approval by the Secretary of the Navy for work on all "Jurisdictional Waters of the United States" is necessary. This includes Santa Margarita River waters.**
- 11) There are several Federal Employees stationed in Camp Pendleton who have been officially charged with crimes involving money kickbacks on contracts.
- 12) **Enclosure 7: Copies of more money FPUD paid to the WATERMASTER:**

(A) **Watermaster** - Support, Job # 603 –“Reimbursement Support for the Watermaster”- 2012-13 for **\$138,368.00** and 2013-14 Budget for **\$111,837.**

(B) **Watermaster** - Finance Support, Job # 600 – “Reimbursable Finance support for the Watermaster” 2012-13- Est. Actual of **\$1,257.00.**

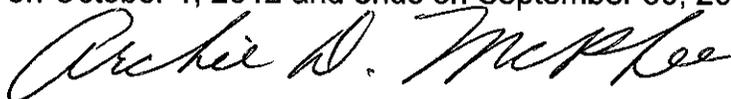
13) **Enclosure 8** also presents Capital Budget information on the “**Santa Margarita Water Rights**” listing **\$192,800** for 2012-13 and **\$144,300** for 2013-14. It extends funding to “Out Year” 2018-19 and **totals over a million dollars.** **TWO WATER RIGHTS Programs exist for FPUD (see Encl. 5 & 8 above)?**

14) **ENCLOSURE 9:** Post Office Return Card delivery requests not honored.

I have sent copies of my complaints to Brigadier General Coglianesse, Commanding Officer of Camp Pendleton by certified mail/with return card **see Enclosure 9**. By the absence of these signed Post Office return cards delivered to me, it is obvious that General Coglianesse never received any of my communications. I have never received a written confirmation of receipt for any of my communications to General Coglianesse. I believe that some person in Brigadier General Coglianesse’s office area intercepts my communications and forwards them directly to the Fallbrook PUD. I have not received a copy of a letter of transmittal from the General to FPUD but I did receive exact copies of all of those/my letters directly from FPUD that were addressed to the General . This was then followed by threats from FPUD’s Board President and/or GM using a “Brown Act” violation as a vehicle. What a joke, the Brown has been suspended in California from June 2012 to July 1, 2015.

It is a criminal act to intercept all of my mail which was sent to Brigadier General Coglianesse as certified/return card mail and then give that mail to someone else (other than General Coglianesse). **I am convinced that this has happend.** FPUD managers have violated their ratepayer duties for so long they believe they have a right to do anything they so desire to do.

The WATERMASTER’S Budget is presented in Enclosure 4. The total proposed budgeted amount for the year 2012-13 is \$649,600.00 of which \$417,375 is Watermaster’s Office Charges and \$232,225 is USGS charges. The USGS is not identified as a member of the WATERMASTER “Steering Committee”. Is the USGS charges separate from the Steering Committee? The Watermaster’s Budget starts on October 1, 2012 and ends on September 30, 2013. This is an unusual fiscal year.



Archie D. McPhee, Director # 4, Fallbrook Public Utility District  
Professional **Chemical** Engineer (Canada, New York State, Maryland)  
California Registered Professional **Civil** Engineer



**ENCLOSURE 1**

# United States Secretary of the Navy

From Wikipedia, the free encyclopedia

The **Secretary of the Navy** (or **SECNAV**) is a statutory office (10 U.S.C. § 5013 (<http://www.law.cornell.edu/uscode/10/5013.html>)) and the head (chief executive officer) of the Department of the Navy, a military department (component organization) within the Department of Defense of the United States of America.

The Secretary of the Navy must by law be a civilian, at least 5 years removed from active military service, and is appointed by the President and requires confirmation by a majority vote of the Senate.

