

# V. L. & W. CO.

## FILE

January 4th,  
1915

Mr. Ed Fletcher,

Manager, Volcan L & W Co.

Dear Sir:-

Relative to the letter of Mr. Huber regarding the right of way applications of Escondido Mutual Water Company for rights of way. I wish to make a point which I have already made in this connection.

The Escondido Company have to apply to the Forest Service and Indian Service because their franchise and contract provides only for irrigation water and not for power. The next step will be that the Forest Service officers to whom this is referred will say that they will not act until prima facia proof has been furnished from the State Water Commission that they have a right to the use of this water. Upon being so informed the Escondido people will undoubtedly apply to the State Water Commission for a power permit for all the waters in the San Luis Rey River at their point of diversion.

Now the Volcan Company can appear at this hearing as protestants and show their previous irrigation filings and show that they propose to divert say 1,000 Miners Inches of this water and the Water Commission may or may not grant a permit to all of the waters; but their usual habit and phrase is a limiting amount of \_\_\_\_\_ second feet and all that is used usefully up to that point. I have no doubt that this permit will issue without any question in spite of any protest which the Volcan Company might feel it wise to make.

From that time on I believe it would be simply a question of which of the two proceeds to make use of the water at a speed proportional to the magnitude of their work and whichever completes their diversion and utilization will certainly have an advantage as a vested right.

I understand that Judge Henshaw has passed on this matter so that all that I can do is to again draw attention to the facts which are now shaping themselves up. The real question, if I see it correctly, is whether the Volcan Company should secure priority for a power application by a speedy presentation of an application to the State Water Commission, or whether it should depend solely on the irrigation filings of 1911 and 1912. My advise is to rush the power application of the Volcan Company into the Pamo Valley and secure priority before the Water Commission. I can not see any harm in it even if it is proved to be unnecessary. It would

Mr. Ed Fletcher, #2.

show that this Company claims this power right as given notice of it and undoubtedly would receive a permit in exactly the terms as Escondido would receive if they were first. However, if Escondido is Permit No. 2, the Water Commission would be obliged to take cognizance of itself on Permit No. 1 issued to you and simply give them the surplus which you did not utilize after you had completed construction presumably five years after the granting of the power permit. I should consider that this situation would be much more satisfactory than the reverse.

Very sincerely yours,

WSP-BK

C. W. CO.  
FILE

January 4, 1915.

Mr. Post:-

I return Huber's letters. Write me a letter giving your advice as to what we should do in the matter of the Escondido Mutual Water Company. Something I can send to Henshaw and answer Huber's letter asking him to protect our interests and ask him what to do. Can Huber be of any assistance to us in the Cuyamaca case? What was the La Mesa District going to use Huber for? In the matter of the right of way of the San Diego Flume Co. from Hatton, please follow this matter right up and show them the situation so that our records will be made as clear as possible.

Ed Fletcher.

EF-BK

January 5th,  
1915

C. W. CO.  
FILE

Mr. Ed Fletcher,

Manager.

Dear Sir:-

Replying to yours of the 5th regarding water rights, I should reverse the order and ask first, what is the value of a water right; and second, of a riparian right. The riparian question does not arise until a stream ceases to have a surplus so it is a secondary matter controlled somewhat by the first.

Fundamentally in my judgment the property value of a water right consists in the right of possession allowing the owner to designate on what land or to what use the water shall be put. If there is no other surplus water on the stream except that in your possession, you own a monopoly of the water. You are obliged to use it in order to hold this right. But because you own it, you are able to designate on what lands it will be applied which may be either your own property or the property of another who is willing to pay you a price for the privilege of having it applied.

There are two illustrations which I would use more or less. One is the irrigation out of the Hood River in the Hood River Valley, Oregon, where any owner of land can place a pumping plant on an inexhaustible river and irrigate his land which then becomes valuable. I can not see any possible basis for value of a water right in such case. Such value arises only when there is no surplus and there is more land seeking water than there is water.

The other illustration is 160 acres in private ownership of sage brush land worth \$10 an acre and a man sinks a well and finds a sufficient quantity of water to irrigate the area, then his land and water is worth say \$200 an acre. Obviously the water right value is \$190 an acre or say \$1900 a Miners Inch, and it is this amount that he would ask of his neighbor who did not have such a stream and who desired to purchase this water from him assuming that the neighbor had no other source from which to get water. Personally I believe that you can make no valuation claim for the water which the Cuyamaca Water Company has attached to definite areas of land or to the water furnished under domestic areas, because your right to designate where that water shall be used has ceased. But I believe you can claim for sale purposes the full value of the surplus water now in your possession including the surplus water furnished to the City of San Diego last winter and this winter, because you can say "I will furnish it to the City for such and such a price" or "I will sell it for such a consideration" or "I will place it on my lands near

Ed Fletcher Company  
FLETCHER BUILDING  
920 EIGHTH ST.  
SAN DIEGO, CALIFORNIA

C. W. CO.  
FILE

Post

AGENTS  
PINE HILLS  
DEL MAR  
GROSSMONT

January 5th,  
1915

Mr. Post:

I wish you would write me a letter with suggestions, first, as to how we can best prove the value of the riparian rights that we own on the San Diego River; and second, the value of a water right.

I know it is a big question but I want your idea on the subject. We all know that we can go and buy a piece of land around La Mesa at from \$100 to \$250 an acre, put water on it, sub-divide it into house lots and get \$3,000 an acre for it; or put it into citrus land and make the land worth \$1,000 an acre easy until it comes to a question of sub-division and it doesn't seem right that the Water Company should be made the goat and get nothing for its water right but the land get all the benefit owing to its ability to get water. Please think this matter over and let me have a letter from you within the next three or four days on the subject. I have asked a number to write me their opinion.

EF:BK

Ed Fletcher

Mr. Ed Fletcher, #2.

Grossmont" or "I will give it to the El Cajon Valley provided the price is satisfactory to me". Always it is possible for you to apply it to your own land and therefore take desert land and increase the value to that of irrigated land and the power to do this is a measure of the value of this surplus water to you or to the purchaser.

To establish the exact amount of this value requires evidence and the following is I believe good evidence:

The original prices paid per inch for water rights in 1888 to the Flume Company. The values of irrigated land in El Cajon Valley and around La Mesa in comparison with sage brush land adjoining. The transfer value paid by the City of San Diego for the Cottonwood water which was approximately \$1,200,000 for 450 Miners Inches or approximately \$2,700 per Miners Inch at the intakes. The cost of water from other sources which here means the cost of pumping from wells driven into the ground. The actual amount paid by consumers voluntarily on the flume system for excess water which was 5 cents a thousand gallons or \$237 per Miners Inch per year which capitalized at 7% would be \$3,400 per Miners Inch.

The Railroad Commission has heretofore contented that they will allow no value for a franchise and the right to the use of water granted by the State is considered to be in this claim. As I understand it, the Supreme Court decision obliges them to assign value to a water right. It would then be mere quibbling if they should assign a nominal value provided you presented clear evidence to show that the value was great.

There is a study made in the United States Census of 1900 which I believe should be incorporated in the case in which it was concluded that the increase in value of land due to the fact that it was known that water could be applied on land, but before it was actually applied was \$60 an acre average for western America.

Now as to riparian rights, let us assume that water right values have been proven to have a substantial market value say of \$3,000 a Miners Inch exclusive of cost of delivery. In purchasing the possessory right to water from two streams, one of which has no riparian rights to consider and the other in which \$1,500 an inch has to be paid to satisfy riparian owners, the value of the water right would be \$3,000 in the first case and \$1,500 in the next. In other words, the market or exchange value of water right is what people will pay for it or at which it is sold and is made up of such elements as release of riparian rights and water filings and works upon a stream which are adjudicated. But you can not add to the market value, say of \$3,000

Mr. Ed Fletcher, #3.

a Miners Inch of water the \$1,500 for riparian rights. On the contrary if you assign value to riparian rights, you will have to decrease the value of the water right considered in itself.

From this standpoint all that I can see in riparian rights which you own is a proof that you are in complete possession of the water. In the case of the San Diego River, you control the riparian right to one-half of the acreage which applies to the entire safe yield of the River and the real value of these riparian rights would be measured by the cost of acquiring the balance in somewhat the same way as Mr. Harroun decreased the Volcan Company's water right values on the Santa Ysabel River on account of the San Pasqual lands.

As you see for rate making purposes I can not see the propriety of asking for water right values as regards your consumers of record. I see every propriety in asking for a recognition of water right values for excess water and surplus water such as you furnish the City of San Diego.

For sale purposes I should be inclined to cancel the 242 Miners Inches which you are obligated to serve on specified lands and specified communities in perpetuity.

The next class would be an initiated and perfected water right to about 500 Miners Inches which you have in your possession and control and on which you can designate where it shall be placed and for this I should claim at least \$5,000 a Miners Inch at the diverting dam.

The third class would consist of the riparian rights held by you for the balance of the yield of the River, say 400 Inches more for which you have established no rights by diversion or storage, but for which you hold a riparian right to one-half of the area of the watershed. For this I should ask rather a low figure not over \$500 a Miners Inch.

I believe there is a provision in the Public Utility Law where the Commission has forbidden to establish a monopoly and yet, as I see it, the only reason why water right values arise is due to the fact that you have a monopoly of a natural product which monopoly was granted you by the State with the single provision that if you do not use it, you forfeit it.

Very sincerely yours,

WSP-BK

WSP

C. W. CO.

FILE

January 5, 1915.

Mr. Post:

Enclosed find letter from Britton & Gray. Also my answer in reply. What I am referring to is the Conejos Reservoir site. Have you any suggestions to offer?

Ed Fletcher.

EF-BK

*in El Capitan File*

Copy

BRITTON & GRAY  
Attorneys & Counsellors at Law,  
Wilkins Bldg., 1512 H St.,  
Washington, D. C.

F.W.C.

December 31, 1914.

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

Dear Sir:-

Confirming our telegram of yesterday, as follows:

"Hamilton application rejected by Commissioner."

We enclose tissue copy of the decision of the Commissioner of the General Land Office, dated the 30th instant, rejecting the application of W. B. Hamilton, for easement for a reservoir site along the San Diego River in Tps. 14 and 15 S., R. 2 E., S.B.M., partly within the Capitan Grande Indian Reservation, and partly within the Cleveland National Forest.

As you will recall, we protested against this application, but the decision, in rejecting the application, rests alone upon the adverse report of the Indian Office, rendering consideration of our protest unnecessary. Hamilton has, of course, under the rules governing procedure before the Interior Department, opportunity for appeal within thirty days after notice. It might be well for you to see that the Local Office gets the notice out promptly, as this will greatly aid in the final cleaning up of the application.

We have followed this matter very closely, and are much pleased with the results obtained. As we have heretofore advised you, we are pressing the Indian Office for action upon the right of way application filed by you and Mr. Murray. We are promised that early in the next week a stipulation will be submitted for your approval.

Very truly yours,

Britton & Gray.

Copy

In reply please refer to

Los Angeles 014683 "F" MN

1 Ex. B & G  
1 Ex. R & R

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE?  
WASHINGTON.

December 30, 1914.

Hamilton Dam & Reservoir : Rejecting application for  
: easement, subject to appeal.

Register and Receiver,

Los Angeles, California.

SIES:

By letter dated July 8, 1914, you were directed to lay a rule on W. B. Hamilton to show cause why the application filed by him in your office February 19, 1912, for easement for a reservoir site along the San Diego River in Tps. 14 and 15 S., R. 2 E., S B M, partly within the Capitan Grande Indian Reservation, and partly within the Cleveland National Forest, should not be rejected. This action was taken upon a report from the Second Assistant Commissioner of Indian Affairs to the effect that the allowance of Hamilton's application would seriously interfere with the rights and interests of the Indians within the reservation. In due time Hamilton made answer to the rule, and his reply was submitted to the Commissioner of Indian Affairs for consideration and supplemental report. On the 17th inst., the Commissioner reported on this application, in part, as follows:

"One part of the showing made by Mr. Hamilton was transmitted to Superintendent McCormick of the Pala School under date of October 29, 1914, with request that it be given careful consideration and returned with his report and recommendation through Superintendent of Irrigation, C. R. Olberg, 528 Federal Building, Los Angeles, California. Reporting under date of November 18, 1914, Superintendent McCormick says that that part of the reservation not included in the proposed reservoir is mountainous and rocky and that in his opinion, if Mr. Hamilton's application is approved and the proposed dam constructed, the reservation would be practically worthless.

Superintendent McCormick says further that no complaints have ever come to him from the Indians except

Los Angeles 014683 "F" MN

when they have been unable to get water from the flume of the San Diego Flume Company; that he has done ~~every~~ thing in his power to see that the Indians get the water from the said flume to which they are entitled; that the company owning the flume was required by the California Railway Commission to make repairs during the past summer; that during this time the crops suffered; but that the injury done was unavoidable and that the Indians suffered no more than other patrons of the company located below the reservation. The Superintendent says that there is plenty of water on the Reservation for the Indian stock and now that the flume is repaired and an employe appointed to look after the interests of the Indians at Capitan Grande he believes there will be no further complaints made about the water supply.

