

Appendix

Appendix

Canebrake Canyon Water History

Canebrake County Water District Certificate of Formation

Canebrake County Water District 1970 BLM Land Patent Details

Canebrake County Water District 2000 BLM Land Patent Details

K. L. Woodward Letter

Personal Recollections of Canebrake Canyon

Resolution Authorizing Execution of Easement Agreement and Easement Agreement

State of California State Water Rights Board Decision D 1283

The Story of Bonny Hays 1934

The Desert by Ivan Messenger



CANEBRAKE CANYON WATER HISTORY, page 1 of 2

September 16, 1986

An unsigned paper found in the Canebrake History Files

Bitter battles were fought in the days of the Old West and many lives lost in fights for rights to water; however, although quite a few differences were encountered over Canebrake's water supply, no blows were ever struck but words did fly around.

The old flume on the side of the mountain at the edge of the canyon was to supply water for cotton and tomatoes in Canebrake, a dream never realized.

With State [California] permission, Tom Hays laid a line of gutter pipe from a spring in the canyon to his property. For a fee of \$250.00 interested property owners were permitted to use the line for transmission of water to their properties. Under State law, Hays could not charge for the water, just the use of the line. Several outside the canyon took advantage of the line and although Hays reserved the right to shut anyone off at any time, this apparently never happened.

Those in the canyon, formed the Canyon Springs Water Company for their water supply.

As the area grew, there were more demands for water and on January 18, 1966, with \$400 from the Canebrake Improvement Association for legal and other fees, steps were taken for formation of the Canebrake County Water District.

All who obtained water from the source in the canyon (through a pipeline or hauling) had to obtain from the State Water Resources Control Board authorization to Appropriate Unappropriated Water for an annual fee of \$5.00.

A hearing was held March 6, 1966 on the formation of the Canebrake County Water District. Two or three property owners at the hearing voiced the desire for a California Water District but were unsuccessful in this effort. A County Water District allows one vote per property owner while under a California Water District, the number of votes per owner is based on assessed value of property owned.

Property owners were advised by legal counsel that they were entitled to register to vote in Canebrake if they planned to retire there and felt it was their main domicile. Many took advantage of this advice in order to vote for approval of the District and election of Directors.

An election booth was set up in Canebrake December 28, 1965 and the formation of the District approved and five directors elected. They were duly sworn in and the first meeting of the Board of Directors of the Canebrake County Water District was held at Whitely's residence January 30, 1966.

At that time, Board members were required under the California Code to be registered voters in the District.

Legal action was taken January 4, 1967, instigated by some residents opposed to the District, against those who had so registered and only persons retired were permitted to retain their registration in Canebrake.

CANEBRAKE CANYON WATER HISTORY, page 2 of 2

Subsequently, our State Senator Jim Mills proposed legislation to add a section to the California Water Code (our governing code) permitting property owners rather than registered voters to serve as Directors of the District (Water Code #30513).

After completion of I-8, the District purchased the invasion pipe which had been used during construction. Canebrake volunteer crews traveled from San Diego to the site at Viejas Grade, dismantled the pipe and with jeeps hauled it to a central point on old Highway 80. One weekend work crews gathered to load the pipe on an 18-wheeler flatbed (donated by Arno Mueller of Mueller Truck) and the pipe was hauled to Canebrake – thus arrived the pipe used in the first water system of the Canebrake County Water District.

Volunteers installed the pipe above ground, meters were installed and water was supplied to property owners from the canyon.

After obtaining necessary Assignment of Individual Water Rights, right-of-way from the Bureau of Land Management and Bob Crawford for a \$500 fee for the easement through his property, a shallow well was drilled further up the canyon.

The steel storage tank was purchased from the Valley Center Water District in 1971. Volunteer work parties dismantled the tank, hauled it in pickup trucks to Canebrake where it was reassembled.

Beginning in February 1975 the District took advantage of the Federal CETA program, an educational training program financed by the government. The CETA employees, using the backhoe, buried 3" blue bell pipe three feet underground, the present water system.

Hurricane Kathleen came through Canebrake September 9, 1976, took out the well in the canyon and destroyed some of the system.

With the assistance of OES [Office of Emergency Services], the District obtained the road grader and a larger bulldozer, replacing the small dozer destroyed in Hurricane Kathleen.

Al and Clete Tone for \$1.00 per year leased a site 125'x125' on their property to the Canebrake County Water District for the \$15,000 well from which water is pumped to the storage tanks in the canyon. The District planned a Special Assessment of \$100 per parcel to cover cost of this new well but 85 percent of property owners voluntarily paid immediately so that the well could be completed rather than be delayed a year for receipt of the assessment.

While the system was being restored and the new well drilled, water was hauled for several months from a well at Martin's in Carrizo in a 1,000 gallon tank to fill the tank and lines of Canebrake.

Lines have been and will continue to be extended to accommodate new residents of the area. Problems and leaks are often encountered but with the General Manager and good volunteers for repair work, the District continues to supply good water to residents.

Copy for District

FRANK M. JORDAN
SECRETARY OF STATE



Office of the
Secretary of State

SACRAMENTO

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify:

That on the 24th day of January, 1966, there was received and filed in this office a certified copy of Order No. 107 of the San Diego County Board of Supervisors adopted January 18, 1966.

That said Order declared the formation in San Diego County of

CANEBRAKE COUNTY WATER DISTRICT.

WHEREFORE, it is hereby certified that the CANEBRAKE COUNTY WATER DISTRICT in San Diego County has been duly organized pursuant to law.

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 24th day of January, 1966.

FRANK M. JORDAN
Secretary of State

By *Bill Holden*
BILL HOLDEN
Deputy Secretary of State



24643-662 6-64 15M OGP

Land Patent Details							
Accession Nr: CARI 001912 Document Type: Serial Patent State: California Issue Date: 5/28/1970 Cancelled: No							
Names On Document			Miscellaneous Information				
 CANEBRAKE CNTY WATER DISTRICT			Land Office:	Riverside			
			US Reservations:	Yes			
			Mineral Reservations:	Yes			
			Tribe:	---			
			Militia:	---			
Military Rank:			---			State In Favor Of:	---
			Authority:	June 14, 1926: Sale-Rec and Public Purposes (44 Stat. 741)			
Document Numbers			Survey Information				
Document Nr:	4700239		Total Acres:	5.00			
Misc. Doc. Nr:	---		Survey Date:	---			
BLM Serial Nr:	CARI 001912		Geographic Name:	---			
Indian Allot. Nr:	---		Metes/Bounds:	No			
Land Descriptions							
State	Meridian	Twp - Rng	Aliquots	Section	Survey #	County	
CA	San Bernardino	014S - 007E	W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	34		San Diego	