The Secretary of the Navy was, from its creation in 1798, a member of the President's Cabinet until 1949, when the Secretary of the Navy (and the Secretaries of the Army and Air Force) was by amendments to the National Security Act of 1947 made subordinate to the Secretary of Defense.<sup>[1]</sup>

## Contents

- 1 Responsibilities
  - 1.1 Navy Regulations
  - 1.2 U.S. Coast Guard
- 2 The Navy Secretariat
- 3 Secretaries of the Navy<sup>[7][8]</sup>
  - 3.1 Continental Congress
  - 3.2 Executive Department 1798-1947
  - 3.3 Military Department (Department of Defense) 1947-
- 4 References
- 5 See also
- 6 External links

## Responsibilities

The Department of the Navy (DoN) consists of two Uniformed Services: the United States Navy and the United States Marine Corps.<sup>[2]</sup> The Secretary of the Navy is responsible for, and has statutory authority

### Secretary of the Navy SECNAV



Flag of the Secretary of the Navy



Seal of the Department of the Navy



**Incumbent**

**Ray Mabus**

since May 19, 2009

<b>Style</b>	<i>Mister Secretary</i>
<b>Department</b>	Department of the Navy
<b>Reports to</b>	Secretary of Defense Deputy Secretary of Defense

(10 U.S.C. § 5013 (<http://www.law.cornell.edu/uscode/10/5013.html>)) to "conduct all the affairs of the Department of the Navy", i.e. as its chief executive officer, subject to the limits of the law, and the directions of the President and the Secretary of Defense. In effect, all authority within the Navy and Marine Corps, unless specifically exempted by law, is derivative of the authority vested in the Secretary of the Navy.

Specifically enumerated responsibilities of the SECNAV in beforementioned section are: recruiting, organizing, supplying, equipping, training, mobilizing, and demobilizing. The Secretary also oversees the construction, outfitting, and repair of naval ships, equipment and facilities. SECNAV is responsible for the formulation and implementation of policies and programs that are consistent with the national security policies and objectives established by the President or the Secretary of Defense.<sup>[3][4]</sup>

The Secretary of the Navy is a member of the Defense Acquisition Board (DAB), chaired by the Under Secretary of Defense for Acquisition, Technology and Logistics. Furthermore, the Secretary has several statutory responsibilities under the Uniform Code of Military Justice (UCMJ) with respect to the administration of the military justice system for the Navy & the Marine Corps, including the authority to convene general courts-martial and to commute sentences.

The principal military advisers to the SECNAV are the two service chiefs of the naval services: for matters regarding the Navy the Chief of Naval Operations (CNO), and for matters regarding the Marine Corps the Commandant of the Marine Corps (CMC). The CNO and the Commandant act as the principal executive agents of the SECNAV within their respective services to implement the orders of the Secretary.

## Navy Regulations

The United States Navy Regulations is the principal regulatory document of the Department of the Navy, and any changes to it can only be approved by the Secretary of the Navy.

## U.S. Coast Guard

Whenever the United States Coast Guard operates as a service within the Department of the Navy, the Secretary of the Navy has the same powers and duties with respect to the Coast Guard as the Secretary of Homeland Security when the Coast Guard is not operating as a service in the Navy.<sup>[5]</sup>

<b>Appointer</b>	The President with Senate advice and consent
<b>Term length</b>	No fixed term
<b>Inaugural holder</b>	Benjamin Stoddert
<b>Formation</b>	June 18, 1798
<b>Succession</b>	3rd in SecDef succession
<b>Deputy</b>	The Under Secretary (principal civilian deputy) Chief of Naval Operations (navy advisor and deputy) The Commandant (marine corps advisor and deputy)
<b>Salary</b>	Executive Schedule, level II
<b>Website</b>	Official Website ( <a href="http://www.navy.mil/secnav">http://www.navy.mil/secnav</a> )



**MARINES**  
THE OFFICIAL WEBSITE OF THE UNITED STATES MARINE CORPS

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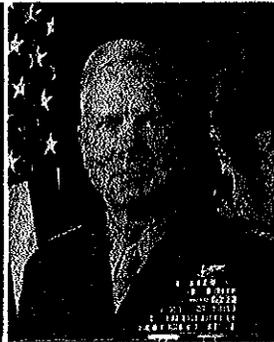
**MARINE CORPS LEADERSHIP**

Secretary of the Navy



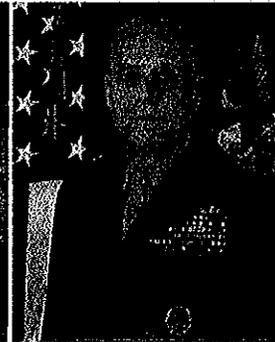
Hon. Ray Mabus  
[Biography](#)  
[Official Photo](#)  
[Website](#)

