

EXHIBIT 2

TO

MEMORANDUM IN SUPPORT OF MOTION IN LIMINE TO ESTABLISH THE UNITED STATES' LEGAL ENTITLEMENT TO A FEDERAL RESERVED WATER RIGHT AND TO LIMIT THE SCOPE OF EVIDENCE NECESSARY AT TRIAL

Civil No. 05-cv-49053

HEADQUARTERS FIRST WING
General Headquarters Air Force
MARCH FIELD, CALIFORNIA

To CG GHQ AF
To Sq 1st Gp
Re Request for Funds for well on March
bombing range

4x

SUBJECT: Request for Funds *X 120.19* *March* of the Corp as the water is
used for *March*

TO: Commanding General, GHQ Air Force
Langley Field, Virginia

FOR THE WING COMMANDER:

10

1. It is requested that funds in the amount of \$1200.00 be allotted March Field for the purpose of digging a well and installing tank and pump on the March Field for the purpose of digging a well and installing tank and pump on the March bombing range. This installation is urgently needed as the March bombing range is to be used for wing bombing tests, wing concentrations, bombing and gunnery practice by the 17th Attack and 19th Bombardment Groups, and as a camp for field training periods at different times for all units of the First Wing.

2. Estimates have been submitted and requests have gone forward, by direction of the Corps Area Commander, for the construction of temporary buildings involving an expenditure of \$40,000.00. It is reasonable to assume that these funds will be authorized, and the construction entailed will make the site habitable for use as mentioned above. Pending authorization for this temporary construction, other temporary buildings have been constructed on the site, consisting of mess hall, barracks to accommodate forty men, supply storehouse, and ammunition magazines, the construction being done with material salvaged from dismantled temporary buildings on March Field.

3. The only source of water available is from the small, private well of the general store at March, five miles distant from the temporary camp. The supply from this well is limited and insufficient for continuous use of more than 20 persons. It is anticipated that at various times there will be a personnel of approximately two hundred camped on the March bombing range.

4. From investigation it has been determined that water may be obtained on the site by drilling to a depth of approximately three hundred feet. There is now a well at this depth within half a mile of the proposed well, and numerous other wells in the vicinity. A well digging concern has investigated and recommended the proposed location. The well within half a mile

AIR CORPS JUL 20 1935

To CG OHQ AF
Via Hq 1st Wg
Re Request for Funds for Well on Mares
bombing range

of the one proposed is not available for use of the camp as the water is
used for subsistence of cattle.

For the WING COMMANDER:

RAY A. IRWIN
Major, Air Corps
Acting Executive

AF 120 (7-5-35)

1st Ind.

(F-7)

HEADQUARTERS GNDQ AIR FORCE, Langley Field, Virginia, JUL 12 1935
To: The Chief of the Air Corps, Washington, D. C.

1. This headquarters, by 10th indorsement to The Adjutant General, July 9, 1935, file AF 601.1 (12-8-34) stated that, in view of the privately owned property included in the Maroc project, it was not considered a safe gunnery range for towed target exercises and that further plans for its use by Air Force units would be deferred, pending the development of the War Department land acquisition program.

2. A copy of a letter from the Secretary of War to the Honorable John J. McSwain, July 28, file AG 614, 9th Corps Area (8-15-35) (Misc.) has been received at this office, which refers to legislation for the acquisition of all private rights to property included in the project. The last paragraph of the letter reads as follows:

"The proposed legislation is not in accord with the financial program of the President, and, accordingly the War Department is constrained to recommend against it."

3. The area, in its present status, is safe for bombing and aerial gunnery against ground objectives, and it is probable that no action will be taken toward War Department acquisition of the entire area during the current fiscal year. It is the most practicable and available site for the use of units at March and Rockwell Fields. Unless a more adequate water supply is provided, exercises of the necessary magnitude cannot be carried out. It is therefore recommended that immediate steps be taken to make

JUL 12 1935

1st Ind. AF 120(7-3-35) Hq. GHQ AF cont'd:
X 684(7-3-35)

the sum of \$1200.00 available for the purpose indicated in basic communication.

For the Commanding General:

H. J. KNEER,
Colonel, Air Corps,
Chief of Staff.

671 (C) March Field

5th Ind.