Land Patent Details						
Accession Nr: 04-2001-0001 Document Type: Serial Patent State: California Issue Date: 10/12/2000 Cancelled: No						
Names On Document			Miscellaneous Information			
 CANEBRAKE COUNTY WATER			Land Office: Sacramento			
			US Reservations: No			
			Mineral Reservations: No			
			Tribe: ---			
			Militia: ---			
Military Rank: ---			State In Favor Of: ---			
			Authority: June 14, 1926: Sale-Rec and Public Purposes (44 Stat. 741)			
Document Numbers			Survey Information			
Document Nr: 04-2001-0001			Total Acres: 5.00			
Misc. Doc. Nr: ---			Survey Date: ---			
BLM Serial Nr: CACA 35734 F5			Geographic Name: ---			
Indian Allot. Nr: ---			Metes/Bounds: No			
Land Descriptions						
State	Meridian	Twp - Rng	Aliquots	Section	Survey #	County
CA	San Bernardino	014S - 007E	W½NE¼NE¼SE¼	34		San Diego

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



February 24, 1972

Mrs. Elisabeth K. Constantz, Secretary
Canebrake County Water District
2227 - 31st Street
San Diego, California 92104

Dear Mrs. Constantz:

Thank you for your letter of February 15 regarding the dedication of the community building at Canebrake on April 30. I appreciate very much the invitation to participate, but I have a longstanding appointment for April 30 which cannot be changed.

While accomplishments by the people in your area may not be among the largest in which I have been involved over the years in terms of water, I know of none which gave me more satisfaction than to see the success which you people have made by your perseverance. The community building, if nothing more, shall be symbolic of a united group which has been possible only through the considerable efforts of people such as you and Mr. Constantz, the Bucheits, and others.

Sincerely,

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

Personal Recollections of Canebrake Canyon, page 1 of 2
Pat Whitely Stafford
August 1984

My first experience at Canebrake was in 1946 when my parents (Whitelys), brother, and sister, and I joined Joe Alotta and group in his old stake bed truck for our first trip out. The further we traveled, the more I wondered **Why?** I was sixteen and not at all impressed with this God forsaken country.

I was standing against the truck rails gawking at the scenery, when I was promptly hit between the eyes by an ocotillo cane and knocked out. By the time we reached our destination, I had a black knot from eye to eye. The embarrassing thing was that Tom and Bud Crawford (just discharged from the Army) were anxiously awaiting the young girl's arrival.

Time and the desert changed my mind and the peace and beauty of the desert had me sitting by the creek and cane in my shangrila writing poetry. I even dreamed of how nice it would be to have the Bonaventura property someday, never realizing we really would.

The swimming hole, trips to Crawford's Ranch through the jungle of cane and giant mesquite trees, playing on the Army tank the Crawford boys "requisitioned," trips in the Model A to ravines so narrow we had to back out, are some of the early memories.

One person who could never be forgotten in an accounting of Canebrake history would be the venerable Ludwig Egger. The unofficial Mayor of Canebrake, he was one of a kind. He was our introduction to a whole new world. A self educated and brilliant man, he knew just about anything there was to know. When my sister got thrown from a wild horse she had climbed on and cut a deep gash in her head, Wick simply took the hair from her head and neatly tied the wound together. Our doctor later was quite impressed. On New Years Eve he would set off sticks of dynamite for our evening celebration. He would set the adults teeth on edge but we kids loved him!

When Jimmie and I married in 1950, he also married the desert. We brought each of our four children out as soon as they were six weeks old. Now they are bringing their children and building their memories.

Mom and Dad purchased the Bonaventura property and then we purchased part of it from them February 8, 1967 and started remodeling our "cabin." We started with the skeleton framework of the original Scofield barrack. You could walk through the walls and throw a cat through the ceiling. It was torn down to the floor and even that should have been done as one corner was sitting on a huge boulder for the foundation!

Personal Recollections of Canebrake Canyon, page 2 of 2

The construction has continued to this day. Between construction and destruction (water) we keep an active life.

We moved to Canebrake as permanent tenants in February 1980 when we purchased the store at Butterfield Ranch.

There are many memories since that fateful truck ride. Most are beautiful, but some have been serious, not the least of which was the "water range war!" Talk about pioneers killing for land and water! Our little community drew up sides and came out with fire in their eyes. I'll never forget the court trial and colorful witnesses on the stand. I took my four kids out of school to catch the action.

The most beautiful part of our little community (aside from its tranquility) is its single-mindedness and oneness with each other. It truly stands alone as a unique and almost forgotten way of life in today's world. Neighbor helping neighbor, in spite of any personal differences. Love covers all mistakes.

Water has become more precious than gold living here. We take so much for granted in the city. I'm grateful for the lessons the desert has taught our family. Our children have learned to appreciate the fragility and delicate beauty around us. There is always a constantly changing panorama around us.

The flood of 1976 is the most frightening memory of all. Spending over 36 hours not knowing whether our children were alive or not would not want to be repeated.

We have had many set backs due to our location on our streambed and after each flood we mop up and start over. Nothing can take us out of here but the good Lord Himself!

Resolution Authorizing Execution of
Easement Agreement

On motion of Director Barnett, seconded by Director Whitely, the
following resolution is adopted:

WHEREAS an Easement Agreement has been drawn between Robert O.
and Marjorie Crawford, Robert S. and Naomi Crawford and the Canebrake
County Water District across Section 4, Township 15S, Range 7E known
as Tract 37, NOW THEREFORE

IT IS HEREBY ORDERED THAT the president and secretary of the
Canebrake County Water District be authorized to sign said Easement
Agreement on behalf of the Canebrake County Water District.

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of a
Resolution duly adopted and affirmed by formal voting of the members
of the Board of Directors of the Canebrake County Water District and a
regular meeting of said Board held on the 10th day of July, 1968.

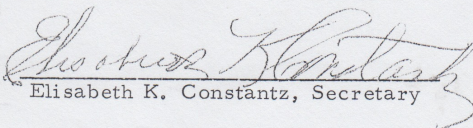
Ayes: Members 4

Noes: Members 0

Abstaining: Members 1



Date: 8-23-68


Elisabeth K. Constantz, Secretary

1302
This is to certify that the interest in real property conveyed by the Easement Agreement dated July 11, 1968, from Tom O. Crawford and Marjorie Crawford, husband and wife, and Robert S. Crawford and Naomi Crawford, husband and wife, to the Canebrake County Water District, a political subdivision, is hereby accepted and the grantee consents to recordation thereof by its duly authorized officer.