Commandant of the Marine Corps



Gen. James F. Amos  
[Biography](#)  
[Official Photo](#)  
[Website](#)

Assistant Commandant of the Marine Corps



Gen. John M. Paxton, Jr.  
[Biography](#)  
[Official Photo](#)  
[Website](#)

Sergeant Major of the Marine Corps



Sgt. Maj. Micheal P. Barrett  
[Biography](#)  
[Official Photo](#)  
[Website](#)

## **ENCLOSURE 2**

our nation's water resources and wetlands are used in the best interest of the public. This includes consideration of environmental, cultural and other public interest concerns.

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### **Who Should Obtain a Permit?**

Any person, firm, or agency (including Federal, state, and local governmental agencies) planning to work in waters of the United States should first contact the Corps of Engineers regarding the need to obtain a permit from the Regulatory Branch. Permits, licenses, variances, or similar authorization may also be required by other Federal, state and local statutes.

The necessary permits are required even when land next to or under the water is privately owned. Both the property owner and contractor may be held liable for violation of Federal law if work begins before permits have been obtained. Penalties for proceeding with work without a permit issued by the Corps may include:

- Removal of work and restoration of area.
  - Administrative penalties of up to \$25,000 per day for each violation.
  - Fine of up to \$50,000 per day for each violation.
  - Up to three years in prison.
- 

### **Typical Activities Requiring Permits**

The listed activities in waters of the United States may require permits.

- Construction of such structures as piers, wharves, bulkheads, dolphins, marinas, ramps and floats.
  - Placement of wires and cables over the water, pipes or cables under the water, and intake and outfall pipes.
  - Dredging, excavation and depositing of fill and dredged material.
  - Transport of dredged material for the purpose of dumping into ocean waters.
  - Any construction of revetments, groins, break-waters, levees, dams, dikes and weirs.
  - Placement of riprap and road fills.
  - Grading or land leveling activities.
  - Sandmining and related activities.
- 

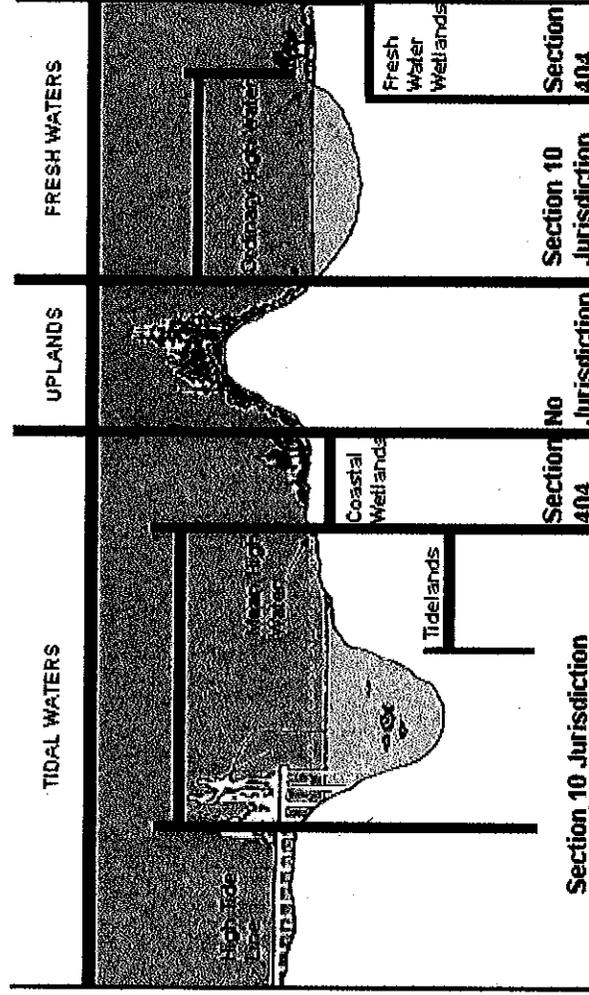
### **Applicable Laws**

# US Army Corps of Engineers Sacramento District Regulatory Program

## Jurisdiction Overview

The U.S. Army Corps of Engineers has permitting authority over activities affecting waters of the United States. Waters of the United States include surface waters such as navigable waters and their tributaries, all interstate waters and their tributaries, natural lakes, all wetlands adjacent to other waters, and all impoundments of these waters. To find the navigable waterways in the Sacramento District, click here [click here](#).