The Superintendent says that he is strongly opposed to moving the Indians and that in his opinion, such an act would have to be accomplished by force; that with their land and water supply the outlook is promising for the Indians; and that he disapproves of the proposed resurvey for the following reasons:

1. The tillable land on the reservation is limited and any amount taken from the Indians will work them a hardship.

2. The granting of any reservoir site on any part of the reservation which would flood their tillable land and deprive them of any part of their farms would be an injustice to them.

The superintendent again recommends that Mr. Hamilton's application be disapproved.

Transmitting Superintendent McCormick's report above mentioned, Superintendent of Irrigation Olberg, under date of November 20, 1914, makes the following comment:

'The general situation on the Capitan Grande Indian Reservation is set forth in the accompanying reports by Mr. Bauer and myself on that subject.

Mr. Hamilton's charges, respecting the management of affairs on the reservation, are outside the point, and have no bearing on his application for right of way; the destruction of property rights on the reservation will be the same, irrespective of its present condition.

The Capitan Grande Reservation is one of the few reservations in Southern California of which we have no topographic map. The right of way map prepared by the San Diego Flume Company, and surveys of each irrigable tract, were sufficient to meet all previous needs. The maps, together with the U.S. Geological Survey Quadrangle, and personal inspection, indicated that 70 per cent of the irrigable land of the reservation will be flooded. This is

confirmed by Mr. Hamilton in his "Answer by way of showing cause on order of Commissioner of Gila Land Office," where he states that 175.8 acres out of a total of 221.8 acres will be flooded by the reservoir. By irrigated land is meant land that can be irrigated by the present irrigation system.

The system consists of 18 pipe laterals, heading in the San Diego Flume along a distance of approximately 7 miles.

It is obvious from the above that every acre that is at all suited for irrigation can be watered from one of these lines. In fact, land was so scarce that means were provided to irrigate land along the steep canyon sides. It is this land and that lying at the upper end of the reservation that will not be subject to overflow by the proposed reservoir. All the best land will be so flooded.

The Indians have an equity of fully \$100,000.00 in the land and water on this reservation that will be destroyed by the proposed reservoir, to say nothing of the back country consisting of 26½ square miles, which will become useless to the Indians if their houses are destroyed.

The same conditions will obtain, only to a less aggravated extent, if the lower dam suggested by Mr. Hamilton were constructed.

To my knowledge there are five or six small reservoir sites along the head water of the San Diego River that could be made to serve the purpose of the ~~xxx~~ reservoir proposed by Mr. Hamilton. The point advanced by Mr. Hamilton respecting water rights is not clear. If the amount of unappropriated flood water now going to waste is as he states, a large part of it would be available for storage at the head waters as well as lower down the stream.

As stated in my previous report on this subject, I do not believe the Indians should be placed in the position of blocking the progress of a large community, but before they are disturbed all other means of obtaining the desired result should be exhausted.

This does not appear to be the case in the present application, and I concur in Supt. McCormick's recommendation that the application be denied.'

"In view of the supplemental reports received from Superintendent McCormick and Olberg, as set forth above, the Office again recommends that the application of Mr. Hamilton be disapproved."

In view of this report and recommendation, Hamilton's application is rejected, subject to the usual right of appeal.

Inclosed is a copy of this decision for service on the ~~applicant~~ applicant, and at the expiration of the time allowed for appeal, transmit evidence of service thereof on him with report in the premises.

Very respectfully,

Commissioner.

12-22 HMC

January 8th, 1915.

Mr. Post:-

Please draw up the papers immediately transferring to William G. Henshaw all of our lands in the San Clemente, Carroll, Pamo, Sutherland, Warners and Santa Maria Reservoir sites so that a certificate of title can be brought down showing everything in the name of William G. Henshaw, either free and clear of incumbrances or subject to mortgage.

Please have Makin attend to this matter immediately.

He can find out from Kate and also from the records at the Court House as to whose name the title stands in each individual case. This wants to be attended to immediately.

I think the Warners Ranch now stands in the name of William G. Henshaw. Tell Makin to get all the certificates of title together and if Kate ~~hasn't~~ hasn't got them, send for them up to San Francisco or let me know what certificates of title are needed and I will write a letter and get them. We have no certificate of title to Warners Ranch, but we have an abstract of title which I will bring down to date.

Yours very truly,

Ed Fletcher.

EF-BK

San Diego, Calif., Jan. 13, 1915.

Mr. Post:

Get a Tribune of January 9th, page 17, and you will see the ordinance passed by the City of San Diego condemning our entire water system. Check it over and see if they have left out anything.

Ed Fletcher.

F-S

C. W. CO.  
FILE

January 18th,  
1915

Mr. S. B. Robinson,  
819 Merchants National Bank Bldg.,  
Los Angeles, Cal.

Dear Sir:-

I enclose Mr. Cosgrove's Opinion on the "Rights of the City of San Diego to the Waters of the San Diego River".

Mr. Stearns is preparing copies of the petition to the Railroad Commission for approval of contract of sale and petition of City for valuation of system for condemnation. These are the last items ~~not~~ checked off on your list. I suggest that you write Mr. Stearns mentioning these three petitions again as I have only spoken to him about it verbally and it may be overlooked.

I am working on the water rights actually used and number of inches not used but paid for.

Yours very truly,

WSP-BK

Enclos.

January 19, 1915.

Mr. S. B. Robinson,  
819 Merchants Natl Bank Bldg.,  
Los Angeles, Cal.

Dear Sir:-

Enclosed find copy of Resolution No. 18755 which was overlooked when mailing the other resolutions to you yesterday.

Yours very truly,

Engineer,  
C W Co.

BK

Enclos.

*relative to*  
*See City of San Diego, Water furnished.*  
*for Resolution.*



M. M. O'SHAUGHNESSY  
CITY ENGINEER  
SAN FRANCISCO

January 25, 1915.

V. L. & W. CO.  
FILE

Mr. W. S. Post,  
Engineer, Volcan Land & Water Co.,  
924 H Street, San Diego, California.

Dear Sir:

I received to-day your proposal of the Volcan Land and Water Company and its offer to the City of San Diego, with accompanying documents, for which I thank you.

Very truly yours,

*M. M. O'Shaughnessy*

MMC'S/AO

WATER RIGHT VALUES

By C. H. Lee and

W. S. Post

January 31, 1915.

1. Water rights in control of company:

(a) Perfected flume right initiated in 1886 by three appropriation notices; one on Boulder Creek at Cuyamaca Reservoir, one on San Diego River at Diverting Dam, and one on South Fork at intake of feeder. Construction at Cuyamaca Reservoir commenced in fall 1886 and completed in February 1887. (Irrigation in Southern California by State Engineer, page 71) In 1894 an addition of 6.5 feet was made to the height of the dam.

The Diverting Dam and surveys for the flume were begun in fall of 1886; grading for flume commenced in spring of 1887; the building of flume in summer of 1887, and completed in October 1888. First water was released from Cuyamaca Reservoir in June 1888 (from Company's records) and presumably entered the flume the same month. Therefore water has been diverted and used under original appropriation notices for 26 years. The records of diversion are fragmentary until 1899. The following table shows for each year the maximum miners inches diverted and the total amount in acre feet.

<u>Year</u>	<u>Maximum Diversion Miners Inches</u>	<u>Total Acre Feet</u>
1899	680	1194
1900	640	710
1901	830	3835
1902	925	3034
1903	815	4266
1904	725	594
1905	785	5830
1906	845	7247

# This latter includes storage water from Cuyamaca Reservoir of 1370 acre feet annually the remainder being natural flow. The local drainage area of La Mesa Reservoir (3.7 sq. miles) based on observations in 1914 has a safe yield of 7 Miners Inches during an eight month service or 68 acre feet.

Year	Maximum Diversion Miners Inches	Total Acre Feet
1907	800	6081
1908	670	6864
1909	750	5787
1910	710	6468
1911	780	3935
1912	780	4801
1913	2000	6786
1914	1605	5305

Neglecting the years 1913 and 1914 during which increased diversion was made under a new appropriation (see Section "C" below) the maximum diversion was 925 Miners Inches and the average annual volume diverted 4332 acre feet. (The latter is a continuous flow of 300 miners inches but it is suggested that this form of presentation be avoided throughout the case) #

(b) Perfected right to pump from gravels of San Diego River into flume for purpose of supplementing gravity diversion described in "A". Initiated in 1899 by construction Monte and Capitan Pumping Plants. Water first delivered to Flume March 1899 and more or less continuously to December 1904. During the period 1905 to 1912 no water was pumped into Flume, since the flow of the stream and Cuyamaca storage was sufficient to supply the demand. (Drawing No. 2474 covering the period 1909 to 1912 inclusive shows a full supply except for four winter months.) In 1913 there was shortage of stream flow and by order of Railroad Commission pumping plants were installed. A pumping plant (No. 4) near diverting dam was put in service in September 1913; Chocolate Plant (No. 2) in October 1913; and School House Plant (No. 3) in November 1913. In October 1914 the Monte Plant was again put into service.

The following table shows for each year the maximum miners inches pumped and the total amount in acre feet:

Year	Maximum Miners In- ches Pumped	Total Acre feet
1899	248	1271
1900	236	1871
1901	208	648
1902	213	657
1903	206	854
1904	214	1278
1913	75	63
1914	56	162

The maximum miners inches pumped was 248 and the average annual volume 850 acre feet.

Neglecting as before the years 1913 and 1914, the combined gravity and pumped perfected flume right remains a maximum of 925 miners inches and the average annual volume diverted 4800 acre feet.

(c) Additional flume water rights were initiated June 1, 1910 by appropriation notice at Diverting Dam. The following construction was done in furtherance of this appropriation. In 1911 the placing of an additional side-board was commenced giving a maximum flume capacity of 2000 Miners Inches, and this work was prosecuted steadily and a diversion maintained as far as the construction had extended. This additional diversion was first turned out at the first waste gate 1/4 mile below Diverting Dam. By April, 1915, it was carried to Sand Creek at the 3rd mile. In the fall of 1913 to the 4th mile, and in ~~November, 1914~~ <sup>January 1915</sup> to the end of the flume. In the summer of 1913 the South Fork feeder was increased from 250 miners inches to 1000 miners inches capacity.

In 1911 work was commenced to increase the storage capacity at the end of the flume by the construction of Murray Hill Reservoir. The capacity of the reservoir is 127 acre-feet, which can be reasonably considered to increase the service

service of the system by <sup>13</sup>16 miners inches.

In 1912, the Diverting Dam was raised 5 feet increasing the storage capacity 44 acre-feet. This can reasonably be considered to increase the effective diversion by 18 miners inches

By November, 1914, the increased capacity was complete and if this had been available during the preceeding ten years, we calculate that there would have been an average annual additional amount available in excess of the actual diversion during this period of 4900 acre-feet. #

In July, 1910, surveys were begun at the Conejos Reservoir Site located on South Fork on the Indian Reservation. In May, 1911, an application for this reservoir was made to the Secretary of the Interior. This application has received the approval of department officers and is pending before the Secretary of Interior. When this is granted the payment of \$2600. will secure a reservoir site of 867 acre-feet.

In July, 1910, surveys of Poverty Gulch Reservoir Site on King Creek, a branch of South Fork, were begun and detailed surveys were completed in 1911. In 1911 the company purchased from the Copa de Oro Mining Company acres of land covering the damsite and a portion of the area to be flooded of this reservoir site. On May 20, 1913, application was made to the U.S. Forest Service for easement on approximately 20 acres of public land also flooded, which was granted June 30, 1913. A small acreage in the upper portion of this site still remains to be purchased. The capacity of this reservoir is 760 acre-feet.

In July, 1910, surveys were commenced on Boulder Creek Reservoir Site. In May, 1913, application was made to the Secretary of Interior for easement to occupy acres, which would be flooded by this reservoir, whose capacity is 78 acre-feet. This was granted Dec. 30, 1914.

# In addition to construction work mentioned above, the following steps were taken to increase the storage regulation for water available for diversion in the flume.

In July 1910 surveys were made for a reservoir site on Cedar Creek at the Inaja School House. No further steps have been taken. In 1911 complete detail surveys were made of the Diverting Dam Reservoir site proposing to increase the height of the present dam 40 feet and increasing the capacity from 69 acre feet to 1715 acre feet. In 1914 complete designs of the dam structure were completed. The right to flood additional land is covered by the original easement from the Department of the Interior upon Indian lands of Capitan Reservation.

In July 1913 the company made complete surveys of the Tule Reservoir on Sand Creek and made application to the Secretary of Interior for a right of way to divert Boulder Creek into this reservoir and an easement for a portion of the flooded area. This has been granted. The dam site and remaining area is in private hands and has not been purchased. The feasible capacity is 1090 acre feet.