Dated: Sept. 30, 1968

Canebrake County Water District

By:

Elisabeth K. Constantz
Elisabeth K. Constantz, Secretary

Return to:

*Canebrake County Water District
2027 - 31st St.
San Diego Calif.
92104*

UNINCORPORATED AREA

1203

TRANSFER TAX PAID

A. S. GRAY, COUNTY RECORDER

EASEMENT AGREEMENT

DOCUMENTARY TRANSFER TAX \$

DOCUMENTARY TRANSFER TAX \$

THIS AGREEMENT, made and entered into this
11th day of July, 1968, by and between
TOM O. CRAWFORD and MARJORIE CRAWFORD, hus-
band and wife, and ROBERT S. CRAWFORD and
NAOMI CRAWFORD, husband and wife, hereinafter
referred to as "Owners",

and

CANEBRAKE COUNTY WATER DISTRICT, a political
subdivision situated wholly in the County of
San Diego, State of California, hereinafter
referred to as "District".

W I T N E S S E T H :

WHEREAS, District is desirous of obtaining from Owners
an easement for one underground water pipeline in, across
and under certain real property owned by Owners; and

WHEREAS, Owners are willing to grant said easement to
District, provided District enters into certain agreements
with Owners in connection therewith as hereinafter set forth,

NOW, THEREFORE, FOR AND IN CONSIDERATION of the payment
of \$300.00 by District to Owners, receipt whereof is hereby
acknowledged, and the mutual promises and covenants herein
contained, it is agreed as follows:

1. Owners hereby grant to District an easement for the
purpose of operating and maintaining one underground water
pipeline and appurtenant underground and surface structures
together with the right to enlarge, operate, maintain, repair
and replace said pipeline and appurtenant structures and the
right of ingress and egress for such purposes. Said easement
is five (5) feet in width, the centerline of which is more
particularly described in Exhibit "A" attached hereto and made

a part hereof. District shall have and hold the herein granted easement only so long as it is used, operated and maintained by District for the purpose herein set forth, as an easement for one underground water pipeline and appurtenant underground and surface structures, reserving however, unto Owners and their successors the right to use said strip of land for any and all purposes not conflicting with its use as herein set forth. No permanent building shall be erected on said easement by Owners or their successors, but Owners and their successors shall have the right to use same as a roadway and in connection therewith may surface or pave the area, and shall have the right to install on said easement or run across, in and/or under same, electrical lines, signs or such other structures that do not impair access to said pipeline.

2. Upon any repair, relocation or other maintenance work by District, it shall replace and repair all dirt and paving removed and shall do such cleanup work as may be necessary to restore the property to its prior condition.

3. District hereby agrees to indemnify and hold and save Owners and their successors harmless from any and all damage arising or resulting from the use, maintenance or operation of said easement and said underground water pipeline, and appurtenant underground and surface structures, and further agrees to assume and pay all taxes and assessments made or levied as a result of the use, maintenance, operation, or ownership of said easement, underground water pipeline and appurtenant underground and surface structures.

4. A portion of the easement here granted is situated in a private road maintained by Owners or their agent. The parties hereby agree that any future maintenance of that portion

1204

Absent an emergency situation, should it be necessary to repair the stated portion of said road, either party by written notice, may advise the other of such necessity and after waiting 30 days, proceed to make or have made said repairs. Thereafter, the party making or ordering the repairs shall be entitled to reimbursement from the other party within 30 days after making written demand for same.

Naomi Crawford

CANEBRAKE COUNTY WATER DISTRICT, a political subdivision

By Isaac H. Bondy, Secy

1206

STATE OF OREGON)
COUNTY OF MULTNOMAH) ss.

On ~~JUNE~~ ^{JULY} 22, 1968, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom O. Crawford and Marjorie Crawford, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



WITNESS my hand and official seal.

Sally W. Posteder
Notary Public in and for the
State of Oregon
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES MAY 4, 1970

STATE OF ~~CALIFORNIA~~ ^{OREGON})
COUNTY OF ~~SAN DIEGO~~ ^{MULTNOMAH}) ss.

On ~~JUNE~~ ^{JULY} 22, 1968, before me, the undersigned, a Notary Public, in and for said State, personally appeared Robert S. Crawford and Naomi Crawford, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



WITNESS my hand and official seal.

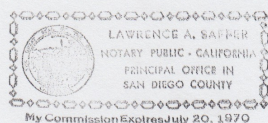
Sally W. Posteder
Notary Public in and for the
State of ~~California~~
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES MAY 4, 1970

1207

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On ~~June~~ ^{July} 11, 1968, before me, the undersigned, a Notary Public in and for said State, personally appeared Andrew J. Bucheit and Elizabeth K. Constantz, known to me to be the President and Secretary of Canebrake County Water District, the political subdivision that executed the within instrument, and acknowledged to me that such Canebrake County Water District executed the same.

WITNESS my hand and official seal.



Lawrence A. Saffer
Notary Public in and for
the State of California

EXHIBIT "A"

A permanent Easement and right of way for the purpose of installing a pipe line, including ingress and egress for the purposes of installing, maintaining, repairing and removal of a pipe line, on the following described real property in the County of San Diego, State of California:

An Easement 5 feet wide, the Center line of which is described as follows:

Beginning at the NE corner of Section 4, T 15 S, R 7 E, SBB&M, County of San Diego, State of California,

Thence Southerly along the Easterly boundary of said Section 4, a distance of approximately 2328.48 feet to the intersection of the Easterly boundary of said Section 4 with the Northerly boundary of Tract 37, as recorded
Book _____ Page _____, Office of the County Recorder, County of San Diego;

Thence Westerly along the Northerly boundary of said Tract 37 a distance of approximately 573.8 feet to the Point of Beginning;

Thence along a curved line, concave Northerly, to the intersection of said curved line with the Northerly Boundary of Tract 37. Said curved line is parallel with the Centerline of an existing road and distant thereof 12 feet. The point where said curved line intersects with the Northerly boundary of Tract 37 is located approximately 439.6 feet West of the Point of Beginning.

RE-RECORDED

FILE/PAGE NO. 176408

RECORDED REQUEST OF
A. S. GRAY, County Recorder

OCT 9 1 10 PM '68

SERIES 9 BOOK 1968
OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIF.
A. S. GRAY, RECORDER

NO FEE

173326

RECORDED AT REQUEST OF
*District*OCT 4 1968
AT _____ MINUTES PAST
SERIES 9 BOOK 1968
OFFICIAL RECORDS
SAN DIEGO COUNTY, CALIFORNIA
A. S. GRAY, COUNTY RECORDER

NO FEE

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

1283

In the Matter of Application 22539)
of Canebrake County Water District)
to Appropriate from Canebrake Wash) Decision D 1283
in San Diego County)

DECISION APPROVING APPLICATION IN PART

Substance of Application

Application 22539 was filed on August 3, 1966, by Canebrake County Water District for a permit to appropriate one cubic foot per second year-round from Canebrake Wash in San Diego County for municipal purposes. The point of diversion is within the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, T15S, R7E, SBB&M. The place of use described in the application includes all of Section 34, T14S, R7E, and the N $\frac{1}{2}$ of Section 3, T15S, R7E, SBB&M.

