

[FOWLER, F.H.]

TELEPHONE KEARNY 5869

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO
EW
Cleveland
Fletcher, Ed
Conduit

FERRY BUILDING
SAN FRANCISCO, CALIFORNIA

March 2, 1921

T. H. King, Chief Engineer,
Ed Fletcher Company,
Fletcher Building,
San Diego, Calif.

Dear Sir:

This office has received your letter of February 23, application in triplicate, tracing and two blue prints of Exhibit A, location map covering the Boulder Creek power project, filed by you on behalf of Mr. Ed Fletcher.

Examination of the application shows that the following corrections, or additions, should be made.

X Exhibit A should bear Form 2, see page 28 of the regulations, dated and signed by applicant.

X Statements included under paragraph C, sub-paragraphs (a) and (b), page 8 of the regulations, should be furnished, and this statement should be given proper exhibit number, should bear Form 2, dated and signed, and should be included in the check list on page 3 of the application blank.

✓ The map, Exhibit A, should be altered to show approximate project boundaries, land sub-divisions, etc., as contemplated in paragraph D, sub-paragraphs (b) and (c), pages 8 and 9 of the regulations. The project boundaries should follow land lines, or sub-division lines, since this application is for preliminary permit.

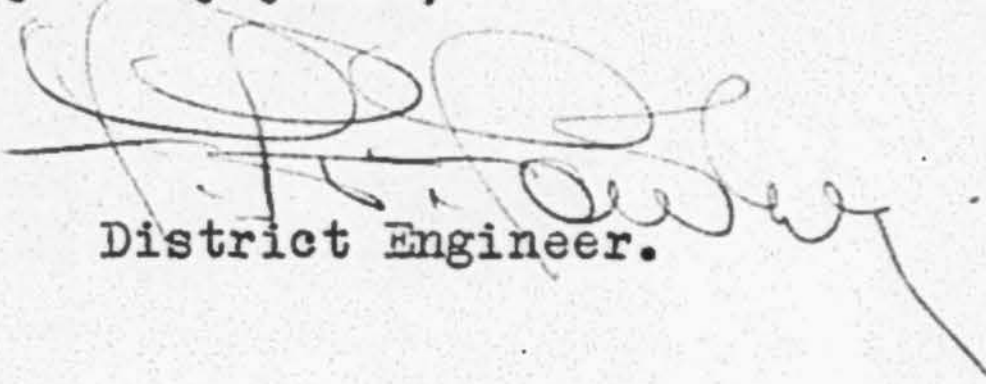
✓ Statement of nature and extent of water rights, ownership of lands, etc., should be furnished, as contemplated in paragraph E, page 9 of the regulations. This statement should bear Form 2, dated and signed, and its title should be listed in check list on page 3 of the application. The land ownership should also be noted on map.

T. H. King, #2.

The four lines of typing at the top of page 1 of application, as it now stands, should be ruled out in red, leaving the name of the applicant on top line of the amended application.

In order that these changes may be made, I am returning herewith the application in triplicate, and the tracing and two prints. When the application is resubmitted, please have three prints sent with the tracing, since an extra print is needed, on account of the project being partly within a Government reservation.

Very truly yours,


District Engineer.

226
227
227
Telephone Kearny 5869

United States Department of Agriculture

Forest Service

District 5

Address Reply to
District Forester
and refer to

Ferry Building
San Francisco, California

EW
Cleveland

April 19, 1921.

Colonel Ed Fletcher,
Ed Fletcher Bldg.,
San Diego, Calif.

My dear Colonel Fletcher:

In the course of a recent conference with California State Water Commission, it has been brought to my attention that the Commission is about to take action on Application No. 567 covering diversions from Black Canyon Creek in Sec. 8, T. 12 S., R. 2 E., and from Santa Isabel Creek in Sec. 21, T. 12 S., R. 2 E., water from both diversions to be used through a powerhouse in Sec. 23, T. 12 S., R. 1 E.

No maps of the project are on file in this office from which we can determine whether or not Government lands are affected. I understand that the California Water Commission has already inquired of you whether you have access to the Indian lands involved. Will you kindly let me know whether other Government lands are affected? It will of course be necessary for you to file application under the proper law for rights-of-way over all Government lands.

In order that the California Water Commission may be fully advised, a carbon of this letter is being forwarded them, and it is requested that a carbon of your reply to this office also be sent to the Commission.