Headquarters Ninth Corps Area, Presidio of San Francisco, California,
August 16, 1935. To: Commanding General, 1st Wing, GHQ Air Force,
March Field, California.

There are no funds available at this headquarters for the purpose
mentioned in the basic communication.

By command of Major General Malone:

D. A. WATT
Major, A. G. D.
Asst. Adjutant General.

6th Ind.

3I

HQ FIRST WING, GHQ Air Force, March Field, Calif., August 31, 1935.
To the Commanding General, GHQ Air Force, Langley Field, Va.

1. Your attention is invited to preceding indorsement. It is urgently
requestee that action be taken in your headquarters to secure the funds re-
quested, as a well at Muroc gunnery range is a prerequisite to successful
completion of the training schedules of units of this Wing insofar as aerial
gunnery is concerned.

H. H. ARNOLD
Brigadier General, Air Corps
Commanding

AF 120 (7-3-35)

7th Ind.

(P-6)

HEADQUARTERS GIG AIR FORCE, Langley Field, Virginia,
To: The Chief of the Air Corps, Washington, D. C.

SEP 13 1935

In view of the information contained in paragraphs 2 and 3, 1st indorsement, and in the 5th indorsement, it is recommended that this correspondence be referred to The Adjutant General with request for favorable action.

For the Commanding General:

FOLLETT BRANLEY,
Lt. Col., Air Corps,
Acting Chief of Staff.

3 CORPS SEP 14 1935

614

✓
Amroc Range
9th. C.A.

8th Ind.

OCT-ND

(7)

War Department, Office, Chief of the Air Corps, Washington, D. C., September 20, 1935 - To The Adjutant General, THEM The Quartermaster General.

XD 21
1. In view of the information contained in paragraphs 2 and 3 of 1st Indorsement, it is recommended that the previous decision of the Secretary of War, as quoted in paragraph 2 of 2nd Indorsement, be reconsidered and the installation of well, tank and pump at the Muroc gunnery and bombing site be authorized.

X671 - March Field
2. If this installation is approved and "Barracks and Quarters" funds are not available, this office will allot the \$1,200.00 from Air Corps annual maintenance and repair funds.

For the Chief of the Air Corps:

R. M. Jones,
Lieut. Col., Air Corps,
Acting Executive.

To General Files	
Date	
	EXEC.
	PLANS
	T. & O.
	MAT.
	PER.
	FIN.
	INF.
	INSP.
	PAT.
	B. & G.
	MED.



QM 614 C-RU (March Field)

9th Ind.

War Dept., OQMG, Washington, October 1, 1935 - To The Adjutant General.

1. With reference to request of HQ, First Wing, GHQ Air Force, March Field, Calif. for funds in the amount of \$1300 for installing a well and pumping equipment on the Maroc bombing range, it is noted that the only water available is from a small private well five miles distant from the temporary camp; that the supply from this well is limited and sufficient for the continuous use of twenty persons only.

2. In view of the fact that the Air Corps contemplates the use of the bombing range and ground gunnery, it is recommended that this project be approved for accomplishment from any applicable funds available in the field. There are no "B. & Q." funds available for allotment from this office.

For The Quartermaster General:

(Signed) P. W. Guiney,
Brigadier General, Q.M.C.,
Assistant.

614
9th C.A.

SUBJECT: Request for allotment of funds to March Field for the purpose of installing a well, tank and pump at the March gunnery and bombing site.

AG 514 9th C. Area
(7-3-35)Enc. B.

10th Ind.

CGW/elz

War Dept., A.G.O. - October 9, 1935 - To the Commanding General, Ninth Corps Area.

Approved from B & Q funds already made available to your Headquarters. Later in the fiscal year, if you find that your B & Q funds are insufficient to meet your needs, you may use this instance in substantiating your request for an increase.

By order of the Secretary of War:

Wm. F. Pogson

Adjutant General.

COPY FOR: Chief of the Air Corps, ref. his 8th Ind. to A.G. 9-20-35 together with copy of 9th Ind.

AIR CORPS OCT 11 1935

TO GENERAL FILES
DATE
EXEC.
PLANS
T. & O.
MAT-571
PER.
FIN.
INF.
INSP.
PAT.
B. & Q.
MED.

To files
W.S.D.