Protests having been filed, a hearing was held by the State Water Rights Board in San Diego on March 14, 1967.

Source and Existing Diversions

Canebrake Wash (hereinafter referred to as Canebrake Creek or "the creek") drains an area on the eastern slope of the Laguna Mountains in San Diego County. The

watershed above the applicant's proposed point of diversion is about 27 square miles.

Surface elevations in the watershed range from about 6,000 feet at the western portion to about 1,450 feet at the diversion point. Most of the watershed is mountainous, with steep slopes and desert-type vegetation except for sparsely wooded areas at the higher elevations.

For some three miles above the applicant's proposed diversion point the streambed crosses a gently sloping alluvial fan which terminates at the entrance to Canebrake Canyon. The applicant's proposed diversion point is located in this canyon. The canyon is formed by a cut through a ridge called Tierra Blanca Mountains.

Flow which appears in the canyon is apparently rising water caused by geologic formations resistant to erosion in the Tierra Blanca Mountains blocking the subsurface flow of water from the alluvial fan over which Canebrake Creek flows. This perennial rising water, to the extent it is not diverted for beneficial use, is either consumed by dense cane growth and other vegetation or percolates into the ground a short distance downstream.

A little less than one mile below the proposed point of diversion, Canebrake Creek emerges from the canyon into Carrizo Valley and from that point extends approximately one and one-half miles over the alluvial cone of the creek to join Vallecitos Creek, which drains Carrizo Valley in a southerly direction.

The lower canyon and the alluvial cone have been subdivided by the federal government into 5-acre tracts for desert homesites. One hundred and two such tracts have been created of which about 90 contain residences. Only seven people live in the area permanently. The rest of the houses are occupied occasionally on weekends and vacations, mostly by people from the vicinity of San Diego. Because of the high temperatures that prevail in the summer, occupancy is highest during the winter and early spring. Forty of the houses are connected with water from Canebrake Creek. Water from Canebrake Creek is not used for drinking, but water for this purpose is being hauled from outside the area.

The first application for a permit to appropriate water from Canebrake Creek for use on one of the 5-acre tracts was filed in 1941 by J. J. Sheridan, who about the same time also applied for a lease of this tract from the U. S. General Land Office. He subsequently constructed a ditch and pipeline which diverted water from the creek to the tract. In 1947 several other prospective lessees of the Government filed applications to appropriate water. Some of these secured leases in 1949 and water right permits were issued to them in 1950. Some of the lessees connected to the Sheridan pipeline. One of them, Thomas Hays, laid a new line to his tract from a point on Canebrake Creek upstream from the intake of the Sheridan line. Other

leaseholders filed for and received water right permits and licenses. A total of 54 such permits and licenses have been issued which are now in good standing. Twenty-eight persons connected to the Hays line under an agreement with him that required payment of \$200. The agreement also gave Hays the right to shut off the water supply of any user who failed to secure and retain a right from the State to divert water from Canebrake Creek at Hays' point of diversion. Eventually, all those with permits to divert from the creek, including those using the Sheridan or "Canyon" line, received permission from the State to divert from a common point which was located on government land in the lower canyon about three-fourths of a mile above its mouth. A concrete distribution box was constructed to which both lines were connected. Various persons who used the system cooperated in purchasing materials and performing labor as required to maintain and improve the diversion and distribution works.

As time went by, the flow of water in Canebrake Creek at the intake became less and in the summer of 1961 it dried up completely for a time.

In 1962 most of the water users combined to form the Canebrake Improvement Association to help with maintaining the water system and to improve the supply. Each member of the association paid \$13 plus \$10 annual dues and contributed labor as required.

During 1962 and 1963 members of the association debated the advantages of a single pipeline to serve the whole area and of transferring ownership and control of the water system to the association or to a similar agency which would represent all the users. Mr. Hays stated that he would not be willing to transfer his pipeline to an association of the water users because of the danger that if he did so the county would require chlorination of the water.

In 1962 the association purchased and installed a 3-inch sheet metal pipe from the distribution box for a distance of about 1,200 feet upstream to a place on land owned by Robert Crawford where water was flowing in the creek channel. An arrangement was discussed with Mr. Crawford for a lease of the portion of his land needed for the pipeline for \$558, which amount equaled \$18 for each of the 31 association members. Mr. Crawford was paid the \$558, but he and the association were not able to agree on terms for the lease and none was executed.

Many of the members were strongly opposed to paying Crawford anything and believed that the need for doing so could be avoided by developing a new source of water on government land either below or above Crawford's property. Sharp differences of opinion were expressed and at times heated discussions were held. Some members accused others of interfering with their water supply and personal antagonisms developed.

As the result of these differences of opinion, several of the water users withdrew from the association, including Mr. Hays. He negotiated a separate agreement with Crawford for an easement over the latter's property for the extended pipeline. The agreement provided for the payment to Crawford by Hays of \$1.50 a month. It provided that the same easement could be exercised by all persons authorized by Hays to use his pipeline so long as they retained the right to connect to the Hays pipeline, maintained in good standing with the State Water Rights Board their right to appropriate the water transported through the pipeline, and paid Crawford \$1.50 per month. The term of the easement was one year subject to annual renewal unless a 60-day notice of expiration or a change of terms was given.

Some of the other water users executed similar agreements. In 1963 these people and Hays filed petitions with the Board to add to the point of diversion authorized in their permits or licenses the place on Crawford's land at the end of the extended line. Mr. Hays, through his attorney, notified all persons who were connected to his line that within 30 days they would have to arrange for the change in point of diversion under their permits and licenses and for an easement from Mr. Crawford.

In the spring of 1964 an effort was made by association members to augment the flow of Canebrake Creek by

digging a lateral trench just below Crawford's boundary. This produced considerable water for a time, but within a few months the flow once again ceased and apparently there has been no sustained flow in the creek below Crawford's land since then, at least during the summer months.

In October 1964 the Board held a public hearing on the petition by Hays to change his point of diversion. The improvement association appeared in opposition to the change. In June 1965 the petition was granted, the Board finding that no water was available at the original point of diversion, that water was available at the place described in the petition, and that the change would not operate to the injury of any legal user of the water involved.

Since that time, those persons who filed petitions to make the same change in point of diversion have been granted permission to do so. These people are 19 in number (18 of whom are on the Hays line) and are the same ones who have signed agreements with Crawford for annual easements across his land at a cost to each of \$1.50 per month. They hold permits or licenses which authorize the diversion of a maximum of 7,350 gallons per day (gpd).

Those persons who take water from the Hays line and who have not filed petitions to change their authorized point of diversion to Crawford's land (which in turn requires an easement from Crawford) had their water shut off at one time by Mr. Hays, acting under authority of his

8

agreement with them which provides that they must maintain a right to divert water from the same place he does.