Two federal statutes mandate Corps jurisdiction over navigable waterways and adjacent wetlands. These are Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Section 10 of the Rivers and Harbors Act applies to all navigable waters of the United States and Section 404 of the Clean Water Act applies to all waters including wetlands that have sufficient nexus to interstate commerce. The diagram below illustrates the lateral limit where Section 10 and Section 404 apply.



Section 10 of the Rivers and Harbors Act

Section 404 of the Clean Water Act

**ENCLOSURE 3**

The Cops permit program is based mainly on three Acts of Congress.

- Sections 9 and 10 of the RIVER AND HARBOR ACT of 1899 prohibit unauthorized construction in navigable waters of the United States.
- Section 404 of the CLEAN WATER ACT governs disposal of dredged or fill material in waters of the United States.
- Section 103 of the MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972 regulates transportation of dredged material for the purpose of dumping into ocean waters.

Other statutes also affect Corps regulatory authority.

- The NATIONAL ENVIRONMENTAL POLICY ACT of 1969 defines the national policy for encouragement of productive harmony between man and his environment, as evaluated through Environmental Impact Statements and Assessments.
- The FISH AND WILDLIFE COORDINATION ACT of 1956 requires the Corps to coordinate permit applications with State and Federal fish and wildlife agencies.
- The NATIONAL HISTORIC PRESERVATION ACT of 1966 requires coordination on matters concerning historic and archaeological preservation.
- The COASTAL ZONE MANAGEMENT ACT of 1972 requires that activities comply with and be certified by a State's coastal zone management program.
- The ENDANGERED SPECIES ACT of 1973 requires coordination to insure protection of endangered and threatened species.
- The EXECUTIVE ORDER 11988 of 1977 requires that the District Engineer avoid authorizing floodplain development whenever practicable.



**Waters of the United States Defined**

Waters of the United States, which are subject to Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act, include:

- Territorial seas, measured seaward a distance of three miles;
- Coastal and inland waters, lakes, rivers and streams, and their tributaries;
- Interstate waters and their tributaries;
- Wetlands adjacent to all of the above waters; and
- Isolated wetlands and lakes, intermittent streams, and other waters that are not part of a tributary system to interstate waters or to navigable waters of the United States, the degradation or destruction of which could affect interstate commerce.



**Factors Considered In Issuing a Permit**

Overall, a permit must be found to be not contrary to the public interest. All factors which

**ENCLOSURE 4**

**SECTION 13 - WATERMASTER OFFICE BUDGET 2013-2014**

A total Watermaster Budget of \$658,840 for the Water Year ending September 30, 2014 is shown below.

This budget includes \$419,715 for the Watermaster Office and \$239,125 for USGS gaging station operations and groundwater monitoring. The budgeted cost for services provided by the U. S. Geological Survey is based on the annual renewal of a cooperative agreement with the Watermaster.

	<b>APPROVED BUDGET CURRENT YEAR 2012-13</b>	<b>PROPOSED BUDGET 2013-14</b>
<b>Watermaster Office</b>		
Rent	\$ 18,000	\$ 18,000
Accounting Services	7,000	8,800
Supplies	1,600	1,800
General Liability & Professional Insurance	500	600
Printing	9,800	10,800
Audit	6,300	6,300
Publications	4,200	4,200
Clerical/Data Management	104,400	99,700
Telephone/Internet	4,700	4,200
Miscellaneous Operating/Maintenance	5,575	5,915
Mileage/Travel	800	900
Office Equipment and Software	2,000	2,000
IT System/Website	10,000	10,000
<b>Watermaster</b>		
Consulting Services	215,000	219,000
Travel Reimbursement	27,500	27,500
<b>SUBTOTAL WATERMASTER OFFICE</b>	<b>\$ 417,375</b>	<b>\$ 419,715</b>
<b>USGS</b>		
Gaging Station Operation and Maintenance	\$ 177,325	\$ 150,225
Water Quality Operation and Maintenance	23,600	23,600
Groundwater Monitoring Wells Water Levels	20,300	43,300
Groundwater Monitoring Wells Water Quality	11,000	22,000
<b>SUBTOTAL USGS</b>	<b>\$ 232,225</b>	<b>\$ 239,125</b>
<b>TOTAL</b>	<b>\$ 649,600</b>	<b>\$ 658,840</b>

