

February 16, 1980

DISQUALIFY YOURSELF, JUSTICE REHNQUIST

IN THE LAWSUIT ORIGINALLY FILED AS U.S. v. IMPERIAL IRRIGATION DISTRICT WHICH IS TO COMPEL ENFORCEMENT OF THE PROVISION OF THE U.S. RECLAMATION LAW OF 1902 LIMITING THE AMOUNT OF IRRIGATION WATER OBTAINED FROM FEDERAL SOURCES TO THE AMOUNT NECESSARY TO FARM 160 ACRES AND LAWSUIT, BEN YELLEN et al. v. SECRETARY OF INTERIOR WALTER HICKEL, TO COMPEL THE OTHER LIMITATION OF THE LAW, THAT THE LANDOWNER GETTING THE WATER FOR THE 160 ACRES MUST LIVE ON THE LAND OR CLOSE BY TO PREVENT ABSENTEE OWNERSHIP. THESE CASES ARE TO BE REVIEWED BY THE U.S. SUPREME COURT ON WHICH YOU NOW SIT.

It has been said that the UNITED STATES is a government of laws and not of men to distinguish it from a country ruled at the whim or fancy of a king, dictator, or clique. I have found in these pending lawsuits that certain persons whom I will mention later, have interfered with the legal process so that I and 123 other little people are prevented from getting equal treatment under the CONSTITUTION and have much anguish and much expense.

The opposition has much money and political influence. We have none. The opposition has hired O'Melveny & Myers of Los Angeles, a law firm with 250 lawyers and a special water law division, and is the biggest law firm in California. It also has an office in Washington, D.C. Mr. Arthur Brunwasser, our lawyer, is a little lawyer practicing general law and never had a water lawsuit and probably never will get another. None of these Federally funded law firms who are supposed to do public service law had the guts to handle these lawsuits.

O'Melveny & Myers has its members in the revolving door syndrome whereby these members work in various governmental agencies and then return to the law firm. A prominent example is Warren Christopher, now Deputy Secretary of State and in the Johnson Administration, Deputy Attorney General. Another is Allyn Kreps, who is now an assistant to U.S. Senator Alan Cranston, who is in collusion with the big land owners getting illegal amounts of water from Federal sources. Senator Cranston is now sticking the knife into the backs of us little people of Imperial Valley by trying to get the Federal Law changed.

Allyn Kreps is in the water law division of O'Melveny & Myers which is supposed to be a highly ethical law firm. Yet in 1965, it sent stooge Kreps to Imperial Valley to make speeches against enforcement of the Federal Law before the Rotary Club, Kiwanis Club, etc. These speeches were highly publicized in the local newspapers and over the air. The news media put up a Curtain of Silence against our rebuttal of Kreps. The Imperial County Board of Supervisors refuses to put on the ballot the question of enforcement to put it to a vote. People are afraid of loss of jobs or destruction of businesses to sign petitions forcing a county vote and also prevents presenting petitions to Congressional Committees.

You, Justice Rehnquist, were appointed in 1969, Assistant Attorney General, Office Of Legal Counsel, Dept. of Justice, by Richard Nixon who when running in 1949 for U.S. Senator from California, made speeches against enforcement of the limitations of the Federal Law on water. Later on in 1971, he appointed you a Justice of the U.S. Supreme Court. Your private practice in Phoenix, Ariz. had as clients big farm owners of the Salt River Project who had been in violation of this law since the Roosevelt Dam was built about 1910. They are the power structure of Arizona. They pushed for you. The activities to get law enforcement

in Imperial Valley came to the attention of the big farm violators of the U.S. Reclamation Law in the Salt River Project around Phoenix. Successful enforcement in Imperial Valley meant that the SRP would be the next target as it is only 250 miles away. Some of these big farm violators operate in both the SRP and the Imperial Irrigation District of Imperial Valley. They are shrewd and long range planners and that is why they pushed for you, one of their own, for Justice of the U.S. Supreme Court.