The existing method of diverting water from Canebrake Creek is clearly unsatisfactory. Permission to maintain a pipeline across Crawford's property is on a year-to-year basis and can be terminated by him at any time. The sheet metal pipe is temporary and will soon have to be replaced. No regulatory storage is provided except for a few hundred gallons at the distribution box which feeds into the Hays and Canyon lines. Apportionment of water in accordance with relative priorities of the rights cannot be readily accomplished because all the rights on one pipeline are not superior to all the rights on the other. No provision is made for prevention of contamination or for treatment of the water to make it suitable for domestic use.

The idea of forming a county water district as a means of resolving the differences of opinion among the water users, and providing a permanent and unified water system to serve all of those who use water from either the Hays or Canyon lines, was discussed in 1963 and 1964 and was recommended by the then legal counsel of the association. In 1965 the county board of supervisors authorized a formation election, which was held in December 1965. The vote was 28 to 2 in favor of formation and the district was thereafter duly organized and a board of directors was elected. The

district filed Application 22539, which is for a permit to divert water from Federal Water Reserve 107 a short distance above Crawford's land and upstream from the place of diversion authorized in existing permits and licenses. Protests were filed by seven water users from the Hays line (including Mr. Hays) and by Mr. Crawford. The seven collectively hold permits or licenses for a maximum diversion of 2,850 gpd.

Thirty permits and licenses have been assigned to the district. These collectively authorize the diversion of a maximum of 9,460 gpd. In addition, the owners of licenses authorizing a maximum of 2,200 gpd have designated the district as their agent to "extract, divert, store and deliver" to them all water to which they are entitled. Thus the district controls a little less than two-thirds of the existing rights for diversion from Canebrake Creek. Twenty property owners who do not have water rights have stated to the Board by letter that they are in favor of development of water by the district.

In November 1966 the district and 14 of the landowners and water users in the district filed an action in the Superior Court of San Diego County against Crawford, Hays, and three other persons, charging that the defendants had been wasteful in the use of water, deliberately taking more than they could use in an attempt to deprive plaintiffs of their rightful share of the water; that Crawford had entered into easements with some parties but had refused

to negotiate with plaintiffs; that defendants had stopped the flow of water on many occasions; and that defendants had broken and interfered with plaintiffs' water pipes. Plaintiffs also alleged that the road through Crawford's property was public but that Crawford had blocked it with a gate. Plaintiffs asked for a declaration of rights as between the parties concerning water of Canebrake Creek, for a declaration that the road is public, for damages and an injunction. A preliminary injunction was issued by the court pursuant to stipulation, restraining all parties from interfering with the flow of water originating on Federal Water Reserve 107. Trial of the action has not been held.

The foregoing summary of information in the Board's files concerning construction and operation of the present water system and efforts that have been made to provide a dependable supply of water to those who have invested in homesites in the Canebrake area, makes it abundantly clear to the Board that the existing situation should not be allowed to continue. The method selected by the majority of those concerned for solving their problem, to wit, the formation of a county water district with power to acquire the necessary water rights and other properties and to construct and operate a system that will serve water to all who apply on an equal basis, is proper and appears to be in the best interests of the community as a whole.

Water Supply and Unappropriated Water

No records of flow of Canebrake Creek are available other than occasional measurements made by personnel of the Board and by Mr. Crawford. These measurements vary from zero to over 200 gallons per minute at different places and times. Based upon measurements made by Crawford in 1966 of water flowing at the north boundary of his land, he estimates the average flow varies from a high of 20 gallons per minute in March to a low of 4 gallons per minute in July through September. Annual precipitation as measured at the Crawford ranch station between 1948 and 1965 ranged from 1.32 inches to 6.66 inches and averaged about 3.5 inches.

Because of the many variable factors involved, no accurate determination of the quantity of water which rises to the surface in Canebrake Canyon can be made. However, the availability of some water in excess of present use appears possible in relation to the probable precipitation on the watershed of from 1,800 to 10,000 acre-feet annually.

The total use under existing permits and licenses is not known. The applicant's engineer estimated the present water requirements on the basis of 50 gallons per capita per day at 50 cabins with an average occupancy of 3.5 persons. On this basis the total demand is 8,750 gpd or about 6 gallons per minute. If this use were continuous throughout the year, it would be about 10 acre-feet annually. However, since

most cabins are occupied for only short periods, usually on weekends, the actual use would be considerably less than the above quantities.

That water could be developed in excess of that which is now diverted, is clear from the record. The applicant proposes to develop this water, first, by intercepting the flow in Canebrake Canyon upstream from the principal area of cane growth. Thus, much of the water that now is lost through transpiration or percolation would be made available for appropriation. The applicant also proposes to make more water available for appropriation by providing sufficient regulatory storage to conserve water which is now wasted during periods of low demand and holding it over for use during times of high demand.

Mr. Crawford claims a riparian right to the use of water from Canebrake Creek. He testified that he intends to burn the cane and develop pasture for cattle in the canyon where it crosses his property downstream from the applicant's point of diversion. Mr. Crawford does not now make, and has not for many years made, any use of water downstream from the applicant's diversion point. The extent of his riparian right is somewhat obscured by the fact that water which comes to the surface in Canebrake Canyon is collected in a redwood box that has been constructed in the channel of the creek on the public water reserve a short

distance above the Crawford property. The water is then conveyed by a pipe which extends from the box down the creek channel to a point a foot or two above the boundary of Crawford's land. Water discharged from this pipe flows a few feet in the creekbed and is then picked up on Crawford's land by another pipe which carries it down the creekbed a distance of about 40 feet where it is discharged into a small basin in the creek channel which is the intake of the pipe which leads to the distribution box for the Hays and Canyon lines and which is the place at which some of those with permits or licenses are authorized to divert water. The record does not show how much of the water which is collected in the redwood box would reach Crawford's land without the aid of the pipe. A riparian owner's title to water begins only when it reaches his land and he has no right to go upstream above his land and divert water which would not naturally flow there (Miller & Lux v. Enterprise Canal & Land Co., 169 Cal. 415, 441; Duckworth v. Watsonville Water & Light Co., 150 Cal. 520, 525-526).

The laying of these pipes, which have the effect of conducting water from the redwood box on the public water reserve to the point at which certain of the owners of permits and licenses are authorized to divert water, makes it apparent that the primary diversion of these owners is from the redwood box and that the head of the pipe just inside

Crawford's boundary and the intake of the pipe leading to the distribution box are points of redirection. Neither Crawford nor the other protestants presented evidence of their authority to maintain collection works or a pipeline on the public water reserve.

Conclusion

The Board finds that unappropriated water is available to supply the applicant, that the intended use is beneficial, and that the proposed appropriation will best develop, conserve, and utilize in the public interest the water of Canebrake Creek. The applicant has the legal power to acquire such existing water rights and rights-of-way over private property as are necessary to fulfillment of its purpose.