# **ENCLOSURE 5**

**WATER DEPARTMENT**  
**Capital Budget**  
**Project Detail**

**Project Title:** Santa Margarita River Water Rights Development ✓

**Description:** All costs associated with securing water rights for both the Conjunctive Use Project and Lake Skinner. Includes legal costs and watermaster fees to support securing, protecting and maintaining the District's water rights.

<u>Title</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
Watermaster ✓	94,300 ✓✓	97,140 ✓✓	97,140 ✓✓	97,140 ✓✓	97,140 ✓✓	97,140 ✓✓
SMRCUP Water Rights ✓	30,000	10,000	10,000	10,000	10,000	10,000
Lake Skinner Water Rights					5,000	5,000
Skinner Inflows Modeling/Flow Measurement ✓	20,000	5,000	5,000	5,000	5,000	5,000
Skinner MND Update		40,000	20,000	20,000		
<b>Totals</b>	<b>144,300</b>	<b>152,140</b>	<b>132,140</b>	<b>132,140</b>	<b>117,140</b>	<b>117,140</b>

**ENCLOSURE 6**

**WATER DEPARTMENT**  
Capital Budget Summary

PROJECTS	Budget 2012-13	Projected 2012-13	Budget 2013-14	Outyear 2014-15	Outyear 2015-16	Outyear 2016-17	Outyear 2017-18	Outyear 2018-19	Outyear 2019-20	Outyear 2020-21	Outyear 2021-22	Outyear 2022-23	Outyear 2023-24
Field Equipment	181,000	182,800	283,550	501,150	251,989	160,750	181,000	148,125	152,589	157,146	161,860	166,716	171,717
Reservoirs	639,878	7,000	1,042,740	552,078	414,853	1,045,543	449,697	774,068	250,812	251,192	281,144	251,500	259,045
Seismic Retrofit	50,000	12,700	30,000	15,000	15,000	15,000	15,000	0	0	0	0	0	0
Pipelines	674,801	889,900	986,387	1,057,907	1,115,627	978,177	1,011,886	943,033	974,222	956,158	935,896	1,008,141	1,010,498
Yard/SCADA/Facility	155,000	20,000	186,000	105,000	80,000	15,000	15,000	15,000	15,450	15,914	16,391	16,883	17,389
D/ISA Improvements	35,000	10,000	15,750	15,750	0	0	0	0	0	0	0	0	0
Pressure Stations	325,000	282,600	270,000	365,000	180,000	180,000	80,000	80,000	82,400	84,872	87,418	90,041	92,742
Santa Margarita Conj. Use	256,500	192,800	144,300	192,140	132,140	132,140	117,140	117,140	120,654	124,274	128,002	131,842	135,797
Water Supply Facilities	95,000	1,000	365,000	570,000	150,000	75,000	50,000	200,000	51,500	53,045	54,636	56,275	57,964
Meter Service Replacement	50,000	835,815	370,000	72,000	73,000	74,000	50,000	150,000	51,500	53,045	54,636	56,275	57,964
Meter Installations	42,136	0	60,000	40,000	40,000	40,000	40,000	40,000	41,200	42,436	43,709	45,020	46,371
Facility Upgrades & Security	83,500	158,802	62,200	57,200	43,200	48,200	23,200	23,200	23,896	24,613	25,351	26,112	26,895
<b>TOTALS</b>	<b>2,561,815</b>	<b>2,593,417</b>	<b>3,795,927</b>	<b>3,503,225</b>	<b>2,605,809</b>	<b>2,824,810</b>	<b>2,032,723</b>	<b>2,480,566</b>	<b>1,764,203</b>	<b>1,782,694</b>	<b>1,759,044</b>	<b>1,848,805</b>	<b>1,876,382</b>