At La Mesa Reservoir the Company owns the floodage rights to a height of 100 feet, which, if the dam was raised, would provide additional storage of 4570 acre feet.

5 1/2

In July 1910 surveys were made for a reservoir site on Cedar Creek at the Inaja School House. No further steps have been taken. In 1911 complete detail surveys were made of the Diverting Dam Reservoir site proposing to increase the height of the present dam 40 feet and increasing the capacity <sup>from</sup> 69 acre feet to 1715 acre feet. In 1914 complete designs of the dam structure were completed. The right to flood additional land is covered by the original easement from the Department of the Interior upon Indian lands of Capitan Reservation.

All the above mentioned reservoir sites will deliver water to the flume by gravity through natural channels and are similar in storage value to Cuyamaca Reservoir.

On the main San Diego River and 150 feet below the level of the flume is located the Capitan Reservoir site. In July 1913 the company purchased the Damsite and 160 acres of the area to be flooded. Work of prospecting the foundations for bed rock at the dam was commenced in November 1913 and prosecuted continuously to date. The capacity for 60 foot dam is 5220 acre feet. In September 1913 a pumping plant was installed within the limits of the flooded area and operated in 1913 and 1914, thus initiating the diversion. The maximum diversion was 50 miners inches. Beginning January 1915 the maximum pump capacity was reduced to 27 Miners Inches. On June 12, 1914 the company made an appropriation at the damsite claiming 500 Miners Inches to be pumped into the flume at the outlet and along the margin of the reservoir. A small area in private ownership in the upper end of the reservoir site is still to be acquired.

12  
6

In this connection as bearing on the increased carrying capacity of the flume, we again mention the School House Pumping Plant. This plant was installed in October 1913 and delivered a maximum of 27 Miners Inches in 1913 and 1914. In January 1915 this plant was increased to a maximum of 50 Miners Inches. On June 12, 1914 an appropriation was made by the Company at this site for 50 Miners Inches.

<sup>To recapitulate</sup>  
The new flume rights initiated by appropriation and raising the flume sides have made available a maximum diversion of 1075 miners inches in addition to the original 925 Miners Inches which for such a period as 1899 to 1914 would amount to an average annual diversion of 4900(?) acre feet over and above the 4800 acre feet actually diverted.

The raising of the Diverting Dam and construction of Murray Hill Reservoir have actually made available for delivery on demand for irrigation or domestic use 18 miners Inches during an 8 months irrigation season.

The construction of the Conejos, Poverty Gulch, Boulder Creek, Cedar Creek <sup>Tule, El Capitan & enlarged La Mesa</sup> and Diverting Dam Reservoirs would make available for delivery on demand for irrigation or domestic use \_\_\_\_\_ Miners Inches during an 8 months irrigation season.

Summary of water rights in control of Company:

- (a) Perfected flume water right of 925 Miners Inches maximum diversion and an average annual volume of natural ~~flow~~ and stored water of <sup>4400</sup>~~4500~~ acre feet of which 1320 acre feet is storage water from Cuyamaca; and 68 acre feet from the local watershed of La Mesa Reservoir.
- (b) Perfected flume right to pump from gravels which is identical in effect to a storage right. This consists of a

~~7~~  
&

maximum diversion or more properly maximum draft from subterranean storage of 248 Miners Inches and an average annual volume of 850 acre feet.

The combined gravity and pumped perfected flume right remains an maximum of 925 Miners Inches and the average annual volume diverted is 4800 acre feet. Add to this 68 acre feet from the local water shed of La Mesa, the total becomes 4868 acre feet.

(c) Initiated flume rights partially put to beneficial use but not as yet attached either to lands or communities or subject to service obligations of the Cuyamaca Water Company. This consists of a maximum diversion of 1075 Miners Inches in addition to the original Miners Inches and an average annual volume capable of diversion over and above that diverted in the past of 4900 (?) acre feet. With the additional storage already provided at Diverting Dam and Murray Hill Reservoir there is available for delivery on demand 18 miners inches during an eight months irrigating season. With the proposed storage for which lands and permits have been mostly secured, there would be available for delivery on demand            Miners Inches.

GUYANACA WATER COMPANY

EXHIBIT H - 11

TOTAL AMOUNT OF WATER DIVERTED AND PUMPED INTO THE FLUME FROM SAN DIEGO RIVER - YEARS 1899 to 1915

Values in Acre Feet.

<u>Month</u>	<u>1899</u>	<u>1900</u>	<u>1901</u>	<u>1902</u>	<u>1903</u>	<u>1904</u>	<u>1905</u>	<u>1906</u>	<u>1907</u>	<u>1908</u>	<u>1909</u>	<u>1910</u>	<u>1911</u>	<u>1912</u>	<u>1913</u>	<u>1914</u>	<u>1915</u>
January	0	155	222	113	84	143	73	570	309	503	476	130	495	78	361	287	
February	94	167	633	106	769	106	677	489	179	436	180	295	531	102	980	366	
March	553	222	646	925	753	190	319	611	280	458	208	497	345	665	2460	1403	
April	457	323	436	777	744	413	626	672	488	664	535	553	655	776	1304	971	
May	241	318	610	322	638	270	720	702	719	663	758	649	559	733	307	964	
June	175	196	365	337	560	216	704	821	613	703	595	654	337	562	373	288	
July	12	177	442	362	439	157	675	723	695	748	630	727	306	568	411	223	
August	151	265	680	235	340	86	550	683	701	672	517	763	396	410	226	323	
September	247	242	191	185	212	104	649	623	660	611	512	727	286	208	185	196	
October	237	222	165	184	224	45	518	613	588	604	502	600	9	270	123	177	
November	156	164	61	109	201	78	125	495	366	511	388	435	0	227	45	141	
December	142	130	32	36	156	64	194	245	483	291	486	438	16	202	74	128	
<b>Year</b>	<b>2465</b>	<b>2582</b>	<b>4483</b>	<b>3691</b>	<b>5120</b>	<b>1872</b>	<b>5830</b>	<b>7247</b>	<b>6081</b>	<b>6864</b>	<b>5787</b>	<b>6468</b>	<b>3935</b>	<b>4801</b>	<b>6849</b>	<b>5467</b>	

2. Value of Company's Water rights.

Definition. A water right of one miners inch, as defined for purposes of this valuation is the right to divert a quantity of water equivalent to one miners inch flowing continuously for 8 months. Quantitatively it can be defined as the right to divert annually 9.64 acre feet at a maximum rate of one miners inch.

Theories of water right values.

1. Reproduction value. The Supreme Court has recently decided that water rights are property and have value. The approved method of ascertaining value of all other kinds of property such as lands and constructed works is to determine reproduction cost based on present prices. The application of this method to water rights would logically admit of a presentation of value based on the cost of obtaining these rights now had they not been obtained years ago. Applying this method to the water rights of the Cuyamaca Water Co. the following results:

(a) Perfected rights = 4800 acre feet for 8 months = 495 Miners Inches.	
Cost of examination of site, legal expense, posting/and repeating filing,	5,000
Cost of litigation 1913 pumping case,	5,000
Cost acquiring riparian rights to 197,380 linear feet of river frontage along San Diego River from Diverting Dam to ocean	
Legal services in connection with obtaining consent to diversion by Indian Service for 37,800 linear feet,	\$ 1,000
Present purchase price of 35,000 linear feet now owned by Company at \$4.00	70,000

\$140,000 for half of total right  
 1915 - present purchase price  
 of 109,580 linear feet obtained by  
 prescription at \$4.00 - \$439,320. 510,320.

Total ----- \$520,320.

Thus the reproduction cost of 495 Miners Inches is \$520,320 or \$1,050 per Miners Inch.

(b) Recently initiated rights = 4900 acre feet for 8 months = 505 miners inches.

Cost of examination of site, legal expense, posting, recording and surveys El Capitan Res. \$3002  
 Conejos Res. 1212  
 Poverty Gulch Res. 1687.  
 Tule Res. 700.  
 General 1000

\$7,601

Proportional purchase price of 35,000 linear feet riparian frontage now owned by Company 70,000

Attorneys fees for opposing adverse water filings, 3,000

Total ----- \$ 80,601.

Thus the reproduction cost of 505 Miners Inches as now held is \$80,601 or \$160 per miners inch.

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
924 EIGHTH STREET  
SAN DIEGO, CALIFORNIA

February 7, 1915.

Ed Fletcher, Manager,  
Volcan Company.

Dear Sir:-

I think Wehlford, of Escandido, will be a material witness in the case. He told us that he testified in the Sweet-water Case, and the notes which I have handed you of his opinion of the value of water rights, and the statement of the cost per year to the Escandido consumers, were the substance of his testimony at that time.

We would want him to testify, first, in the rate case, to prove that irrigation consumers in a mutual company are successfully paying an annual charge of \$30.50 per acre. Inasmuch as you receive only \$6.50 per acre on this system, his testimony is material to justify an advance of four times the present rate, or 5 cents per 1000 gallons, which is about what I propose to place in our statement of proper rates.

He will also prove that the market value per Miners Inch delivered at Escandido is 2000.00, and that this represents solely the cost of the physical works. As the owner of the water right also owns the land, the water right value there is shown by the difference in the value of land inside and outside of the district, which varies from \$100. to \$150. per acre, or from \$500. to \$750. purely a water right value at the intake, exclusive of the cost of works. This part of his testimony will show a rather low water right value, according to my notion, but undoubtedly considerably above anything that the Commission will allow you; but his testimony regarding water rates is very essential, because that is purely a voluntary rate of a mutual company.

Very truly yours,

*WSP*

WSP-T

M. M. O'SHAUGHNESSY  
CITY ENGINEER  
SAN FRANCISCO

February 8, 1915.

Mr. W. S. Post,  
Engineer, Volcan Water Company,  
928 Eighth Street, San Diego, Cal.

V. L. & W. CO.  
FILE

My dear Sir:

On reviewing the data submitted to me I notice that in your report of May 11, 1914, you give a flood area of the Carroll Reservoir to be 980 acres, with a 90 foot contour and a capacity of 24,500 acre feet. In your report to the San Diego Commission of date January 1914, you give the area flooded for the same depth as being 290 acres and the capacity 7,300 acre feet. Am I to assume that your first estimate was merely preliminary and a good guess and that your final estimate is the result of careful surveys and conclusive data?

I would like to get profiles of the dam sites under consideration of purchase by the City, with exploration notes on same.

Has the pipe line from Carroll Reservoir to the City been surveyed and have you profile of same? Has the Pamo Aqueduct line been carefully surveyed and cross-sectioned, and estimates of quantities and construction prepared?

I have been analyzing the data in my possession and am making comparisons and crude estimates and would like to have this data verified.

Very truly yours,

*M. M. O'Shaughnessy*

MMO'S/AO

*penning*

- ✓ ①
- ✓ ②
- ✓ ③
- ✓ ④



1. a) Cross section of Dam Site -  
b) Table of capacities.  
(Mention will furnish of detailed Topography)

2. a) Warner <sup>Dam</sup> Profile  
b) Pamo <sup>Dam</sup> " (only on blueprints of Pamo) (conduit tracing missing)  
c) Sutherland Topogr. to go later.
3. Condensed Profile Carroll.

④ = Ask Hickok to get out.

February 11th,  
1915

Mr. M. M. O'Shaughnessy,  
Consulting Engineer,  
City Hall,  
San Francisco, Cal.

Dear Sir:-

My understanding is that the Offer of Sale of water properties made to the City under the original date of May 22nd with perhaps certain minor amendments is the only basis of the present negotiation and of the joint report. I can not at this moment recall any report to the San Diego Water Commission in January, 1914, giving the figures you mention, but if they were given, they were purely estimates or guesses, inasmuch as my survey of the Carroll Dam was begun subsequent to filing the water notice in February, 1914. The reservoir was elaborately contoured and a complete cross-section taken of the Damsite. A  $3\frac{1}{2}$  inch core drill was placed upon the site and bed rock has been fully explored. We find the bed rock to be extremely hard volcanic trap. The results of these explorations on the Damsites are mailed you under separate cover for Carroll Damsite and for Warner Damsite.

This afternoon I shall also mail prints of the Pamo Damsite with explorations and the topography of the Sutherland Damsite in lieu of a cross-section which I have not prepared.

The pipe line from Carroll Reservoir to the City has been surveyed and located and I shall send you in this second installment an alignment and profile of the same.

The Pamo aqueduct line has also been fully surveyed and cross-sectioned and estimates of quantities and construction made up. I shall have the quantities tabulated on the Pamo Conduit as soon as possible for your use.

Very sincerely yours,

WSP-BK

Mailed February 11, 1915, in separate package, Drawing No. 137 - Warner Borings; and No. 468 - Carroll Borings.

Package No. 2 for Mr M M O'Shaughnessy

City Hall, San Francisco, Cal.

Drawing No. 481 - Carroll - University pipe line profile.

Drawing No. 378 - Pamo Damsite Borings.