The quantity applied for, in cubic feet per second, exceeds the quantity which can reasonably be expected to be developed in the canyon.

An estimate was made at the hearing of a future population in the district of 2,000. At 75 gallons per capita per day this would be a maximum use of 150,000 gpd. Assuming most of the development would be cabins used principally on weekends, the use for the maximum week-- the period of use on which the Board bases licenses -- would be much less than 150,000 gpd.

Considering this and the limited supply of water available, the Board finds that the quantity of water to be allowed should be reduced to 0.2 cubic foot per second.

Since the applicant has received an assignment of certain permits and licenses and has been authorized to divert water as agent of the owners of certain other licenses, the permit to be issued to the applicant should provide that water diverted by applicant under its permit and under the other permits and licenses should not exceed a total of 0.2 cubic foot per second.

The applicant will be legally obligated to construct and operate its system so as not to damage those with prior permits and licenses. It must either complete acquisition of these rights or make some equitable arrangement to supply them with water. The first alternative appears to be the most practical since all water users in the area should be supplied from the same collection and distribution works on equal terms as members of the district. The Board should retain jurisdiction over the district's permit to impose such terms for the protection of prior rights as may be necessary and desirable in light of future circumstances.

The permit should also provide, in accordance with the request of the Department of Fish and Game:

For the purpose of wildlife preservation, permittee shall make available at all times a minimum of 100 gallons of water in a manner whereby said water can be used by wildlife at the point of diversion.

From the foregoing findings, the Board concludes that Application 22539 should be approved in part and that a permit should be issued to the applicant subject to the limitations and conditions set forth in the following order.

ORDER

IT IS HEREBY ORDERED that Application 22539 be, and it is, approved in part, and that a permit be issued to the applicant subject to vested rights and to the following limitations and conditions:

1. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.2 cubic foot per second by direct diversion to be diverted from January 1 to December 31 of each year.

2. The maximum quantity herein stated may be reduced in the license if investigation warrants.

3. Actual construction work shall begin on or before June 1, 1968, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked.

4. Construction work shall be completed on or before December 1, 1970.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1971.

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit, including method of diversion, method of use, and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit.

9. The total quantity of water diverted by permittee under this permit and under other permits and licenses assigned to permittee or owned by persons for whom permittee is agent, shall not exceed 0.2 cubic foot per second.

10. For the purpose of wildlife preservation, permittee shall make available at all times a minimum of 100 gallons of water in a manner whereby said water can be used by wildlife at the point of diversion.

11. Issuance of this permit shall in no way be construed as conferring upon permittee right of access to

the point of diversion or a right to cross privately owned land.

12. The State Water Rights Board reserves jurisdiction over this permit for the purpose of imposing such terms for the protection of prior rights as may be appropriate in the event permittee does not acquire all of the previous permits and licenses that have been issued to appropriate water of Canebrake Creek.

Adopted as the decision and order of the State Water Rights Board at a meeting duly called and held at Sacramento, California.

Dated: SEP 29 1967

/s/ George B. Maul
George B. Maul, Chairman

/s/ Ralph J. McGill
Ralph J. McGill, Member

/s/ W. A. Alexander
W. A. Alexander, Member

The Story of Bonny Hays
(In her own words)
Early Canebraker 1934

I will begin my story with my families sojourn in the mountain town of Julian in 1933. I was the oldest, Bonny 11 yrs. My father Ross Lee Hays, my mother, Velma Hays, Jack Hays 9yrs., and a baby sister, Norma Hays 2yrs. Our time in this small mountain town was brief but strong in my memory. My father worked for rancher, Mr. Tim in his apple orchards. Mr. Tim and his wife were old country people with a strong brogue. I remember their delicious apples, and they made a lot of cider, which we loved. I remember how good it was.

We first moved to Julian from San Diego, two of my uncles and aunts had moved there before us, and were also employed by Mr. Tim. My father seeking work moved to Julian to work with my uncles. We first lived in a small one room cabin, all six of us so we curtained off a small area for beds. Our water came from a stream behind our cabin, carried by buckets using our muscle power. Our cabin was surrounded by lots of pin trees. I remember trying to beat the squirrels to the pinecones for the pine nuts, then patiently picking out the nuts and eating them greedily.

Since our nearest school was at least three miles up hill and the only transportation was to put one foot in front of another, grin and bear it. This is how my brothers and I got to school. Thank goodness it was mostly downhill going home It was good exercise, and lots of fresh mountain air. We did finally move into an older three-bedroom house, on Mr. Tim's ranch. Needing a way to get to town and the ranch my father bought an old hard rubber tire truck. I am not sure of the vintage or make but I believe it was about a 1929 or 30 truck. We lived in Julian about 6 or 7 months, I know it was less than a year.

Now it was this old hard rubber tire truck, which in 1934 we doggedly packed and stacked our soul belongings, which were not many and started on our trip to the Anza Borrego Desert and Canebrake. My dad had put sideboards around this flat bed truck so we managed to get a few pieces of furniture, cloths, food and personal belongings on the truck. We older kids rode amongst the chicken and turkey cages and furniture boxes. We also took our old Bossy cow, which was also wedged in one side of the truck with the furniture and whatnot surrounding her. We did have her secured with ropes to the sideboards of the truck. With my dad and mother, and of course, baby sister in the open cab of the truck, off we went, on our history making pioneer adventure and if I hadn't lived it, I would not have believed it myself. From Julian we bravely held our breath and said a lot of prayers as we rode out the curving downhill forever mountain road, called Banner Grade. After what seemed like forever we finally reached the Anza Borrego Desert floor. My father had gotten a 160-acre government homestead, in the Anza Borrego Desert located near the mouth of Canebrake Canyon.

Our destination took us about thirty or so miles across the Borrego Desert, past the old Campbell Ranch, and past Old Kit Carson's Stage Station which was not yet, but soon to be rebuilt by my father and other workers under the W.P.A. Program. I believe, Bob

Crawford of Canebrake Canyon was also involved in the Stage Station restoration and I understand since reading Canebrake History that Bob was the first caretaker of the campgrounds and Vallecito Stage Station. Even in 1934 this old stage station was a historical landmark, although it was in terrible disrepair.

Speaking of interesting things concerning this Vallecito Stage Station rebuilding process, there were many old coins and artifacts, found there, which of course the government probably took possession of. But I remember one weekend while on our way to San Diego to do our monthly grocery shopping my dad stopped by the not yet completed station. The outside walls were being repaired, but the interior had not been started yet. There was no lockable doors yet, after all there were but only lizards, snakes scorpions, and coyotes and miles and miles of cactus and sand to worry about. There may have been a guard camped there but I don't remember one because in 1934 human animals were pretty scarce. Anyway my father probably thinking that we would like to see a bit of history in the making stopped by the old stage station and let us peek inside. I remember seeing what I now realize was probably an old register book on the counter inside. I wish we could have gone inside and looked in it. It would probably have been amazing if we could have read the names registered there, but dad would not let us go inside.