Reduce Budget by %

**REVENUE PROGRAM**

Pumping Charge	203,000	203,000	66,000	67,980	70,019	72,120	74,284	76,512	78,807	81,172	83,607	86,115	88,698
Standby/Availability Charges	42,136	65,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000
Connection Fees	468,609	488,009	468,609	515,002	485,468	503,093	521,072	539,412	558,118	577,198	596,660	616,511	636,759
Property Taxes	184,200	93,912	115,000	115,000	115,000	116,150	119,635	123,224	126,920	130,728	134,650	138,689	142,850
Developer Funds	10,000	17,320	15,000	15,000	20,000	20,000	20,000	20,000	52,500	52,500	52,500	52,500	52,500
Capital Improvement Charge	505,000	499,680	1,014,000	1,064,700	1,117,935	1,173,832	1,232,523	1,294,150	1,358,857	1,426,800	1,498,140	1,573,047	1,651,669
Facilities Rent Revenue/Tenants	176,183	176,182	178,000	181,560	185,191	188,886	192,873	196,926	200,457	204,466	208,555	212,726	216,981
Transfer from Water Ops/60	75,000	75,000	75,000	0	0	0	0	0	0	0	0	0	0
Other	1,599,128	1,599,703	2,134,609	2,182,242	2,198,611	2,277,089	2,365,187	2,485,323	2,579,659	2,675,863	2,777,112	2,882,588	2,992,487
Revenue Subtotal	1,012,887	994,714	1,881,318	1,340,982	309,198	547,720	(330,464)	5,243	(814,458)	(813,169)	(1,018,087)	(1,033,783)	(1,116,105)
Required Reserves	2,561,815	2,593,417	3,795,927	3,503,225	2,605,809	2,824,810	2,032,723	2,480,566	1,764,203	1,782,694	1,759,044	1,848,805	1,876,382
<b>TOTALS</b>	<b>4,145,421</b>	<b>4,145,421</b>	<b>4,068,899</b>	<b>1,489,388</b>	<b>148,406</b>	<b>(160,792)</b>	<b>(708,512)</b>	<b>(378,048)</b>	<b>(363,291)</b>	<b>431,165</b>	<b>1,344,334</b>	<b>2,362,401</b>	<b>3,386,185</b>

Plus: Net SRF Loan Proceeds

Change During Year

Fund Balance End of Year

FB Minimum per Admin Code

Fund Balance Over (Under Target)

**ENCLOSURE 7**

**ADMINISTRATION DEPARTMENT**  
**Administration & Financial Management Program**  
**Job Detail**

**TITLE:** Watermaster Support ✓  
**JOB #:** 603  
**DESCRIPTION:** Reimbursable support for the Watermaster

**WORKLOAD:**

**EFFECTIVENESS:**

**PROGRAM BUDGET**

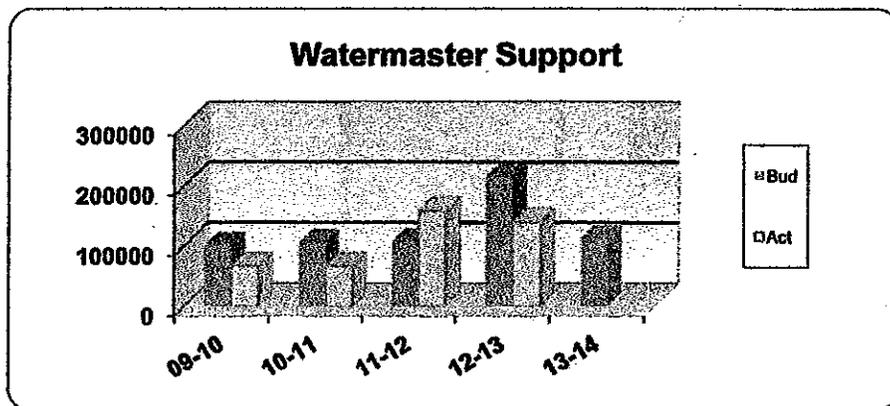
	<u>2012-13</u> <u>Budget</u>	<u>2012-13</u> <u>Est. Actual</u>	<u>2013-14</u> <u>Budget</u>
<b>Expenses</b>			
Labor	105,144	67,662	54,822
Fringe Benefits	98,835	63,602	51,259
Equipment Allocation	11,040	7,104	5,756
Materials & Supplies	-	-	-
Contract Services	-	-	-
<b>TOTAL EXPENSES</b>	<b>215,019</b>	<b>138,368</b>	<b>111,837</b>