Drawing No. 399 - Table of Reservoir capacity.

Contour map of Sutherland Damsite.

J. B. LIPPINCOTT, CONSULTING ENGINEER  
MEMBER AMER. SOC. C. E.  
MEMBER AMER. INST. M. E.  
MEMBER PACIFIC ASSOC. OF CONS. ENGRS.

EDWARD R. BOWEN, STRUCTURAL ENGINEER  
ASSOC. MEMBER AMER. SOC. C. E.

ENGINEERING OFFICES OF  
J. B. LIPPINCOTT  
1100-1101 CENTRAL BUILDING  
LOS ANGELES, CALIFORNIA

February 15, 1915.

V. L. & W. CO.  
FILE

Mr. W. S. Post,  
Fletcher Building,  
San Diego, Cal.

My dear Mr. Post:

I am under the impression that you have made borings in the Warner Reservoir site and have determined the position of the ground water plane. If this is true I would be very glad to have this information made available. I have in mind outlining the area of moist land lying within the Warner Reservoir site from which there is soil evaporation, which evaporation of course has been automatically deducted from the estimated and measured stream flow at Warners. When the reservoir site is flooded the evaporation from the soil will stop so that the evaporation from the water surface should be reduced by the amount of evaporation that has previously been going on from the ground surface. I would be very glad if you would outline this moist area upon the map of the Warner Reservoir, your drawing #304, File B-20.

I wrote you under date of February 11th requesting the daily discharge of the San Luis Rey measured at Warners or the daily discharge at Pala, together with the daily diversions of the Escandido Ditch. This information has not come to hand as yet. I realize that your office is undoubtedly very much crowded in preparation for your hearing before the Railroad Commission. If you can find a place to squeeze this in it would be a great accommodation to us.

Very truly yours,

*Edward R. Bowen*

ERB-w.

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
FLETCHER BLDG., 924 8TH ST.  
SAN DIEGO, CALIFORNIA

February 24th,  
1915

Mr Ed Fletcher,

Mgr Cuyamaca Water Co.

Dear Sir:-

Mr McCormack and Mr Olberg are here primarily to investigate the possible damage of pumping plant No. 3 at the school house to the Indians. We have had a friendly talk this morning and the essential thing we think is to see that the watering troughs are kept full. Harritt was present and I think satisfied them on this point, being able to show that he could keep sufficient watering troughs full even when we were repairing the flume.

The second point is for Olberg to discern in his own mind whether our pumping operations will so lower the water plane that sub-irrigated pasture land of the Indians will be injured. For this reason I have suggested that Lee join them in this trip. I have already spoken to Lee and he will come down on the Owl and go with them. I have <sup>sent him a</sup> prepared a telegram, ~~which you can send to Lee if you think this is wise.~~ Olberg will be pleased to confer with Lee and while I do not think it is absolutely necessary, this investigation is worth while for him to make in order to stand cross-examination on the Railroad Commission hearing.

Yours very truly,

WSP

WSP-BK

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
FLETCHER BLDG., 924 8TH ST.  
SAN DIEGO, CALIFORNIA

February 24th,  
1915

Mr Ed Fletcher,

Manager Cuyamaca Water Co.

Dear Sir:-

The attached stipulations for the Conejos Reservoir I find are unchanged. The Departments having turned down our request for a modification as to the enforcing of the contract of 1892. I understand from Mr McCormack that the price remains the same, namely, \$2,782.50 for the land and \$108.00 for damages. The question is up to you and Mr Murray as to whether Provisions 5 and 7 are satisfactory.

My <sup>first</sup> own suggestion is this: That you ask for a stipulation incorporating the adjustment made by Departmental letter about September, 1910, whereby the acreage to be served were specified and whereby it was agreed that the maximum demand would be 40 miners inches. You understand that to incorporate this would result in holding up the whole matter for a long period, probably a year, while if you sign stipulations as they stand and in correct form, that the Secretary of the Interior will make the grant quite soon.

Mr McCormack will explain that there is local opposition among the Indians to the Reservoir, but that is something that the Department itself will have to take care of and ~~it~~ will tell you how long after the Secretary has signed the grant that you can actually enter on reservoir construction. In view of this delay, unsatisfactory as the stipulations are, I do advise that Mr Murray and you sign and be in a position to show that you have this reservoir site. This will of course require a draft for \$2,890.00 which I think will only be cashed in case the grant is made.

As I shall not be present, Please ask Mr McCormack what form of draft is required to comply with regulations.

Yours very truly,

WSP

WSP-BK

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
924 EIGHTH STREET  
SAN DIEGO, CALIFORNIA

February 26th,  
1915

Mr ED Fletcher,

Mgr Cuyamaca Water Co.

Dear Sir:-

Subject: El Cajon City Pipe Line.

McFadden of my office and John Rogers, trustee and City Engineer, agreed on the alignment of the pipe and have set out the trench. I understand that the Company's responsibility ceases at this point and that the trench will be furnished by the City of El Cajon under direction of Rogers who will also supervise the laying of the pipe and backfilling from the outlet of the reservoir to the City Hall in El Cajon. In an interview yesterday with Rogers he asked that the pipe laying be done by the Cuyamaca Water Co's gang and the cost of the same should be charged to the City of El Cajon.

The ground is so soft that it would be impossible to do anything with this trench for several days. It is understood that the 4 inch pipe line will be coupled up to the two inch lines now in El Cajon Acres and to the 1½ inch line running to the depot.

There will also be some 500 linear feet of 2 inch pipe on Washington Avenue which you have laid for El Cajon Acres which will now be duplicated and should be taken up. You had better advise Mr Harritt what is to be done with this. Possibly it could be sold to El Cajon City for relaying on their distribution system.

McFadden is instructed to show you the final map of his survey as soon as it is ready, copies of which will be furnished Rogers.

Rogers also brought up the question of getting Webster Reservoir in proper shape for a munisiple supply. What have you agreed to do in this connection? Either you or El Cajon City should provide a carefully worked out set of screens around the inlet pipe on the inside of the reservoir, screens which can be lifted and cleaned from sticks and rubbish. There also should be an automatic supply from the flume whereby this little reservoir should always be kept full in order to have the largest settling area possible. If anything in the contract requires enlargement or lining of this reservoir or placing blow-offs in the reservoir, let me know and if it is to be done at your expense, it will be well to measure up carefully the reservoir and figure on the exact way in which the lining, screens and other appliances should

Mr Ed Fletcher, #2.

be worked out. There should be of course a 4 inch meter installed on this line and two fish traps, one of which is on a by-pass to admit of cleaning without cutting off the supply.

I think the trustees and Rogers, the city engineer, are satisfied with everything which has been done thus far.

Very sincerely yours,

WSP-BK

W. S. Post

February 26th,  
1915

Mr M M O'Shaughnessy,  
San Francisco, Cal.

V. L. & W. CO.  
FILL

Dear Sir:-

I enclose the remaining photographs taken on  
February 21st and 22nd.

Yours very truly,

WSP-BK

Enclos.

V. L. & W. CO.  
FILE

February 26th,  
1915

Mr M M O'Shaughnessy,  
San Francisco, Cal.

Dear Sir:-

I enclose a study of evaporation on the  
Volcan system.

Yours very truly,

WSP-BK

Enclos.

COPY

February 26th,  
1915.

Mr M M O'Shaughnessy,  
2732 Vallejo St.,  
San Francisco, Cal.

Dear Sir:-

Regarding the company's settlement of rights on the Santa Ysabel and the East San Pasqual irrigating ditch, I enclose the agreement between the Pamo Water Co. and John B. Judson et al recorded in Book of Deeds 155, page 106 and dated Sept. 18, 1889. This is considered to cover a complete settlement of the East San Pasqual Ditch whereby virtually the water in the ditch is taken over and a sufficient amount between January 1st and June 15th of each year will continue to be furnished them as they used it in the past and for the remainder of the year is to consist of not over 10 miners inches.

You will understand that the east and west San Pasqual ditches have adjudicated their rights as follows: The East San Pasqual ditch shall have the full flow of the river at the head of the East San Pasqual Ditch from August 15th to January 15th of each year and from January 15th to August 15th the two ditches shall alternate in the use of the water. The West San Pasqual ditch shall have the first 20 days and the East San Pasqual the last 10 days of each month. The area involved is about 451 acres on the west San Pasqual ditch and about 400 acres on the East San Pasqual.

A portion of this acreage on the West San Pasqual ditch is owned by the Volcan Co. and the remainder is still to be obtained confined, however, solely to the west San Pasqual ditch.

WSP-BK

Yours very truly,

V. L. & W. CO.  
FILE

February 26th,  
1915

Mr M M O'Shaughnessy,  
2732 Vallejo St.,  
San Francisco, Cal.

Dear Sir:-

Regarding the Company's settlement of rights on the Santa Ysabel and the East San Pasqual irrigating ditch, I enclose the agreement between the Pamo Water Co. and John B. Judson et al recorded in Book of Deeds 155, page 106 and dated Sept. 18, 1889. This is considered to cover a complete settlement of the East San Pasqual Ditch whereby virtually the water in the ditch is taken over and a sufficient amount between January 1st and June 15th of each year will continue to be furnished them as they used it in the past and for the remainder of the year is to consist of not over 10 miners inches.

You will understand that the east and west San Pasqual ditches have adjudicated their rights as follows: The East San Pasqual ditch shall have the full flow of the river at the head of the East San Pasqual Ditch from August 15th to January 15th of each year and from January 15th to August 15th the two ditches shall alternate in the use of the water. The West San Pasqual ditch shall have the first 20 days and the East San Pasqual the last 10 days of each month. The area involved is about 451 acres on the west San Pasqual ditch and about 400 acres on the East San Pasqual.

A portion of this acreage on the West San Pasqual ditch is owned by the Volcan Co. and the remainder is still to be obtained confined, however, solely to the west San Pasqual Ditch.

Yours very truly,

WSP-BK

March 2, 1915.

Mr. Post:

It seems to me that the City of El Cajon should pay the laborers. I don't want to advance the money. You write to Mr. Rogers, and tell him to have the City of El Cajon pay for the laborers that we furnish. This keeps us out of it entirely.

Regarding the 500 feet of 2" pipe on Washington Ave., tell parritt to turn it over to Duley and instruct Duley to put it near the pumping plant at the foot of Grossmont.

Tell Rogers he has the right to go in and fix up the Webster Reservoir to suit themselves, at their own expense. This is for them to do, and not for us. The agreement particularly specified that. Get a copy of the agreement from Mathews for the City of El Cajon.

You and Rogers get together and agree on what shall be done at Websters Reservoir, and let me know, and I will then give instructions. Nothing is to be done at our expense, excepting furnishing the pipe line. El Cajon must furnish the fish traps.

Send me copies of any letters that you write them.

Ed Fletcher.

F-8

March 2, 1915.

Mr. Post:

Regarding this memorandum conversation with Olberg, of February 24, 1915, do not furnish this information to anyone until it is first approved by Mr. Henshaw. Let me see you on your return.

Go ahead and have your hydrographer at Warners Dam visit the station weekly, as per your suggestion.

I hope you have in no way given any encouragement to Mr. Olberg in this matter.

Ed Fletcher.

F-8

Mr. Henshaw:

The above is explanatory and for your information. Enclosed find copy of Olberg's conversation with Post.

F-8

WATER RIGHTS VOLCAN COMPANY

Memorandum of Conversation with C. R. Olberg, February 24, 1915.

The Indian Service claims 6 second feet or 300 Miners Inches for the Rincon Reservation if it is in the River. They claim that this is the capacity of the Rincon Ditch and their ditch right is superior as a ditch to the Escondido diversion and in any case superior because of riparian ownership.

They also recognize that after May the summer flow decreases to 75 Miners Inches in ordinary years and may even be perfectly dry in very dry years. For this reason they plan pumping plants to supply themselves with pumped water but have been disappointed in the extent of the character of the gravels. To operate these pumping plants they have entered into the arrangement with Escondido to buy power from the Escondido plant.

The claim of the Indian Service at Pala is also 6 second feet or 300 Miners Inches.

To return to the Rincon Indian right, Mr. Olberg's position is that the construction of Warner Dam must recognize the summer flow and the problem is to determine what the present regime of the river is in the summer time and establish a relation for low water flow under present conditions at the Escondido intake with the summer flow at Warners Dam. It is agreed that Mr. Olberg will place an automatic register at the Escondido intake and spend as much as his Department will allow in placing a concrete sill across the River so as to make it an accurate station. I suggest for the Volcan Company that our hydrographer at Warners Dam be instructed to visit

the station weekly and take care of the records as our contribution. By the time this summer is over it will be known what the summer flow at the Escondido intake is and its relation to the summer flow at Warners. This then will be the basis of the amount which the Indian Service will require to be turned out during the summer past Warner Dam.