Now back to our first journey to our desert homestead at Canebrake, after leaving the Banner Grade we climbed up from the desert floor and traveled a very narrow one car only road. We often had to get out and push the truck uphill, placing rocks behind the wheels, because we had a well loaded truck. We also had to get Old Bossy Cow out of the truck and lead her uphill. I now believe since studying the map, that this was the Campbell Grade. The view was spectacular. You could see across the desert for miles, and I remember at least two times while living in Anza Borrego Desert seeing the desert inglorious bloom, a scene to be treasured in memory. But while the view was beautiful the road was horrendous to travel. One especially sharp hairpin curve was completely blind and very carefully we met another vehicle, or animal I can't remember, than this road slowly declined down to the desert floor and on to the Vallecito Stage Station as yet not repaired. As we traveled on we also passed a place called Agua Caliente Hot Springs. I have been told it is now a campground and airport. Even though there was not all this activity it was still a fascinating place to me.

Onward to our final destination, our 160 homestead. Of course it had only sand, rocks, snakes, cactus, scorpions, a few kangaroo rats and no dwelling as yet. My father made a deal with someone to stay at an old way station place, Grace Crawford tells me that it might have been Bob Crawford who gave dad permission. She and I think this may have been the same place where she and Bob stayed when they first went to Canebrake before they moved to their Canyon Place. This old place had an unpainted weather beaten two bedroom frame house on it and an old barn and corral which I now believe may have been where the Live Branch Ocotillo Corral that was referred to so many times in the Canebrake History Book (Hayes place and she did not know the present Hayes that settled there later years) This old way station house was only a short distance from our 160 acre homestead so it was handy to be able to stay there while we were clearing our

land to put up our home. Since we had very little money and not many building materials to build with my enterprising father and mother decided we could make do with what we had and what the desert would donate. After many long weeks of grueling work clearing a place to put our house my father and mother and we kids mostly Me. the others were very young but helped set about to build us a home to live in. It was probably in the early part of 1935 when we started our "palm branch" house. We used the odds and ends of scrap lumber we had and dry ocotillo to make the house frame, and my father then went to San Diego, to one of the newspaper places, and got some page size raised print, cardboard like, type sets. We taped these and tarpaper and some screen on the sides and roof of our house frame. This done we now had a large kitchen, large living room and a good sized bedroom. I do remember it was a fairly long building, well over 50 ft.

We only had one bedroom so the living room was furnished with an old pull out couch for us older kids to sleep on. We had odds and ends of furniture, only the bare essentials. We also had a very large curved top trunk, in which we kept all our family pictures, my mother's lovely old homemade quilts, and other family treasures. Dad also built cabinets of a sort and shelves to put our dishes and pans on and for storage in the kitchen. He also put in a sink and drain board. Somehow he piped water to the house, I am not sure how perhaps a water storage tank. Besides the wide creek that meandered down almost to our house through a thick stand of cane and at this time there was a swift stream of water that ran down to the foot of the wall, dad built a rock pool and trapped the icy cold water. The water was clean sweet because it ran swiftly over the rocks and down the canyon. It was always cool even when the sun was hot. Dad also made ditches to irrigate the garden. Mother always planted a garden wherever we lived. I do not remember if the garden was a success or even if our garden got completed before we had to leave the desert because of "our fire". Dad had planned to eventually to put in a well but unfortunately, our desert living was rather brief. We had a cow that gave a lot of milk, so dad built a rabbit type cage, screened in frame, with legs on it to keep it off the ground and discourage predators, as much as possible. He put it in the shade of the house, and kept it covered with wet burlap or gunnysacks. We kept our milk in this in covered crocks also the butter we churned and other things that needed to be kept cool since of course we had no refrigerator. At this time. It was not a common thing and ice was out of the question since it melted before we could get it home. This was of course before there was "Mary's Store" at Agua Caliente. We had only one neighbor, the Bob and Grace Crawford family who live a mile or so up the canyon. Bob and Grace had two boys one was close to my age and the other was younger.

I had thought I remembered a Indian Reservation up the canyon from the Crawford's, and talking to Grace on the phone April 1993 she confirmed the fact that there was a reservation up the canyon from them. Maybe my memory isn't too bad after all. There is one thing for sure there were lots of Indian signs around the Canebrake area. We found many arrowheads and such.

Now, because our cow gave so much milk, more than we could use we shared our milk, butter and cheese that we made with the Crawford family. We also had chickens and turkeys, so there were lots of eggs, but we found it hard to protect them from predators.

so we lost many of them. My dad had captured a mule, somehow that had been domesticated at one time but was running with a wild bunch of burros. I believe it had not been with the wild bunch long because it seemed tamer than most. Dad used this little brown mule to move rocks and to plow and clear our land. Later while clearing our land dad found a baby burro only a few months old who had apparently gotten lost from its mother, so we raised it and took it with us after our fire, but later sold to some relatives in San Diego.

Well I got so carried away, I did not tell you how we covered our house frame. Dad knew about the natural palm grove, some distance from our place. I do not really remember how far the grove was from our homestead; after all I have not been back to the Anza Borrego Desert since fire cut short our desert pioneer adventure nearly 59 years ago. I am now 69 and will be 70 on Sept. 25, 1993. So back to the palm grove, we decided we would get several loads of palm branches with our truck. We parked our truck at the foot of a mountain trail (now thought to be Mt. Palm Springs) that led up to the natural palm oasis. It was a long winding trail, very rough rocky path filled with gullies. Dad took a tall shaky wooden ladder and an old sharp handsaw and carried them both up this rough trail. When he reached the palm grove he firmly placed and braced the tall ladder against a very tall palm then sawed the branches by hand for many grueling hours. Enough branches for about three loads by truck. He bravely sawed branch after branch while mother and I took the fallen branches down the rough trail to the truck. We probably could not have done it if the trail had not been downhill because the green branches were heavy and wickedly sharp. Now back to the building of our Canebrake home. We returned to our frame house with the palm branches. Dad, mother and we kids lapped palm branches over each other on the walls and roof leaving spaces for about three or four windows, which my dad screened. Surprisingly the fronds were quite waterproof. Unfortunately we did not get to enjoy our new home very long, because the palm fronds were subject to fire. One day while mother was ironing, using her fuel burning iron, because we had no electricity, mother got distracted by my little sister who was fussing for a drink of water, so placing the iron on the drain board by the sink, mother placed the iron too close to the palm branches that were very dry and instantly caught the house on fire.