*AD Me*

**Materials/Supplies/Contract Services**

Copy/Postage  
 Other

Total



**ADMINISTRATION DEPARTMENT**  
**Administration & Financial Management Program**  
**Job Detail**

**TITLE:** Watermaster Finance Support ✓  
**JOB #:** 600  
**DESCRIPTION:** Reimbursable Finance support for the Watermaster

**WORKLOAD:**

**EFFECTIVENESS:**

**PROGRAM BUDGET**

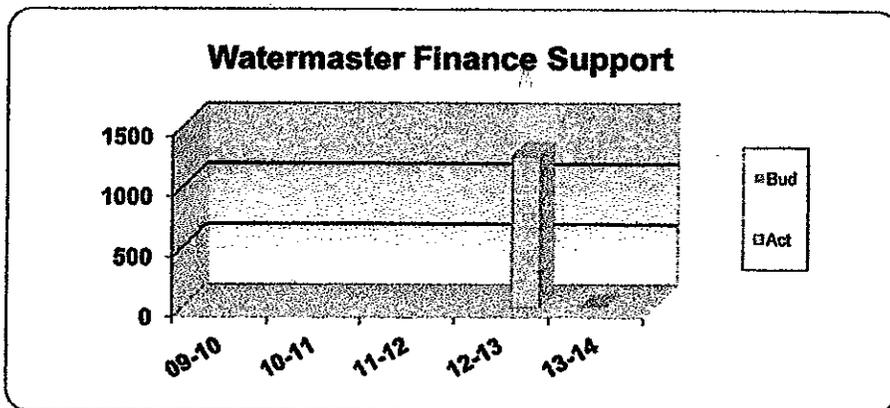
	<u>2012-13</u> <u>Budget</u>	<u>2012-13</u> <u>Est. Actual</u>	<u>2013-14</u> <u>Budget</u>
<b>Expenses</b>			
Labor	-	(3,119)	-
Fringe Benefits	-	3,936	-
Equipment Allocation	-	440	-
Materials & Supplies	-	-	-
Contract Services	-	-	-
<b>TOTAL EXPENSES</b>	-	<b>1,257</b>	-

*ASME*

**Materials/Supplies/Contract Services**

Copy/Postage  
 Other

Total



# **ENCLOSURE 8**

**WATER DEPARTMENT**  
Capital Budget Summary

PROJECTS	Budget 2012-13	Projected 2012-13	Budget 2013-14	Outyear 2014-15	Outyear 2015-16	Outyear 2016-17	Outyear 2017-18	Outyear 2018-19
Field Equipment	181,000	182,800	263,550	501,150	251,989	160,750	181,000	148,125
Reservoirs	633,078	7,000	1,042,740	552,078	414,853	1,045,543	449,897	774,088
Seismic Retrofit	50,000	12,700	30,000	15,000	15,000	15,000	15,000	0
Pipelines	674,801	889,900	986,387	1,057,907	1,115,627	979,177	1,011,686	943,033
Yard/SCADA/Facility	155,000	20,000	186,000	105,000	80,000	15,000	15,000	15,000
DLSA Improvements	-	-	0	0	0	0	0	0
Pressure Stations	35,000	10,000	15,750	15,750	0	50,000	0	0
Santa Margarita Conj. Use	325,000	282,600	270,000	365,000	180,000	180,000	80,000	80,000
Santa Margarita Water Rights	256,500	192,800	144,300	152,140	132,140	132,140	117,140	117,140
Pump Stations	-	1,000	365,000	570,000	150,000	75,000	50,000	200,000
Water Supply Facilities	95,000	835,815	370,000	72,000	73,000	74,000	50,000	150,000
Meter Service Replacement	50,000	-	60,000	40,000	40,000	40,000	40,000	40,000
Meter Installations	42,136	-	0	0	0	0	0	0
Facility Upgrades & Security	83,600	158,802	62,200	57,200	43,200	48,200	23,200	23,200
<b>TOTALS</b>	<b>2,581,815</b>	<b>2,593,417</b>	<b>3,795,927</b>	<b>3,503,225</b>	<b>2,505,809</b>	<b>2,824,810</b>	<b>2,032,723</b>	<b>2,490,566</b>