Very sincerely yours,

(Signed) F. H. Fowler.
District Engineer.



ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5
FERRY BUILDING, SAN FRANCISCO, CALIFORNIA

EW
Cleveland
Fletcher, Ed
No. 217 Cal.

May 8, 1922.

Ed Fletcher Company,
Fletcher Building,
San Diego, Calif.

Mr. S. J. Higgins, City Attorney,
San Diego, Calif.

Gentlemen:

Mr. E. W. Kramer, Hydroelectrical Engineer, U.S. Forest Service, recently made a field examination of the proposed Boulder Creek development covered by application of Mr. Ed Fletcher with Federal Power Commission and designated by the Commission Case No. 217 Cal. At the same time Mr. Kramer held several conferences with the applicant and with the city attorney, as a result of which the city attorney drafted the following paragraph for insertion in such permit or license as might be granted under the Federal Power regulations.

"It is hereby distinctly understood that the license herein and hereby granted to said applicant, Ed Fletcher, shall not be construed as a grant, or an attempt to grant, to said Ed Fletcher, any rights whatsoever in the waters of the San Diego River, or as an attempt to deprive The City of San Diego of any right which it may have in or to the waters of said San Diego River either by reason of its being the successor to the Mexican Pueblo of San Diego or otherwise."

This provision was later submitted to the applicant, who, after careful consideration, does not desire that it be used.

Fletcher - Higgins - 2.

5-8-22.

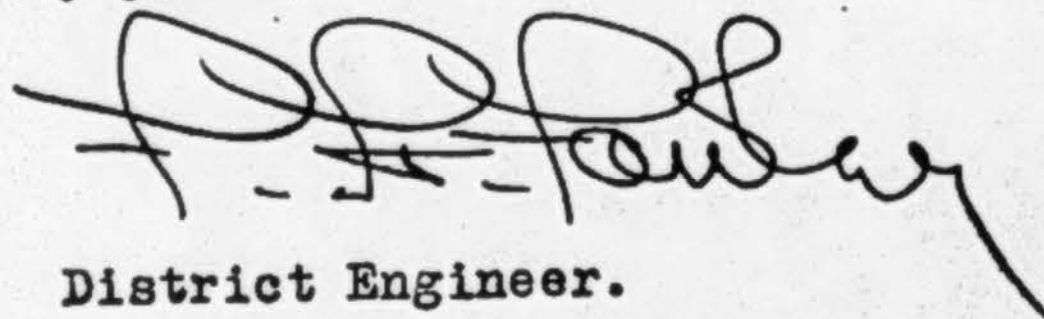
In view of the above, I have recently conferred with a representative of the Division of Water Rights, with a view to drafting a stipulation which will amply protect the City of San Diego and will at the same time be satisfactory to the applicant. The following clause was finally adopted for recommendation to the Federal Power Commission. The Division of Water Rights will specifically limit the use of water in the project to that covered by the Federal Power Commission permit.

"It is expressly understood that this permit is issued for the construction and operation of project works (as specifically shown in the application and filing map) necessary for diverting from, using in the generation of power, and returning to Boulder Creek such water as may be granted to the permittee by the Division of Water Rights, State of California, and that this permit does not convey, either expressly or by implication, any water right; such grant of water right being under the jurisdiction of the State of California."

I shall be glad to have you give this clause your consideration, and request that if approved the City forward this office a definite statement to that effect, withdrawing further protest against the Boulder Creek project; and that the applicant forward a definite written approval.

I should be glad to receive your statements in this matter on or before May 18.

Very truly yours,


District Engineer.

227
TELEPHONE KEARNY 5869

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO

EW
Cleveland
Fletcher, Ed
(Sutherland-Black Canyon Project)

FERRY BUILDING
SAN FRANCISCO, CALIFORNIA

July 14, 1921

Mr. T. H. King,
Chief Engineer, Ed Fletcher Co.,
920 Eighth St.,
San Diego, Cal.

Dear Mr. King:

I am in receipt of your application dated June 20, 1921, filed on behalf of Col. Ed. Fletcher, for preliminary permit under the Federal Water Power Act, for the Sutherland-Black Canyon power project.

The application has been examined, and while it would have been acceptable under the former Forest Service regulations, there are certain items which should be amended to bring it in more strict compliance with the regulations under the Federal Power Act. These are as follows:

Application on Form 3 is satisfactory, except that list of exhibits should be amended to take care of any changes made necessary by revision.