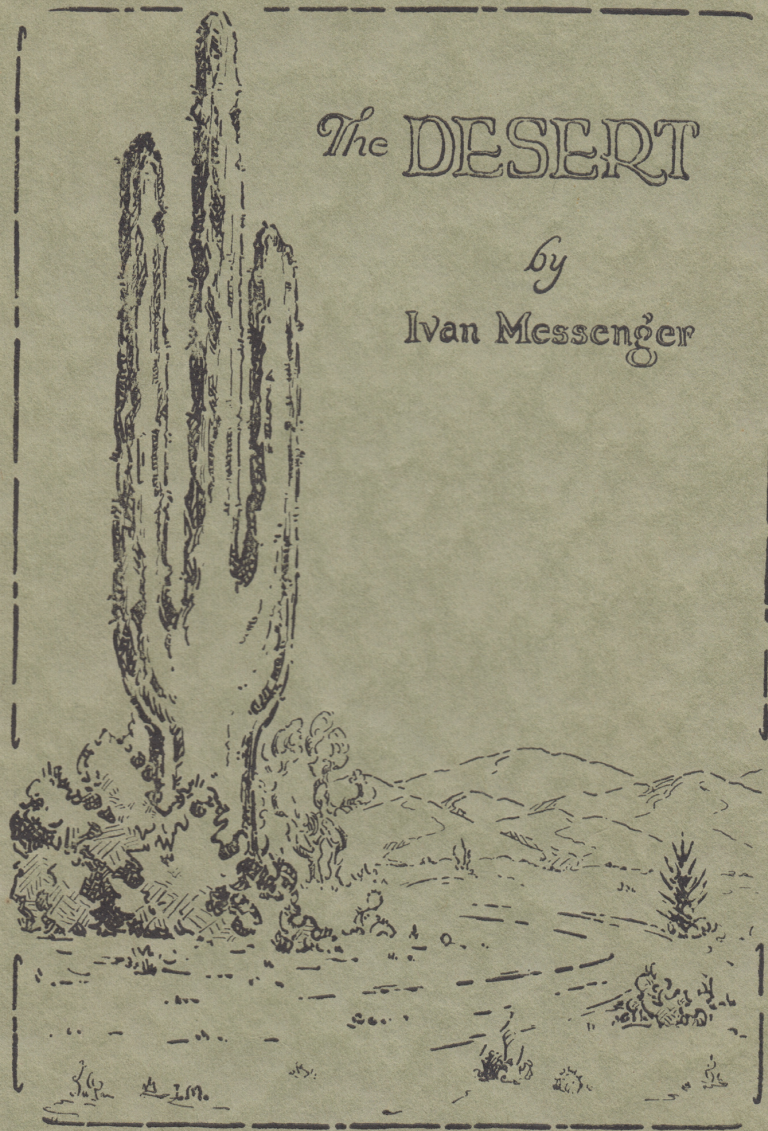
Quickly and wildly leaving very little time to rescue clothes and belongings we did after my younger brothers were away from the fire managed to save some clothes and bedding, but most of everything burned. For one thing we could not immediately find my little sister. We had a lean-to on the end of the kitchen where this fire had started and was spreading rapidly. Since this lean-to also had mother's old gasoline washer in it.

My little sister had been in there earlier to play with the kittens, we assumed she had gone back in there after getting her drink. She was found later hiding out behind a rock, but we did not know this at first. So quickly my father had gone into the lean-to to get my sister out and he realized that she was not in there he took out the box of kittens. He then picked up the old gasoline washing machine, which was very heavy and under normal circumstances would have been very difficult to move.

It was a dangerous thing to do with the fire so very hot and close, there was no time to save our monthly grocery supplies which consisted of a hundred pounds of flour, large sack of beans, many loafs of bread and other things. We always bought 20 loafes of bread and toasted them in our wood stove oven. We had two wood stoves, one in the house for heat and cooking and the other in the front yard where mother baked her delicious bread, cakes and corn bread. We ate lots of bread and milk.

Now back to the fire. Dad's time was almost fully taken by his efforts in the lean-to washhouse and the fire was burning so quickly and hot, we had little time to get anything else. Mother and I tried very hard to pull our big curved top trunk out of the house but it was just too heavy. We frantically grabbed what we could out of the top of the trunk, but it was getting too hot so we took one last heart felt look at all our food blazing away in the kitchen and escaped out of the house just as the roof was caving in. We all stood by back and sorrowfully watched all of our worldly goods go up in smoke.

Yet still we had to be thankful and we all got out safely. No one was hurt or burned. We counted our blessings, gathered up what we had salvaged and packed up our old truck and took all we owned, except the animals, which dad and one of my uncles returned for later. The rest of us never returned to our Canebrake homestead, and desert dream on the Anza Borrego Desert.



A Its Comradeship

FEW years ago I cared nothing for that great open wasteland called the desert. I had passed through it several times but scarcely noticed it. It did not appeal to me. It held no charm for me. Nor could I understand why other people were so fascinated by it. For in my soul I was a complete stranger to it.

But one day I went to live and work on the desert. Very soon I began to wonder at the colorful sunrises and sunsets, and before long found myself experiencing some of the thrills of desert attractions. My stubborn prejudices were gradually overcome. Slowly but surely the desert was becoming an inseparable part of me.

Then and only then I really understood the desert. Then it was I enjoyed living and could get a subjective viewpoint of life itself. For here I had time to see and to think. The spell of the unknown was fascinating me now, and winning me with the very bloom of the desert in its eyes. The lure of silence, the smell of the sage; the spirit of the dunes, and the almost pitiful struggle for existence in this land of barren waste—there is something spiritual and gripping about it all, and I confess it has now won me heart and soul. I am its happy slave. I love it.





Its Endless Charm

EARLY morning glow from crimson cirrus clouds
That span the blue-green firmament above
With sudden thrill and flow of light that drowns the
 shrouds
Of desert night and mystery,
And shouts to me "Arise and see!"—
It's the desert dawn I love!

White burning sands of lazy desert noon,
When meagre wasteland beings slowly move
And fold their hands to pause and rest, knowing soon
This drowsy hour of sleep will fade—
This contrast hour of light and shade—
It's the desert day I love!

Surprising winds arise, the shifting sands to drive.
The clouds amass, their sudden rain o'erfills.
The bushes bend and sway. The desert's now alive
With surging sweep of wind and rain
That strive to conquer life in vain—
It's the desert storm that thrills!

Early evening hour. The desert's now arrayed
In all its finery of gorgeous hue,
Till every bush and flower, and leagues of sand are
 sprayed
With beams of brilliant color-show
That melt into the afterglow—
It's the sunset ever new!

Then falls the starry night of pensive solitude—
So silent, still, but for the turtle-dove;
And air so clear and light it breathes a mystic mood
Of searching heart that finds its goal
At last: the peace of mind and soul—
It's the desert night I love!