They also knew that the Central Arizona Project for bringing water from the Colorado River 250 miles to the Phoenix area to put more virgin desert land which they owned or controlled, into cultivation, would be completed about 1985. After a hard fight in Congress, this Project water is also supposed to be distributed according to the U.S. Reclamation Law.

You, Justice Rehnquist, are beholden to these big farm violators for your success in private practice while in Phoenix and also for your success in getting these high positions of public office. I call upon you to disqualify yourself in these pending lawsuits and any other lawsuits involving the distribution of irrigation water financed by the Government.

You may say that I am overreacting and you can judge these lawsuits without conscious or subconscious bias. So I will relate to you what happened to these cases on the way to the U.S. Supreme Court. My span of life is drawing to a close and this is known by the opposition. The opposition knows that with my death, it's main opponent whom it could not make quit by all sorts of boycotts, character assassinations, etc., will cause the campaign to get enforcement to slacken its pace.

The U.S. v. Imperial Irrigation District lawsuit was filed Jan. 11, 1967 during the Johnson Administration. Then the Nixon regime came in 1969. Immediately, rumors circulated in Imperial Valley that the Nixon Administration would stall the lawsuit especially so since I and 123 other little people living in the I.I.D. and paying taxes in repayment for the "All-American" Canal, had entered as "amicus curiae". The local newspapers were constantly printing statements that because of the heavy load of cases at the San Diego Federal Court, only criminal cases were tried.

About 4 years of no action passed, so I put out a Newsletter dated Sept. 6, 1970, "OPEN LETTER TO JUDGE TURRENTINE". He was told that the reputation of the San Diego Federal Court was being besmirched by the stalling and he was challenged to show one criminal case with the stealing of \$50 millions yearly as was being done to the residents of the I.I.D. being cheated out of farming profits. This Newsletter was distributed to news media all over the United States. Judge Turrentine soon set the time for trial and gave a verdict against enforcement. About 3 weeks later, it was learned that Judge Turrentine is a big land speculator at Borrego Springs, 75 miles from the terminus of the Southern branch of the All-American Canal. It is the hope of the Borrego Springs speculators to tap this terminus to get water so that their land will jump greatly in value. Presently, Mexico is tapping this terminus to bring water to Tia Juana, Mexico which is about 125 miles further West.

As soon as the Turrentine decision was given, Victor Veysey, Republican Congressman from this area and a big farmer, announced in the newspapers that he was going to see Richard Kleindienst, Deputy Attorney General, and like you, Justice Rehnquist from Phoenix, to stop an appeal. It was learned later that the Elmore family, the biggest landowner here, had sold a part of its estate to the Richard Nixon estate at San Clemente which served as the summer White House. It was also learned that Steven Elmore and the O'Melveny & Myers lawyers met secretly with the high officials of the Dept. of Justice in Washington, D.C. to stop appeal. I notified Attorney General John Mitchell and Kleindienst that Judge Turrentine gave a tainted decision because of "Conflict of Interest" to no avail.

Then Erwin Griswold, former Dean of the Harvard Law School, and Solicitor of the Dept. of Justice, arrogantly on the last day possible for appeal ANNOUNCED NO APPEAL AND REFUSED TO TELL WHY. High officials were corrupt in the Watergate Incident and unethical in this lawsuit. We were suspecting the Dept. of Justice was corrupt, so about 3 weeks before the Griswold statement, Judge Turrentine was requested to admit us as "interveners" to make an appeal. He refused this request but was reversed by the 9th Circuit Court of Appeals. So we took U.S. v. I.I.D. and a favorable verdict in the Yellen, et al. v. Hickel to the Appeal Court. This Court delayed for 3 years so it was necessary for me to picket this Court distributing, "THE CONSTIPATED CIRCUIT COURT". Am I overreacting to you?