Regulation 3, Section 4, calls for estimate of cost of preliminary construction.

Regulation 3, Section 5, "statement of nature and extent and ownership of water rights"; also statement of "applicant's plans with reference to perfecting water rights and acquiring lands".

Regulation 3, Section 6, "statement whether project involves the use of a Government dam, etc." The status of this matter is of course well-known locally, but should be on record in Washington.

Regulation 3, Section 8, - a general map should be furnished showing the entire project with relation to market which it will serve. I would suggest a tracing to uniform size, in addition to the maps already prepared, covering the

T. H. King.

227
Coast region as far south as San Diego. Section 8 shows the detail in which this map should be prepared.

Regulation 3, Section 9. The tracings submitted should be revised in strict accordance with this section, particularly to show project boundary, - an item which was not included in the old regulations.

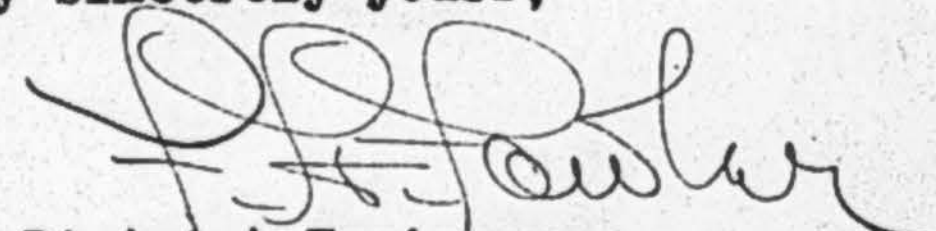
I am forwarding a copy of printed "Orders, No. 9" of the Federal Power Commission, with the above paragraphs marked on pages 10 and 11.

If you decide to make any further revisions in the application, I would suggest that the exhibit numbering or order be made to conform with the fixed designations in these revised regulations.

If there is any further information you need during the revision of this application, please let me know and I shall be glad to furnish it. When the application is revised it will be received and promptly forwarded to Washington.

Typewritten documents are enclosed herewith. The tracings and prints are returned, registered, under separate cover.

Very sincerely yours,


District Engineer.

227
July 23, 1921.

Mr. F. H. Fowler, District Engineer,
United States Department of Agriculture,
Forestry Service,
Ferry Building,
San Francisco, California.

Dear Mr. Fowler:

A registered package containing maps of the Sutherland - Black Canyon together with your letter of July the 14th received.

I will revise the application as per your suggestions and return the same to your office in the course of the next couple of weeks.

I wish to thank you for your courtesy in this matter.

Yours very truly,

T. H. King.

THK:ME

206

Sept. 17, 1921.

Mr. F. H. Fowler,
District Engineer,
Forestry Service,
District #5,
Ferry Building,
San Francisco, Calif.

Re EW
Cleveland
Fletcher, Ed
(Sutherland - Black Canyon Project)

Dear Mr. Fowler:

I am forwarding today by registered mail
the application for preliminary permit under the Federal
Water Power Act for the Sutherland-Black Canyon Power
Project, together with the revised list of exhibits includ-
ing maps which I believe will comply with all the require-
ments of the Commission and suggestions in your letter of
July the 14th.

I wish to thank you for your assistance in
this matter, and should there be anything which I have over-
looked I will appreciate your advice and suggestions,

Yours very truly,

T. H. King.

THK:ME

227

TELEPHONE KEARNY 5869

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO

FERRY BUILDING
SAN FRANCISCO, CALIFORNIA

September 20, 1921

EW
Cleveland
Fletcher, Ed
Sutherland-Black Canyon Proj.

Mr. T. H. King,
Chief Engineer, Ed Fletcher Co.,
920 - 8th St.,
San Diego, Cal.

Dear Mr. King:

Your letter of the 19th duly received. The applica-
tion for preliminary permit, together with revised list of
exhibits and maps were received to-day by registered mail.

The application has been examined and found to be
complete, and is being forwarded to the Power Commission to-
day. Report on the case will be made in regular order.

Very sincerely yours,

F. H. Fowler
District Engineer.

227

Dec. 19, 1921.

F. F. Fowler, District Forester,
United States Department of Agriculture,
Forest Service, District 5,
Ferry Building,
San Francisco, Cal.