I think it is clear that this position of the Indian Service that nothing shall be done at Warner Dam which will interfere with the summer flow measured at the Escondido intake is correct and enforceable and that the Volcan Company should recognize it. I also think that it will not involve much burden on the Company or amount to much in quantity of water especially if as Mr. Henshaw suggested some time ago that all the waters be conveyed in our conduit for five miles and then a steep pipe line carried to the Escondido intake where our delivery of water will be without loss. The Indian Service have employed an engineer named Bell of Los Angeles to make a complete study of the relation of the construction of Warner Dam to the water supply of the Rincon Reservation as well as at Pala. At Pala, however, the opinion is that Warner Dam will not affect the summer flow. Mr. Olberg also mentions that the conditions should be such that the gravels on the Rincon Reservation should be restored each year. On this point I have no doubt but what the local watershed will secure this, and the construction of Warners Dam will have no effect on it.



V. L. & W. CO.  
FILE

M. M. O'SHAUGHNESSY  
CITY ENGINEER  
SAN FRANCISCO

Water

March 2, 1915.

Mr. W. S. Post,  
924 Eighth St.,  
San Diego, California.

My dear Sir:

*Sent. ✓*  
Your studies of evaporation and other matter mailed me has been duly received, in fact, everything I asked for except the San Pasqual Water Adjustment. I have just received Water Supply Paper 331. Am I to assume that the matter in that is a true description of the water adjustments, and if not will you kindly amplify it so that I will have the full details, also any studies you have made as to the areas of arable land in the San Pasqual Valley that will be subject to irrigation, and if you have any knowledge of the depth of the strata in that valley and the annual losses from keeping it charged.

Very truly yours,

*M. M. O'Shaughnessy*  
Consulting Engineer.

MMO'S/AO

V. L. & W. CO.

FILE

March 4th, 1915.

Mr. J. B. Lippincott,  
1100 Central Bldg.,  
Los Angeles, Cal.

Dear Sir:-

Attention Mr. Bowen.

I am sending you, under separate cover, hydrograph of the San Luis Rey River for Warners Dam as prepared by Mr. Hickok for 1894 to date, 20 year period.

This was done in July, 1914 and is the result of first platting the known gagings for four seasons and then making an elaborate study, storm by storm, using the daily rainfall on a number of long period stations in San Diego County, comparing storms during the period when gagings had been taken and applying the storm run-offs which corresponded for the period when restoration of the hydrograph was necessary.

In applying this to determine the drainage area below Warners and above the Escondido intake, I think that the water shed of the west fork of the San Luis Rey which we have measured is more nearly similar in run-off characteristic than any other which can be chosen. I find from a study of the rainfall curves that for the season 1913-1914, that the west fork watershed has a mean rainfall of 32.76" while the Escondido watershed shows a mean rainfall of 33.35". I conclude that the run-off per square mile will be the same for these areas as the physical conditions are similar. The run-off of the South Fork for the year 1913-14 was 6,571 acre feet. The water shed is 24.4 square miles, while that tributary to the Escondido diversion is 33.5 square miles. By proportion therefore

$$\frac{33.5}{24.4} \times 6571 = 9050 \text{ acre feet.}$$

Now the run-off at Warners gaging station for 1913 was 22278 acre feet. Therefore the run-off for the Escondido drainage area alone is 9050/22278 per cent or 40 per cent of the run-off at Warners Dam.

The capacity of the Escondido Reservoir is about 2800 acre foot and the provision made by our contract with the Escondido provides a somewhat larger amount, about 4,000 acre foot which they can use by running through the reservoir. However, in wet years the local drainage area into their reservoir, which is several square miles, is an important factor and they can not as a matter of fact make use of the larger amount until they have increased their dam.

You have, I think, the historical diversion which you see is very much less than 4,000 acre foot. Without having gone into this subject exhaustively, as Mr. Harroun did, I am of the opinion that the result which he obtained as to the proper amount to be turned out, namely, 742 acre foot, was very fair.

WSP:BK

Very Sincerely,

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
924 EIGHTH STREET  
SAN DIEGO, CALIFORNIA

March 5, 1915.

Mr. Ed Fletcher,  
Office.

Dear Sir:-

Mr. Hobart Case who leases the James Carroll Ranch at the Carroll Reservoir site was in this morning and gave us some information in regard to the Darling matter. He says that Mr. Darling has antagonized, not only all the farmers in the territory, but the store keepers in Escondido. He also says that Darling has spent a great deal of his time in a liquor club known as the Dutch Beer Club of Escondido and that he also takes liquor down to the Ranch with him for the consumption of not only himself but his wife. He also says that Darling shows very poor judgment in hiring Mr. Case and the other farmers around there to go to Escondido with a 2 and 4 horse team for small insignificant packages which might have been brought down in a buggy. Mr. Case says that Darling owes not only a great many store keepers, but several farmers in the vicinity, not only for farm produce but also for cartridges, stove pipe, etc.

I might say that Mr. Case is not giving this information from any sense of resentment, as he is apparently reluctant to give it, but he knows that the above statements are based on facts.

If you are interested to any further extent, I would suggest that you get in touch with Mr. James Carroll, Mr. Tom Carroll and Mr. Stockwell, three responsible citizens in the community.

Yours very truly,

*Wm S Post*  
BK

H-BK

March 4th, 1915.

Mr. J. B. Lippincott,  
1100 Central Bldg.,  
Los Angeles, Cal.

Dear Sir:-

Attention Mr. Bowen.

I am sending you, under separate cover, hydrograph of the San Luis Rey River for Warners Dam as prepared by Mr. Mickok for 1894 to date, 20 year period.

This was done in July, 1914 and is the result of first plating the known gagings for four seasons and then making an elaborate study, storm by storm, using the daily rainfall on a number of long period stations in San Diego County, comparing storms during the period when gagings had been taken and applying the storm run-offs which corresponded for the period when restoration of the hydrograph was necessary.

In applying this to determine the drainage area below Warners and above the Escondido intake, I think that the water shed of the west fork of the San Luis Rey which we have measured is more nearly similar in run-off characteristic than any other which can be chosen. I find from a study of the rainfall curves that for the season 1913-1914, that the west fork watershed has a mean rainfall of 32.76" while the Escondido watershed shows a mean rainfall of 33.35". I conclude that the run-off per square mile will be the same for these areas as the physical conditions are similar. The run-off of the South Fork for the year 1913-14 was 6,571 acre feet. The water shed is 24.4 square miles, while that tributary to the Escondido diversion is 33.5 square miles. By proportion therefore

$$\frac{33.5}{24.4} \times 6571 = 9050 \text{ acre feet.}$$

Now the run-off at Warners gaging station for 1913 was 22278 acre feet. Therefore the run-off for the Escondido drainage area alone is 9050/22278 per cent or 40 per cent of the run-off at Warners Dam.

The capacity of the Escondido Reservoir is about 2800 acre feet and the provision made by our contract with the Escondido provides a somewhat larger amount, about 4,000 acre feet which they can use by running through the reservoir. However, in wet years the local drainage area into their reservoir, which is several square miles, is an important factor and they can not as a matter of fact make use of the larger amount until they have increased their dam.

You have, I think, the historical diversion which you see is very much less than 4,000 acre feet. Without having gone into this subject exhaustively, as Mr. Harroun did, I am of the opinion that the result which he obtained as to the proper amount to be turned out, namely, 742 acre feet, was very fair.

WSP:BK

Very Sincerely,

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
FLETCHER BLDG., 924 8TH ST.  
SAN DIEGO, CALIFORNIA

March 9th, 1915.

Mr. Ed Fletcher,

Mgr. C W Co.

Dear Sir:-

*Boulder Creek Power*

I have had one or two conferences with Mr. Stearns regarding further evidence in the case. He advises that the following things be worked on.

1. Analysis of differences in the three appraisements for purposes of cross-examination. This I suggest be made by Mr. Faude and that he then spend a day or two with Lane and Barker in Los Angeles and complete the interrogatories to be made by us. The method will be this; where unit prices of both ourselves, the District and the City are practically the same, no cross-examination and a simple statement that they are a substantial agreement. It is proper that the unit prices of the City should be attacked mostly, while the District, generally speaking, are very satisfactory. The same thing will be done regarding the life and depreciation used. The depreciation of the District's figures should be attacked. As this is a very broad subject, I suggest that any differences that are less than 10% be not referred to at all.

2. In response to the request of the Commission and Mr. Haines, a list of all irrigators making payments to the Cuyamaca Water Company has to be prepared showing the maximum amount of water used by each during the last five years and showing in another column the amount which they are paying for and not using.

3. Rate Study. Faude and I have started to work up three methods of securing the necessary rates and I should propose to submit all three for the consideration of the Commission. One method would be to make no distinction between domestic and irrigation. This was done by Mr. Thelan in the case of the outside consumers of the City of San Diego. Another method would follow Hawley's idea of making domestic charge uniform up to a certain maximum, say 5,000 cubic feet per month per consumer, and thereafter for quantities over this amount, giving a low rate for irrigation and a high rate for domestic. Another method would divide the charges entirely on the character of service. If the consumer elects to take water only during nine months in the year and not insist on absolute continuous service, he would get a low rate, say of 5 cents per thousand gallons. If he desires continuous service, he would have to pay domestic rates at about 25 cents per thousand gallons, basis rate. If he wanted water for 10 months or 11 months, he would have to pay rates that were intermediate between these two.

Mr. Ed Fletcher, #2.

4. Mr. Faude agrees with me that accompanying these proposed rates there should be a full text of a new set of rules to cover all the difficulties of the past and to be approved and placed in effect along with the Decision, such things as separate meters for domestic use and irrigation use; schedule of minimum charges varying with the maximum amount to be served; limiting the responsibility of the Company to service at the master meter, etc. Accompanying these rules would be a list showing all of the wholesale consumers under the new system and all of the individual irrigation consumers.

5. Lee is now having prepared, through Mr. Hickok, an answer to Mr. Haines inquiry as to what would have been the service if the mountain reservoirs had been built during the past 20 years. He will come down Friday and look over this work and make a final study selecting the best reservoirs and show what the full development of the system would produce. His result then would be something like this, that the Cuyamaca system, if improved, could deliver say 600 Miners Inches at a cost of say one million dollars over and above its present investment. There would still remain a certain amount of flood water which the system could deliver in certain years. It would then be possible to show the value of the water in the system and credits could be made for the works necessary to produce this situation.

There would be some pump water needed and the equivalent in Miners Inches continuous pumping would also be claimed and it would finally result that the water of the Cuyamaca Water System would cost so much per Miners Inch that the value of the water rights would be the difference between this cost and the value of water delivered which value would be this for the irrigation water which is now attached and the balance would be considered for its use for which it is being purchased or condemned respectively by the District and by the City.

Mr. Stearns is now reading the testimony and is making notes of further data to be worked up.

Very sincerely yours,

WSP-BK

*Post.*

MILLER & CRAIG  
ATTORNEYS AT LAW  
ROOMS 1 AND 20, STERN BLDG.

ALBUQUERQUE, N. M., Mch 15, 1915.

March 10, 1915.

Mr. Post:

Mr. Bartl will take charge of the Carroll work from now on with a salary of \$125. per month. Turn him over to Mr. Hickock and have Mr. Hickock arrange with Mr. Bartl to get a couple of men - one of them married who will run the camp and charge thirty cents a meal for the meals. You had better go out there today in the machine with Mr. Bartl, and take an inventory of everything and find out how things are there. Let me know if there is anything missing in the way of tools and equipment as Mr. Darling may have swiped the whole thing for what I know. I think, if possible, the whole camp and <sup>all</sup> tent houses ought to be moved down to the dam site close to the work. What do you think about it? If you want a machine I will have one for you this afternoon.

Ed Fletcher

EF:B

Mr. Ed Fletcher,  
920 8th St.,  
San Diego, Calif.  
Dear Sir:--

Lippincott's conclusion on the water supply from Warner's Dam is a safe yield of 12000 acre feet. In this figure he has first deducted the Escondido Diversion. This difference between Lippincott and Harroun is due to the influence of the Escondido Diversion bunched into the dry years.

Harroun, you remember, found 17600 acre feet and then deducted an average of 742 acre feet, leaving a safe yield of 16,858 acre feet. I have been over the figures and cannot object to the conclusion.

After thinking it over I went back to him with this position, in which he agreed, that the safe yield for a municipality was one thing and for an irrigation system was another, illustrating this by the Cuyamaca system where Lee adopted average dry years as the measure of safe yield instead of extreme dry years. The application of this would be to arriving at values of the water right. If you take a municipal value of a water right it is proper to take a municipal safe yield, but if you are going to use an irrigation value for water right, you should use the quantity for irrigation and which means reduction to half supply during the extreme dry years occurring once in a generation.

I think this result was as much a disappointment to Lippincott as it will be to Mr. Henshaw, but if my theory is adopted of valuations it ought not to cut down the values found, and in fact it might increase them.

Very sincerely yours,

P\_H

W. S. Post.

V. L. & W. CO.

Lippincott

Order

SAN DIEGO, CALIFORNIA, March 22, 1915.