Reduce Budget by \_\_\_%

**REVENUE PROGRAM**

Pumping Charge	-	-	66,000	67,980	70,019	72,120	74,284	76,612
Standby/Availability Charges	203,000	203,000	203,000	203,000	203,000	203,000	203,000	203,000
Connection Fees	42,136	65,000	-	-	-	-	-	-
Property Taxes	468,809	468,809	468,809	515,002	485,466	503,093	521,072	539,412
Interest	164,200	93,912	115,000	115,000	115,000	116,150	119,635	123,224
Developer Funds	10,000	17,320	15,000	15,000	20,000	20,000	20,000	52,500
Capital Improvement Charge	505,000	499,680	1,014,000	1,064,700	1,117,935	1,173,832	1,232,523	1,294,150
Facilities Rent Revenue/Tenants	176,183	176,182	178,000	181,560	185,191	188,895	192,673	198,526
Transfer from Water Ops/60	-	75,000	75,000	0	0	0	0	0
Other	-	-	-	-	-	-	-	-
Revenue Subtotal	1,569,128	1,598,703	2,134,809	2,162,242	2,196,611	2,277,089	2,363,187	2,485,323
Required Reserves	1,012,687	984,714	1,661,318	1,340,982	309,198	547,720	(330,464)	5,243
<b>TOTALS</b>	<b>2,581,815</b>	<b>2,593,417</b>	<b>3,795,927</b>	<b>3,503,225</b>	<b>2,505,809</b>	<b>2,824,810</b>	<b>2,032,723</b>	<b>2,490,566</b>

Fund Balance Beginning of Year	4,145,421	4,145,421	4,088,899	1,489,388	148,406	(160,792)	(708,612)	(378,048)
Less: District CIP		918,192	(918,192)					
Plus: Net SRF Loan Proceeds		-	-					
Change During Year	(1,012,687)	(76,522)	(2,579,510)	(1,340,982)	(309,198)	(547,720)	330,464	(5,243)
Fund Balance End of Year	3,132,734	4,068,899	1,489,388	148,406	(160,792)	(708,612)	(378,048)	(383,291)
FB Minimum per Admin Code	7,289,152	7,289,152	6,009,034	5,330,819	4,857,533	4,065,446	4,254,769	3,526,897
Fund Balance Over (Under Target)	(4,166,418)	(3,230,253)	(4,519,646)	(5,182,213)	(5,018,325)	(4,773,958)	(4,632,818)	(3,910,189)

## **ENCLOSURE 9**

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Certified Fee	\$3.10	15
Return Receipt Fee (Endorsement Required)	\$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 47.57</b>	03/20/2013

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 or PO Box No. COMMANDING OFFICER  
 City, State, ZIP+4  
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7012 1010 0003 2076 1771

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Postage	\$ 40.66	0028
Certified Fee	\$3.10	
Return Receipt Fee (Endorsement Required)	\$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 46.31</b>	04/02/2013

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 COGLIANESE, COMMANDING  
 Street, Apt. No.;  
 or PO Box No. OFFICER CAMP PENDLETON  
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CAMP PENDLETON CA 92055

**OFFICIAL USE**

Postage	\$ 41.52	0028
Certified Fee	\$3.10	
Return Receipt Fee (Endorsement Required)	\$2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
<b>Total Postage &amp; Fees</b>	<b>\$ 47.17</b>	06/04/2013

Sent To  
 BRIGADIER GENERAL  
 COGLIANESE - COMMANDING  
 Street, Apt. No.;  
 or PO Box No. OFFICER - CAMP PENDLETON  
 City, State, ZIP+4  
 OCEANSIDE CA 92055

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**END**