My dear Mr. Fowler:

Referring to your file--

EW
Cleveland
Fletcher, Ed
Sutherland-Black Canyon Proj.

Enclosed is a copy of a letter from O. C. Merrill, Executive Secretary,
Federal Power Commission, Washington, and a copy of my reply to same.

Under separate cover I am sending you tracing and 5 blue-line prints
of the map requested.

Trusting this will meet with your approval, I am,

Yours very truly,

T. H. King,
Chief Engineer.

227/

(Copy)

Secretary of War, Chairman
Secretary of the Interior
Secretary of Agriculture

FEDERAL POWER COMMISSION

Washington

O. C. Merrill, Executive Secretary
Address reply to
Executive Secretary
and refer to
E
Projects, Cal. (#252)
Fletcher, Ed.

Oct. 5, 1921.

Mr. Ed Fletcher,
920 Eighth Street,
San Diego, California.
Dear Sir:

Your application for preliminary permit covering a proposed power
project on Santa Isabel and Black Canyon Creeks is received by reference from
the Forest Service.

It appears that the proposed Sutherland Reservoir constitutes a
part of the power project for which you are making application. Accord-
ingly, it is requested that you file an additional tracing and five blue
prints showing this reservoir in accordance with the requirements of
Sections 8 and 9 of Regulation 3. A copy of the regulations is inclosed
herewith. In order to expedite action on your application, it is suggested
that the above material be filed through the District Forester at San
Francisco.

It is also noted that you state that you are already doing some
grading for the proposed conduits, and that you contemplate continuing
such work under the preliminary permit for which you are applying. In
this connection I have to inform you that actual construction work of
this nature can be authorized by this Commission only under license, except
that such construction work as may be necessary to maintain water rights
under State law, or as may be desirable in preparation for the construction
of project works may be authorized under preliminary permit upon a satis-
factory showing of the reasons therefor. Accordingly, if you wish to
pursue such actual construction activities on your project, it is suggest-
ed that you prepare and file an application for license rather than for
preliminary permit; or, if this is impracticable, that you promptly file
a showing of the reasons why authorization for the desired construction
work should be granted under preliminary permit.

Your application is being referred to the Forest Service for in-
vestigation and report, and I should be very glad if you will cooperate
with the representative of the Forest Service in his investigations in
so far as practicable.

Your application will be advertised in the near future for eight
consecutive weeks as required by law in the "Union" at San Diego, California.

Very truly yours,
(Signed) O. C. Merrill

Executive Secretary.

Inclosure--1836
(Copy R. and R.)



227

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5
FERRY BUILDING, SAN FRANCISCO, CALIFORNIA

ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO

EW
Cleveland
Fletcher, Ed
No. 217

- - -
Fletcher, Ed
No. 252

March 28, 1922

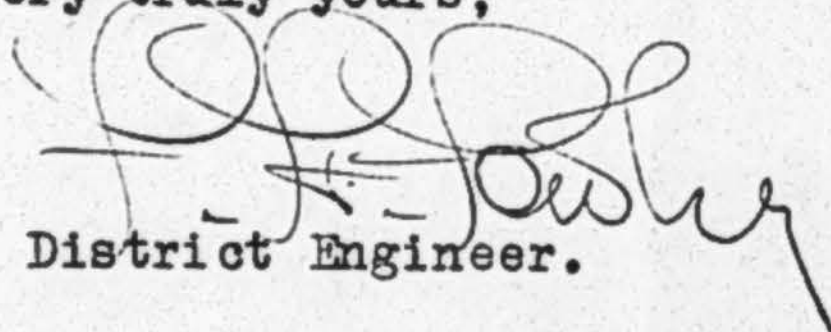
Mr. Ed. Fletcher,
920 - 8th St.,
San Diego, Cal.

Dear Sir:

Mr. E. W. Kramer, Hydroelectrical Engineer of this office, will be in San Diego, March 31, to make a field examination of your power applications covering the Sutherland - Black Canyon and Boulder projects.

I will be very glad if you will arrange to have your engineer accompany him.

Very truly yours,


District Engineer.

May 18, 1922.

Mr. F. F. Fowler,
District Engineer,
Forest Service,
Ferry Building,
San Francisco, Calif.

File
EW
Cleveland
Fletcher, Ed
No. 217 Cal.

My dear Mr. Fowler:

Answering your letter of May 8th, enclosed find letter from our attorney, Mr. Crouch, which is explanatory.