Mr. J. B. Lippincott,  
1100-1101 Central Bldg.,  
Los Angeles, Calif.

My dear Mr. Lippincott:

Answering your two letters of March 18th, will say that to say the least I have been very much interested in your figures as to the quantity of water from Warners Dam.

My understanding is that your figures are for a municipal supply, net safe yield. Now, if that is the case, of course you must take into consideration the municipal value, which is at least \$7000 to \$8000 an inch, and if we took the same drastic method of determining the net safe yield of the City of San Diego's system the cost of delivery would be nearer \$15,000 or \$20,000 per miner's inch. Is this not so?

I notice that you have not yet taken into consideration the following facts:

1st. By our spending approximately \$200,000, we can acquire all the riparian rights below San Pasqual Valley to the Ocean. From the San Pasqual Valley for an emergency undoubtedly 500 to 1000 inches of water can be pumped for four to six months of the year, during the dry seasons.

Then again, undoubtedly some water can be pumped from lands on the outside rim of Warners Reservoir, where I am satisfied there is an abundant supply for an emergency.

I believe it is absolutely vital to our interests, and only fair that you should personally investigate these two sources of supply, and take same into consideration before officially making your report, and I sincerely hope you can see your way clear to make an alternate report including the pumping possibilities. I have instructed Mr. Post to write you fully on the subject.

My understanding also is that your figures represent the absolutely net safe yield during the driest years. It seems absolutely cruel to our proposition to be put on this basis, when by the expenditure of \$200,000 or \$300,000 for pumping rights and pumping plants at least an additional 1000 inches of water can be developed during the critical period. It seems to me this is going to the extreme.

J. B. L.,

-2-

It is not my intention or desire to criticise you, Mr. Lippincott. All I ask is a square deal to Mr. Henshaw's proposition, and I am sure we will get it.

Now, in regard to the riparian rights acquired by the Linda Vista Irrigation District in the San Pasqual Valley, Mr. Alverson, who was the engineer for the Linda Vista Irrigation District, and whom you know, is authority for the statement that those agreements are valid. This applies to the East San Pasqual ditch, and compels us to furnish them their full quantity of water to June first, and then after that eleven inches of water.

From conversation with my attorneys, I am also of the opinion that these rights are valid, and that we can go ahead and build the dam under conditions specified in that agreement.

Now as regards the lands below, which we own, we are not reserving any water rights whatsoever, or making any reservations for any water out of West San Pasqual ditch, so far as same is affected by the construction of Pano Dam, and we shall give up any rights that water be stored in Pano Dam, upon the riparian rights below which we control.

A copy of this letter has been sent to Mr. Henshaw for his approval, and he will no doubt write you on the subject.

Yours very truly,

F-S

Volcan  
San Diego

SAN DIEGO, CALIFORNIA, March 22, 1915.

Mr. J. B. Lippincott,  
1100-1101 Central Bldg.,  
Los Angeles, Calif.

My dear Mr. Lippincott:

Answering your two letters of March 18th, will say that to say the least I have been very much interested in your figures as to the quantity of water from Warners Dam.

My understanding is that your figures are for a municipal supply, net safe yield. Now, if that is the case, of course you must take into consideration the municipal value, which is at least \$7000 to \$8000 an inch, and if we took the same drastic method of determining the net safe yield of the City of San Diego's system the cost of delivery would be nearer \$15,000 or \$20,000 per miner's inch. Is this not so?

I notice that you have not yet taken into consideration the following facts:

1st. By our spending approximately \$200,000, we can acquire all the riparian rights below San Pasqual Valley to the Ocean. From the San Pasqual Valley for an emergency undoubtedly 500 to 1000 inches of water can be pumped for four to six months of the year, during the dry seasons.

Then again, undoubtedly some water can be pumped from lands on the outside rim of Warners Reservoir, where I am satisfied there is an abundant supply for an emergency.

I believe it is absolutely vital to our interests, and only fair that you should personally investigate these two sources of supply, and take same into consideration before officially making your report, and I sincerely hope you can see your way clear to make an alternate report including the pumping possibilities. I have instructed Mr. Post to write you fully on the subject.

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J. B. L.,

-2-

It is not my intention or desire to criticise you, Mr. Lippincott. All I ask is a square deal to Mr. Henshaw's proposition, and I am sure we will get it.

Now, in regard to the riparian rights acquired by the Linda Vista Irrigation District in the San Pasqual Valley, Mr. Alverson, who was the engineer for the Linda Vista Irrigation District, and whom you know, is authority for the statement that those agreements are valid. This applies to the East San Pasqual ditch, and compels us to furnish them their full quantity of water to June first, and then after that eleven inches of water.

From conversation with my attorneys, I am also of the opinion that these rights are valid, and that we can go ahead and build the dam under conditions specified in that agreement.

Now, as regards the lands below, which we own, we are not reserving any water rights whatsoever, or making any reservations for any water out of West San Pasqual Ditch, so far as same is affected by the construction of Pamo Dam, and we shall give up any rights that water be stored in Pamo Dam, upon the riparian rights below which we control.

A copy of this letter has been sent to Mr. Henshaw for his approval, and he will no doubt write you on the subject.

Yours very truly,

F-S

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
FLETCHER BLDG., 924 8TH ST.  
SAN DIEGO, CALIFORNIA

April 19, 1915.

Mr. Ed Fletcher,

Mgr V L & W Co.

Dear Sir:-

Regarding the Sutherland work, the program as outlined by Hickok and myself is to construct a road to the Sutherland Dam in part along the ditch bench. This is in order that no question will arise as to whether some work has been done toward diversion. Very considerable expense will be incurred right at first in getting the road off the county road and the rest will go right fast.

When the road is through I suggest that a tunnel location be made for an outlet to Sutherland and that a couple of Miners be placed on this job.

The floor of Warner tunnel is nearly completed and it is my judgment that we should proceed to place the facing on the open cut away from the tunnel mouth not only in order to protect the banks from caving, but to give the job a finished appearance. I think more can be accomplished in making a good appearance here than anywhere on the line.

There should be very soon after this a commencement of work on the Lusardi Tunnel and this requires some field work. I suggest that before a reduction of force is made that you authorize a completion of field work on the Sutherland as well as running the plans from Hatfield to the diverting dam and the setting out of the Lusardi Tunnel.

Mr. Ed Fletcher, #2.

As you know I have always felt that it was dangerous not to make the actual diversion at Pamo and I again repeat my suggestion that a ditch be taken out at the proper <sup>elevation</sup> river for the Pamo conduit about a mile above the present camp.

Yours very truly,

WSP

WSP-BK



April 20, 1915.

Mr. W. S. Post:

Answering yours of the 19th, will say that George Butler tells me that for \$500 a good road can be built from the cement bridge up the canyon to the Sutherland damsite, while it is going to cost two or three thousand dollars a mile to build the road on grade as you propose to do, in case the water is diverted out of Sutherland, and that there is about 2½ or 3 miles to build. Is this your understanding of the matter?

I agree with you that a tunnel location be made for an outlet to Sutherland. I take it that this is similar to the Warners Dam outlet tunnel.

Regarding Warners, you may go ahead and place the facing on the open cut-away on the tunnel mouth, in order to protect the banks from caving.

How much of a job, and what would it cost to complete the field work on the Sutherland?

You refer to Hatfield Reservoir. My understanding was that this is not a necessary part of the system at all, and that we can pass it up in carrying water from the Sutherland to the Diverting Dam.

Before doing anything on the Lusardi Tunnel, I would like to discuss this matter with you.

Governor Eshleman will be here within the next three or four Weeks, and we will go over the entire matter of what constitutes due diligence to protect our water rights. I would like to have you go over the system with us.

Ed Fletcher.

F-S

April 21, 1915.

Mr. Ed Fletcher,

Mgr. Volcan L & W Co.

Dear Sir:-

Replying to your question whether the injunction on the Sawday Tunnel applies to flood water, my opinion is that it does not - based on the following quotations from the Supreme Court decision:

Supreme Court - L A No. 1941. In Bank. Feb. 18, 1908.

See Page 4.

"The judgment decrees that the defendants have no right or title to the waters of the San Pasqual River, and no right to divert the same, and perpetually enjoines them from taking or diverting from the river, any of the waters of the stream or in any manner whatsoever interrupting, obstructing or interfering with the free, usual or customary flow of water down the said stream."

See Page 7.

"The appellant makes the further point that they are restrained from taking any of the water of the stream, although the evidence shows that, in times of flood, large quantities of water, far exceeding any amount that can be used by the plaintiffs, passes down the stream. It has been held that an injunction will not issue to restrain a diversion of water during times of extraordinary floods where such diversion will not perceptibly diminish the stream below. (Edgar V. Stevenson, 70 Cal. 286, Heilbron v. 76 L. & W. Co., 80 Cal. 189, Fifield V. S. V. W. W., 130 Cal. 552) But the pleadings in this case raise no issue as to the rights to take flood waters."

See Page 7 & 8.

"There is no question of the diversion of flood water involved in the case. The right which they assert is to take the ordinary water of the stream. It may be questioned whether the decree, properly construed, purports to deal with anything beyond the ordinary flow of the stream. But, in any event, the appellants are not in a position to complain that the Court did not in specific terms reserve to them a right which they had not asserted."

Yours very truly,

WSP-BK

April 22, 1915.

Mr. Ed Fletcher,

Mgr. V L & W Co.

Dear Sir:-

Relative to possible interference of water rights on Santa Ysabel River, I have been studying the Water Commission Bill in force January 1915, chapter 589. I quote a portion of Section 11.

"In any case where a reservoir or reservoirs have been or shall hereafter under the provisions of this act be constructed or surveyed, laid out and proposed to be constructed for the storage of water for a system, which water is to be used at one or more points under appropriations of water heretofore or hereafter made, which appropriations and rights thereunder are now, or shall hereafter be held and owned by the person or corporation owning such reservoir site or sites and constructing such reservoir or reservoirs, such reservoir or reservoirs and appropriations and rights shall, in the discretion of the state water commission, constitute a single enterprise and unit, and work of constructing such reservoir or reservoirs, or any of them, or work on any one of such appropriations shall, in the discretion of said commission, be sufficient to maintain and preserve all such applications for appropriations and rights thereunder."

Section 15:

"The state water commission shall allow, under the provisions of this act, the appropriation of unappropriated water or of the use thereof, or of water or of the use thereof which may hereafter cease to be appropriated, or which may hereafter be declared to be unappropriated, or which, having been used under claim of riparian proprietorship or appropriation finds its way back into a stream, lake or other body of water and also such water as is declared under section eleven of this act to be subject to appropriation."

Section 16:

"Every application for a permit to appropriate water shall set forth the name and post-office address of the applicant, the source of water supply, the nature and amount of the proposed use, the location and description of the proposed headworks, ditch, canal and other works; the proposed place of diversion and the place where it is intended to use the water; the time within which it is proposed to begin construction, the time required for completion of the construction, and the time for the complete application of the water to the

Mr. Ed Fletcher, #2.

proposed use. If for agricultural purposes, the application shall, besides the above general requirements, give the legal subdivisions of the land and the acreage to be irrigated, as near as may be."

These quotations show that it lies within the discretion of the Water Commission to allow you to prosecute all of your work, say at Carroll Dam and relieve you of the necessity of work at Sutherland or Pamo. It even seems unnecessary that their permission could include the cessation of work at Warners. This will require a formal application to the Water Commission and undoubtedly a readiness to do bona fide construction at Carroll at a rate of expenditure of 20% per year of the estimated cost of all the works. This is based on the opinions, as I understand them, of Mr. Sweet and Judge McKinley. I believe that if the Carroll Dam can be financed, that as a business policy, that this would be a master stroke and absolutely insure the water rights and immensely increase the value of Mr. Henshaw's holdings.

Now if any application for water rights on the Santa Ysabel is made, it will be filed with the Water Commission. I believe the only protection which it is worth while to make against adverse filings is to file soon with the Water Commission certified copies of your appropriation notices and affidavits regarding continuity of labor on reservoir sites on the Santa Ysabel River and give notice that you wish to appear as a protestant in any application for permit upon the waters of the Santa Ysabel.

I should also follow this, as soon as Mr. Henshaw decides whether he is willing to concentrate the expenditure at Carroll and to what amount per year, with an application to the Water Commission to allow all the expenditure on Carroll Dam to apply to Warner, Sutherland, Pamo, Santa Maria and to the canals involved setting forth that this unit when completed will secure either the supply to the City of San Diego or the irrigation of Linda Vista Mesa in proportion to the proper market and that the other units would follow logically as the market increased.

I should make the complete adjustment with the Santa Fe Ranch and any other riparian owners below Carroll at once.

Under these circumstances I think that some of the present expenditures at other points can be eliminated and by use of a Ford automobile, the hydrographic work concentrated to perhaps one hydrographer at least in the summer time.

Very sincerely yours,

WSP-BK

28

April 24, 1915.