614
11th Ind. Bombing Range
CCY-486
P.H.C.A.

935 - To The Quartermaster General
action at Muroc, California, will
ion will be taken looking to securing
the Government secures the rights
use of the area for the purposes

- 6. Finance.....
- 7. Information.....
- 8. Inspection.....
- 9. Materiel Liaison.....
- 10. Medical.....
- 11. Patents.....
- 12. Personnel.....
- Plans.....
- 14. Training & Operations.....

etary of War:

Wm. S. BAKER

Adjutant General.

Corps

1, GHQ Air Force, Langley Field, Virginia
July 9, 1935 AR 601.1 (12-8-34)

1, Ninth Corps Area. reference his let 54-
1935 614.4 RE Bombing & Gunnery Muroc, Calif

May 23
684 (920-2) Muroc, Calif.

from Hdqrs. March Field, Riverside California
1935 Subject Bombing and Gunnery Range,
ornia.

Has Gen. Westover seen this?
He made a personal inspection of
the Honey Lake and Muroc Areas
with a view towards their use
for gunnery and bombing ranges,
and reported upon same when he
returned to this office from his
trip of inspection.

Plans Division

192

WAR DEPARTMENT
of the Chief of the Air Corps
Washington

Date July 25, 1935.

To:

- 1. Office, Assistant Secretary.....
- 2. Executive.....
- 3. Assistant Executive..... X X
- 4. Buildings & Grounds.....
- 5. Chief Clerk.....
- 6. Finance.....
- 7. Information.....
- 8. Inspection.....
- 9. Materiel Liaison.....
- 10. Medical.....
- 11. Patents.....
- 12. Personnel.....
- Plans.....
- 14. Training & Operations.....

W. H. B. [Signature]

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trip of inspection.

ASST. SECY.
 EXEC.
 ASST. EXEC.
 B. & G.
 C. CLERK
 FIN.
 INFO.
 INSPECTION
 MATERIEL LIAISON
 MEDICAL
 PATENTS
 PERSONNEL
 PLANS
 TRAINING & OPERATIONS

[Handwritten initials and signature]

Plans Division

11th Ind. Bombing Range

15, 1935 - To The Quartermaster General
construction at Muroc, California, will
er action will be taken looking to securing
until the Government secures the rights
at safe use of the area for the purposes

Secretary of War:

Wm. B. Higgins

Adjutant General.

Corps

GHQ Air Force, Langley Field, Virginia
July 9, 1935 AR 601.1 (12-8-34)

Ninth Corps Area. reference his 1st
35 614.4 RE Bombing & Gunnery Muroc, Calif

May 23
634 (900-2) Muroc, Calif.

from Hdqrs. March Field, Riverside California
935 Subject Bombing and Gunnery Range,
California.

614
Bombing Range
9th. C.A.

614

Bombing Range
CC-440
P.H.C.A.

AG 601.1 I.R. (12-8-34)(Misc.) D 11th Ind. War Department, A. G. O., July 15, 1935 - To The Quartermaster General

The requirements for construction at Muroc, California, will be made of record but no further action will be taken looking to securing required funds for construction until the Government secures the rights to the lands necessary to permit safe use of the area for the purposes intended.

By order of the Secretary of War:

Wm. H. Borah

3 Incls. No change.

Adjutant General.

Copy for the Chief of the Air Corps

Copy for the Commanding General, HQ Air Force, Langley Field, Virginia
Reference his 10th Ind. July 9, 1935 AR 601.1 (12-8-34)

Copy for the Commanding General, Ninth Corps Area. reference his 1st indorsement, January 9, 1935 614.4 RE Bombing & Gunnery Muroc, Calif

4 May 23, 634 (gmc-c) Muroc to Calif.

Basic communication Letter from Hdqrs. March Field, Riverside California
December 8, 1935 Subject Bombing and Gunnery Range,
Muroc, California.

AIR — FORCE

614

BOMBING RANGE

MOROC LAKE CALIF



RG 18 (Army Air Forces)

CENTRAL DECIMAL FILES, 1917-38

Project Files - Airfields

MORRISON SUPPLY DEPOT

634-Miscellaneous Buildings

to

MURAC LAKE, CALIFORNIA

Box No. 2267

A-51-141