I hope you will tell the city where to head in at, under all the circumstances.

Yours sincerely,

EF:KLM

May 29, 1922

Capt. F. H. Fowler,
District Engineer,
Forest Service,
San Francisco.

My dear Captain Fowler:

I hope that you will advance the date of public hearing on the Boulder Creek Power filing on the protest of the City of San Diego against our Boulder Creek Power filing and get the matter wound up as soon as possible. Anything you can do to expedite this matter will be appreciated.

I want to tell you you have a good man in Mr. Kramer. I like the way he handles things and he is a credit to your organization.

Yours sincerely,

EF:KLM

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION
TELEGRAM
NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N. L.

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

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1922 JUN 2 PM 4 28

A507GS 36 GOVT

MD SANFRANCISCO CALIF 405P 2

ED FLETCHER

304

920 EIGHTH ST SANDIEGO CALIF

REFER KINGS LETTER JUNE ONE REGARDING FEDERAL POWER PROJECT
TWO FIVE TWO PLEASE WIRE WHETHER YOU WILL FILE COPIES WATER
RIGHTS APPLICATION FIVE SIXTY SEVEN AS PART THIS POWER APPLICATION
AND FORWARD COPIES EARLIEST POSSIBLE DATE

F H FOWLER.

Western Union

San Francisco, Cal.

June 2,

22

Ed Fletcher
920 Eighth St.
San Diego Cal.

Refer Kings letter June one regarding Federal Power project
two five two please wire whether you will file copies
water rights application five sixty seven as part this power
application and forward copies earliest possible date

Frederick Hall Fowler

Confirmation



ADDRESS REPLY TO
DISTRICT FORESTER
AND REFER TO

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
DISTRICT 5
FERRY BUILDING, SAN FRANCISCO, CALIFORNIA

207

Handwritten scribbles and initials, possibly including 'E. King'.

EW
Cleveland
Fletcher, Ed
No. 252 Cal.

June 19, 1922.

Col. Ed Fletcher,
Ed Fletcher Building,
San Diego, Calif.

Dear Col. Fletcher:

Under date of June 1, 1922, Mr. F. H. King wrote to Mr. E. W. Kramer, Hydroelectrical Engineer, this office, stating that he had been notified by the Division of Water Rights that they have been ready for some months to take action on application in this case except for the reason that application had not been completed before the Federal Power Commission.

In a conference with the Division of Water Rights about the same time, our attention was called to the fact that your application to the Federal Power Commission cited only certain water rights acquired through appropriation, and made no mention of application No. 567 which was for power purposes not irrigation as were the others. Division of Water Rights therefore suggested that we defer action on your application until such time as you had definitely made application No. 567 a part of your Federal Power Commission filing.

I therefore wired you on June 2 as follows:

"Refer King's letter June one regarding Federal Power project two five two please wire whether you will file copies water rights application five sixty seven as part this power application and forward copies earliest possible date."

You will note that this wire requests, first, that you inform us if you will make application No. 567 part of your filing; and second, that you will file copies of this application.

727

Fletcher - 2.

6-19-22.

To date, neither of the above has been received.

Will you kindly give this matter your early attention, in order that final action may be taken by Division of Water Rights and Federal Power Commission.

Very truly yours,

[Handwritten signature]
District Engineer.

#206

July 1, 1922

Mr. F. H. Fowler, District Engineer,
U. S. Department of Agriculture,
Forest Service,
Ferry Building,
San Francisco, California.

Subject: Sutherland-Black Canyon Power
Application.

Dear Sir:

In reply to your letter to Colonel Fletcher of June 19th. Inclosed herewith is a copy of the Application No. 567 made to the State Water Commission for the use of the waters of the Sutherland-Black Canyon for power purposes. This application to the State Water Commission was mentioned in Exhibit E in the original application but a copy was not included for the reason that it was my understanding that we did not have the right to use this application until it was granted by the State.

Colonel Fletcher wishes it to be clearly understood that the use of this Application No. 567 is supplemental to and does not waive any of the rights previously acquired on the waters of Santa Ysabel and Black Canyon Creeks where these waters were appropriated for agricultural purposes.

Yours very truly,

T. H. King.

THK:ME

Ed Fletcher Papers

1870-1955

MSS.81

Box: 8 Folder: 24

General Correspondence - Fowler, F.H.



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