Mr. Post:

Enclosed find letter from Lee. What does he mean by a new piece of land that has come into the suit. Send this information, and let me know, as well.

Ed Fletcher.

F-S

SAN DIEGO, CALIFORNIA, April 29, 1915.

Messrs Post, Mathews, Harritt and Faude:

Commencing the first of May, 1915, Mr. Faude will temporarily be in direct charge of the office of the Guyanaca Water Company, with the title of Assistant Manager.

The Manager will issue all orders through the Assistant Manager, excepting in cases of emergency, when the Assistant Manager will issue orders direct. In such cases the person to whom emergency orders are issued shall as soon as possible report the facts in writing to the Assistant Manager.

The Assistant Manager will see that all orders from the Manager are assigned to the proper Department, and shall be responsible for their execution.

Departments will be related as shown in the attached diagram.

Mr. Mathews will be the accountant, and will be known as Secretary of the Guyanaca Water Co., as in the past. All notices to consumers will be sent out and signed by Mr. Mathews, Secretary.

Mr. Faude is to give one-half of his time to the management of the Guyanaca Water Company, and one-half of his time to assisting Mr. Post on any matters connected with the Volcan Company.

A copy of all letters written by the Assistant Manager is to be placed daily on the Manager's desk, and no action of any importance committing the Guyanaca Water Company is to be taken without consulting the Manager first, unless it is imperative and the Manager is absent from the city.

All written complaints regarding service shall be turned over to

the Assistant Manager.

Whenever complaints are received in the office or by field men, a written report shall be made out and given to the Assistant Manager, who will recommend to the Manager what settlement to make. Only in cases of trivial complaints shall the business office attempt any settlement. Whenever verbal complaints are received by field men, they may settle same when only a small amount of work is involved or when the complaints are of a comparatively unimportant nature, said settlement being made subject to the approval of the company, and a report of said settlement in writing made to the office.

The business office of the Company shall be under the direct charge of the Assistant Manager, who may direct changes in methods of work and recommendations as to changes of office force, to the Manager.

All supplies and materials shall be ordered by requisition from the Assistant Manager. In emergencies supplies may be ordered directly by the Superintendent, who will make requisition later.

All reservoirs, flumes, pipes and pumping plants shall be under the direct charge of the Superintendent. He shall also be in direct charge of all water measurements, regulation of water, allotment of water to consumers, etc.

The reservoir tenders shall be under the direct charge of the Superintendent, and shall report to him. Reports shall be made daily to the Superintendent as at present.

The flume foreman shall be under the direct charge of the Superintendent and shall report to him. He shall have charge of all flume walkers and repairers also of distribution of water on the flume, subject to instructions from the Superintendent.

The flume walkers and repairers shall report directly to the flume foreman.

The pipe foreman shall be under the direct charge of the superintendent, and shall report to him. He shall have charge of all pipe repairs, service repairs, etc. on the section west of El Cerritos Hill, unless given other instructions by the superintendent. The pipe system east of El Cerritos Hill shall be under the direction of the superintendent. The pipe foreman shall also be in charge of installation of new services, unless given other instructions by the superintendent.

The meter man will be under the direct charge of the superintendent, and shall report to him. He shall read and repair meters and shall also install meters, services or pipe lines or repair the same when instructed to do so by the superintendent.

The pump operators shall be under the direct charge of the superintendent and shall report to him. They shall operate the pumps and make such repairs to pumping equipment, suction or discharge lines, wells, etc., as shall be directed by the superintendent.

The maintenance engineer shall be under the direction of the superintendent and shall report to him. He shall make such water measurements, compile such statistics, or do such other work as the superintendent shall direct.

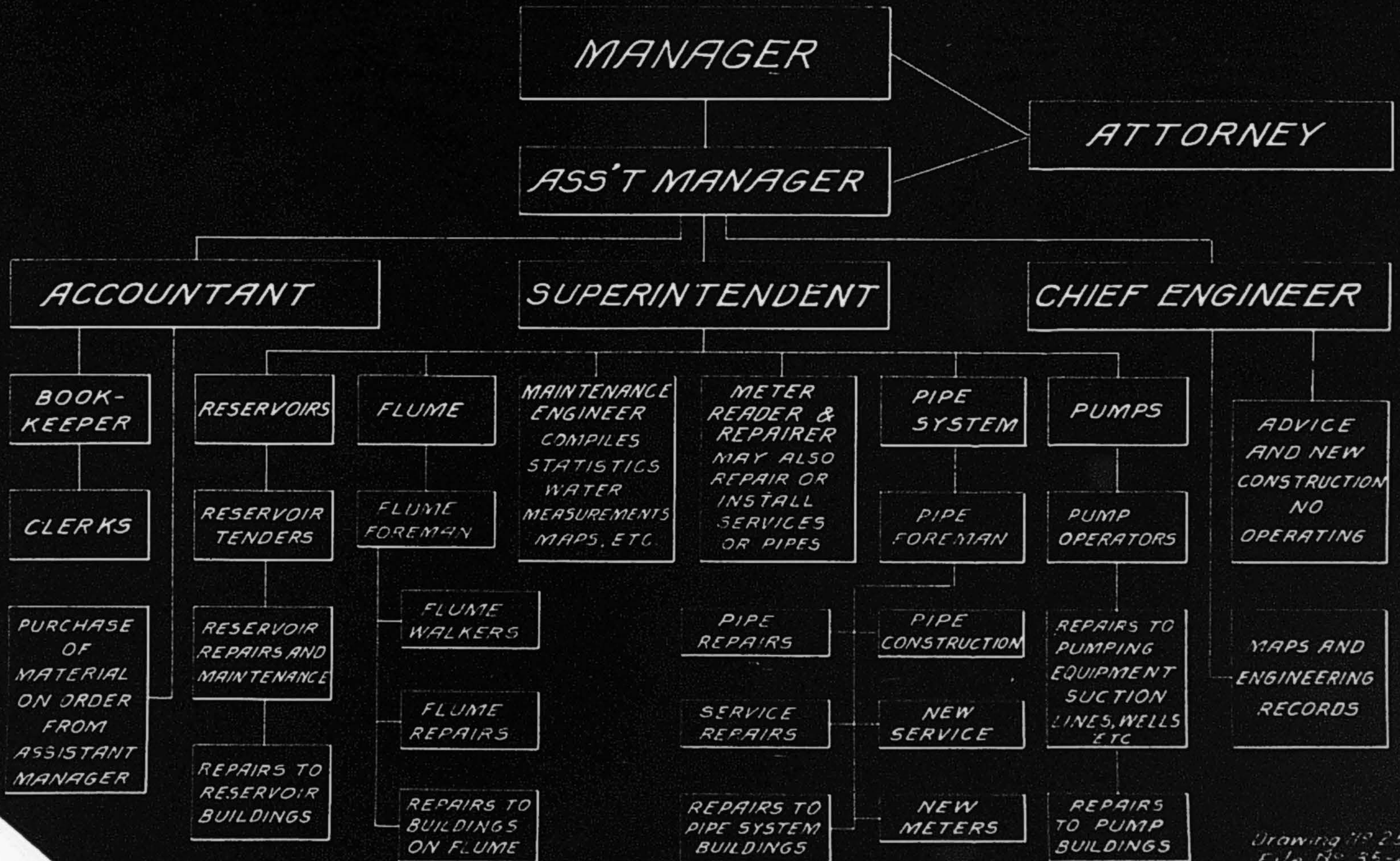
Yours very truly,

\_\_\_\_\_  
Manager.

POST OFFICE

APR 11 1911

# CUYAMACA WATER CO. DIAGRAM OF ORGANIZATION



San Diego, May 4, 1915.

Mr. W. S. Post:

I return Eberts letter of May 1st; also your letter to Lee. It is a joke to talk about building eleven miles of flume and also drive two miles of tunnel for \$450,000. I want your estimate on this. Also the quantity of water, net safe yield, the way Lee figures it from the Marron Dam. They are going to make a big fight on this soon, and attempt to build that Marron Dam before they even develop water in the San Diego River or the Volcan.

I want you to go into this matter carefully with Lee. Make me a careful report that will stand fire on how much water can be delivered from Marron Dam; what it will cost to get it into Lower Otay; what it will cost to deliver it to the city limits of San Diego per thousand gallons.

In the matter of measurement of the water in San Diego Co., I suggest that you bring up these tables up to date May 15th. There is a tremendous run-off in all three streams. I never saw the San Luis Rey River so full in my life, as yesterday. The San Dieguito is practically out of its banks all along; the San Diego River is a fright. What per cent of rainfall is it in the county above normal?

Yours very truly,

Ed Fletcher.

F-S

May 28, 1915.

Mr. C.V. Eggleston,  
924 Higgins Bldg.,  
Los Angeles, Cal.

Dear Sir:

Replying to your request regarding the acreage of Warner's Ranch, I give below the result of three different calculations.

Minto Survey Official U.S. 1878 44,525 Acres.

Nowman Survey, being a retracement  
of original survey by Emil  
Nowman in 1909 about 44,505 "

Our office calculation, after a  
comparison of Minto Surveys and  
certain U.S. Resurveys along a  
portion of the Boundary made in  
1908,-- adopting newer field notes  
where available 44,091 "

The corners of the Ranch being well established these differences indicate the ordinary limit of accuracy of U.S. Surveys, the principal cause being difference in the chains used.

Very sincerely yours,

Chf. Engr. V.L. & W. Co.

[POST]  
CSA

Harmer Dam, June 1, 15

Mr W. S. Post  
924-8<sup>th</sup> St., San Diego, Cal.

Dear Sir:

We have completed 645 ft. of the  
tunnel floor. Time actually placing concrete 17 days.  
Balance of time hauling & crushing rocks; hauling  
sand, etc.

I figure we should finish the tunnel by the  
15<sup>th</sup> or sooner.

Have 25 yds. of rock; broken but not crushed; on hand  
at crusher.

Can you give me an idea of what is next on  
the program after finishing the tunnel?

Yours Respt.,  
O. B. Ireland.

SAN DIEGO, CALIFORNIA, June 30, 1915.

Mr. W. S. Post,  
Office.

Friend Post:

Nothing need be done in the matter of obtaining the  
physical valuation on the Volcan system. Faude is on the payroll  
of the Volcan for one half of his time and the other half on the  
Cuyamaca. I want you to instruct Faude to take charge of the  
records and bookkeeping and other office work that he can do to  
assist you, and have Ellis do all the outside work, either for the  
Cuyamaca or the Volcan, that may come up, as well as assisting you  
in the office when he can do anything. When you are away from the  
office, please leave Faude in charge. I talked this matter over  
with Ellis, and it is perfectly satisfactory to him.

You will undoubtedly have to keep Miss Kamer all the time,  
but this is a matter that the future will decide. Outside of  
this, don't incur any additional expenses unless there is special  
work comes up which either Mr. Henshaw or I ask to have done. We  
simply must keep expenses down to the minimum.

While you were gone, I got in touch with Case, and he now  
has eight or nine men on his payroll doing nothing but drilling  
and blasting. He says it will take two months easily to get the  
road built. He also says he will not want any horses for a month.  
I think either you or Ellis had better go up there and look the  
situation over, so as to be sure that everything is going right,  
and if there is any need of hiring any more teams, this can prob-  
ably be done in Ramona, but there is plenty of time to decide  
that question later on.

This Cuyamaca decision is certainly a rotten one. Look it  
over ~~and~~ and let me know what suggestions you have to make.  
I shall probably not return until the 15th of July. The office  
will keep you posted as to where you can get me by telephone or  
letter.

Sorry I could not be in San Francisco while you were there.

Yours very truly,

F-S

ans  
/

V. L. W. C.

DEPARTMENT OF THE INTERIOR  
UNITED STATES GEOLOGICAL SURVEY

WATER RESOURCES BRANCH

328 Custom House,  
San Francisco, Cal., June 30, 1915.

Mr. W. S. Post,  
San Diego, Cal.

Dear Mr. Post:

Reference is made to my letter of May 12 regarding estimates for San Diego County stations for the year 1913-14. After reviewing the measurements secured on San Dieguito River at Bernardo during 1915, it hardly seems advisable to make any change in the estimates for the year 1913-14. The flood measurement secured by Mr. Ebert this year shows slightly higher discharge than for last year, but Mr. Ebert explains that a new channel was cut through beet field on left bank below the bridge, which would tend to increase the discharge over last year for the same stage. Even if this had not occurred, the records as compiled are undoubtedly within the accuracy of the gage height record and discharge measurements.

Your estimates through the sand-gates at diverting dam on San Diego River for 1913-14 have been included with our record.

Your record on San Diego River near Santee for

W. S. Post, p.2.

1913-14 has been revised on the basis of Mr. Ebert's 1915 measurements. The flood measurement which you secured in 1914 is undoubtedly low.

It will also be necessary to make a slight revision of the record on Santa Maria Creek near Ramona. The high-water measurement secured at the bridge five or six miles above the station last year appears high. The error in this measurement is doubtless in the gage height, which was later obtained from the recording gage record. The measurements secured this year give a well-defined curve below about 200 second-feet.

Very truly yours,

District Engineer.



SAN DIEGO, CALIFORNIA, July 21, 1915.

Mr. W. S. Post,  
Office.

Dear Sir:

Will you please instruct your foremen, Mr. Ireland at Warners Dam and Mr. Bartl at Carroll Dam, to make arrangements for a man and his wife, or some woman, to take over the commissary and purchase from us what stock we have on hand on August 1st, 1915, and thereafter let the meals be purchased from outsiders, and the Volcan Land & Water Co be relieved of the annoyance and trouble of running a commissary of our own.

Any arrangements made will include the use of our camp equipment free.

Yours very truly,

F-S

San Diego, July 31, 1915.

Mr. W. S. Post:

In selling the South Oceanside property to the South Coast Land Co., we specified a release clause of \$250 an acre on land that could be irrigated by gravity from the San Luis Rey pumping plant; \$150 an acre for irrigable land that could not be irrigated by gravity; and \$100 an acre for rough land.

Attached hereto is agreement which they desire signed. Will you please go over this piece of land with Mr. Tolle and Mr. Moody, and see that the description as to release is correct, as per the terms mentioned above.

Telephone Tolle, and have him take you up to Carlsbad and pick up Moody and ~~check~~ this matter over, and give me a written report.

The \$250 an acre land includes the Banford Tract, the Hotelling Tract and one or two other isolated pieces, which has no improvements.

The olive orchard and the Boyson Slee property have been improved, and I believe the release clause is \$400 an acre covering those tracts, , but is this agreement, as drawn up by Tolle satisfactory?

Yours very truly,

Ed Fletcher.

F-S

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Yours very truly,

Ed Fletcher.

E-S

Not reviewed  
after dictation

Los Angeles, Cal., August 2, 1915.

Mr. Ed. Fletcher,

San Diego, Cal

Dear Sir:-

As requested, I examined the proposed partition line between release of \$250. and \$150. on Mr. Henshaw's property at Carlsbad.

The proposed line is a straight one roughly parallel to the upper limit of irrigation by gravity.

All land of any kind south and west of the line is to be held at \$250 release. All east and north of the line is to be \$150 release.

Strictly there are about 50 acres of arable land East and North of this line, which are below the gravity level. These acres are, however, uneven, cut up by ravines, and require much levelling, and it is unlikely that they would be sold until the rest of the land is improved.

This line is suggested by Moody as a practical one for the Title Company, and as really including all the effective \$250 land.

I think this line should be satisfactory to you.

I enclose map showing in yellow proposed line.

In case you find that there is a release clause for improved property, the following will be properly included:

Tract 66, 10 acres is in olives,  
Tract 65, 9.06 acres is in almonds and has a brick house.  
Tract 95, leased by Fulton, contains a house and barn worth possibly \$500.

Very sincerely yours,

W S Post

[1915]

Aug 5

E.F.

Warmus Dam Telephone contract cannot be found, but there seems no especial change in the provisions and I see no objection to signing new contract.

W S Post.

V. L. & W. CO.

FILE

Warmus Dam, Aug. 7, 15

Care N. S. Post  
924-8<sup>th</sup> St., San Diego, Cal.

Dear Sir:

Completed pouring concrete in the first section of cut retaining walls, stilling basin, this week. With exception of stair-way and drain around top.

Will proceed with removal of forms, and excavation of curve section, next.

Yours truly

C. B. Ireland.

Quote Pg 9.

R.F.

Warner Low Telephone  
cannot be found, but there seems  
no special change in the  
and I see no objection to  
was correct.

CO  
FILE

*[Faint, illegible handwriting]*

[POST ??]

Aug. 21, 1915.

Mr. Ed. Fletcher,  
Mngr. V. L. & W. Co.,

Dear Sir:

In accordance with your instructions I accompanied Mr. Stahle of the Chamber of Commerce Water Committee and Mr. Francis Sellow over the system. Mr. Sellow who went on your suggestion has recently completed the great Yuma Irrigation Project for the U.S. Reclamation Service. He is a prominent hydraulic engineer, and is now serving on the Mississippi flood control Commission. It seems that his family have lived here for some time and that he has kept close touch with the City's various moves.

He is decidedly of the opinion that the Volcan project is a very good one. He made very pointed inquiries as to the possibility of the irrigation of the Ramona Valley, and after being told that the water is being reserved for the City, suggested that the simplest way to bring the City to their senses is to proceed with carefully worded contracts in Ramona, and later he made the same suggestion for the coast, - contracts which would serve notice on the City that all the water was slipping away from them, but which would only become effective in certain contingencies.

He agrees that the Warner <sup>dam</sup> is satisfactory in earth and makes some suggestions as to economy in building it. He is of the opinion that if it can be worked out that a concentration of the storage in one very large and high dam is desirable to reduce evaporation. At present he thinks the choice would fall on Pamo for this purpose because of gravity conduit to the Linda Vista mesa.

The Carroll he considers by all odds the best dam site on the system, with the only objection that it is of so low a altitude. He made the interesting point that the present City system is very vulnerable from a military standpoint, that the capture of the Otay reservoirs is easy for a landing force ~~and~~ which could cut the City's supply 20 miles away.

We are to have a further interview the first week in September.

I am delighted to learn that you have succeeded in obtaining a working basis with Mr. Wohlford relative to the joint use of the Escondido ditch. This is the greatest stroke you have made in Mr. Henshaw's interest in my opinion since I have been on the job. By 20 miles of pipe line you can now put the normal flow of the San Luis Rey on the Linda Vista in six months. You can allow it to flow down natural channels and reach every tract of land from Oceanside to Del Mar, and take your time in putting in the conduits. It only needs in addition to put Santa Ysabel water to use, and no one on earth can attack the water rights of the Company. You <sup>can</sup> rearrange your lines all you please afterward.

WILLIAM S. POST  
ASSOC. MEM. A. S. C. E.  
FLETCHER BLDG., 924 8TH ST.  
SAN DIEGO, CALIFORNIA

CUYAMACA WATER CO.  
FILE No. 84  
DO NOT REMOVE  
ANY LETTER  
FROM THIS FILE.

September 9, 1915.

Mr. Ed Fletcher,  
Mgr C W Co.

Dear Sir:-

Referring to the Indian Agent's letter of September 6th, the status of the Conejos Application is as follows:

In the Fall of 1914 stipulations were sent us by the Department. We objected to Clause 7 and 8, ~~which~~ <sup>and</sup> under date of February 9th asked for a re-consideration and an amendment of these stipulations. These were rejected and the stipulations were returned without change and according to the terms of Mr. McCormick's letter, you apparently must accept or reject these stipulations by September 30, 1915.

Clauses 7 and 8 are a direct reference to the old right of way contract of 1892 and were objected to on the ground that it put a possible forfeiture on an entirely new project. I think that under the new situation of affairs, that you or your successor can well afford to waive this stipulation as it is one that is not likely to arise.

If you sign the stipulations, you will have to agree to the cash payment of \$2850, to furnish a bond in the sum of \$10,000 and it is probable that you will gain possession of the reservoir site from 6 months to a year thereafter as the resident Indians have to be attended to by Supt. McCormick.

The reason for going ahead, in my judgment, is that it supports your contention in the El Capitan matter that there are other reservoir sites and that you are proceeding to develop the water system along other lines. To the extent that you impound some 50 square miles at this point, you will have cut off that amount from the El Capitan drainage area. If you lose El Capitan, you at least would ~~lose~~ <sup>save</sup> this much. This argument applies equally to the La Mesa Irrigation District and my suggestion is that you ask Dr. Samson to issue bonds for the cash payment. It does not seem to me that they can possibly lose their money even if the City enforces its condemnation suit because this sum then would have to be added to the payment by the City.

On the other hand if you fail to come through with the stipulations, you virtually abandon the application and I think it would be rejected. I believe that such rejection would militate against you in the El Capitan matter and may lead to an acceptance by the

CUYAMACA WATER CO.  
FILE No. 84  
DO NOT REMOVE  
ANY LETTER  
FROM THIS FILE.

Mr. Ed Fletcher, #2.

Department of the City's contention. If you go ahead aggressively it would support your contentions in opposition to the City and might lead to a rejection of the City's claim to the El Capitan.

If both of these suggestions are unsatisfactory, Mr. Faude who has looked into this with me, suggests that an immediate request be made to the Department of the Interior through Mr. McCormick setting forth that the system is now being sold to the La Mesa Irrigation District, and that the date of sale is effective January 1st and ask that a postponement of the execution of the stipulations be allowed until after January 1, 1916. I think this the second best thing to do if neither you nor the District feel able to carry out the stipulations at present.

You will see that this matter is urgent as the last day for delivery at Washington is September 30th and we have to act through Mr. McCormick and give him time to transmit our reply, which should not be delayed over a few days.

Yours very sincerely,

*William S. Post*

WSP-BK

October 4, 1915.

Mr. Post:

I understand that you are putting in a gage at Escondido Ditch. Did Mr. Henshaw authorize you to do this? Who is paying the expense? From now on you are to incur no indebtedness for the Volcan or Cuyamaca without getting it Oked by me in advance.

I am not satisfied with your cutting out certain rain gaging stations and feel that I should have been consulted and Mr. Henshaw as well. I have already given an order which has been sent to Isbell.

It seems to me, Will, that I am entitled to be consulted in these matters particularly when I am in close touch with Mr. Henshaw and know better his financial condition than you. So I want you to make it a point from now on not to incur any new obligations of any work without my OK.

Ed Fletcher.

F-K

CC to Faude & Ellis.

Mr. Faude (Ellis):

The above letter is explanatory and for your information. This applies to you as well.

Ed Fletcher.

DEPARTMENT OF THE INTERIOR  
UNITED STATES GEOLOGICAL SURVEY

WATER RESOURCES BRANCH

Los Angeles, Cal., Oct. 7, 1915.

V. L. & W. CO.

Mr. W. S. Post,  
924 Eighth St.,  
San Diego, Cal.

Dear Mr. Post:

The following gage height books for the second quarter, 1915, are missing from our files. Will you kindly see if you have them in your office, and if so forward them to us?

Canada Verde Cr.  
Carrizo Cr.  
Matagual Cr.  
San Luis Rey - Mesa Grande  
" Warner Springs  
" (W.Fk) "

Thanking you in advance, I remain,

Very truly yours,

J.C. Ebert

Assistant Engineer.

[1915]

Oct 10

My dear Colonel:

I have asked Ellis to make a statement regarding what is troubling you.

Whether an error of judgement ~~or~~ has been made or not, - I am absolutely convinced of the loyalty to your interest + to the Company from which they have received pay - of Ellis + Ireland -  
Fort.

Los Angeles, Cal.  
October 11, 1915.

Mr. Ed Fletcher,  
c/o Wm G. Henshaw,  
Mills Bldg.,  
San Francisco, Cal.

Dear Sir:

As to Section 18, T. 135, 2 W. Where the riparian 40's are  $5\frac{1}{2}$  of N W 1/4, N 1/2 of S W 1/4, 160 Acres.

This is all "unsurveyed" public land and here you have two alternatives.

A. To trust to "unsurveyed" and to the extremely rocky character, and leave it alone.

B. To cause a homestead filing to be entered by some one friendly, when the survey or general sill survey after there is bona fide settlement of six months.

This will bring all the section under "scrip" possibilities, including S W 1/4 of N E 1/4 which you also need.

The objection which I see is that it brings a land office inspector on the ground. Shows the value as reservoir and may cause a withdrawal or refusal to survey at the instance of City of San Diego.

My advice is to leave it alone. I believe you are entirely protected by the nature of the ground rocky and uncultivated and if riparian use of water were attempted it would not amount to over an acre or so.

Now as to Section 13: there are 4--40's of vacant public land. Mr. George R. Wickham, the attorney who has made the search with me, made the excellent suggestion that some one who is friendly to your interest file under the "timber and stone act." The payment is \$2.50 per acre, instead of \$10 to \$11 per acre with scrip.

The timber and stone application can be started for \$10 fee and will probably not get out of the land office for a year, when the applicant must pay \$2.50 per acre.

From the nature of the affidavit (presumably for the applicants own use and benefit) Mr. Wickham advises that you make this application yourself, so that in case of any protest you are in the best position to show the reasonableness of your desiring this for yourself. It must stand in your name absolutely and no agreement verbally or otherwise for transfer to be made until after patent issues.

Mr. George R. Wickham, 415 Chamber of Commerce Bldg., Home phone A2100, has the papers and will fix up at the land office in a half hours time. Telegraph him in advance so he will be sure to be at his office as you come through.

Very sincerely,

WSP/VB

1. Owned by William G. Henshaw, (scrip)
2. Unsurveyed scrip owned by William G. Henshaw.
3. This forty is unsurveyed, and is protected by U. S. Reservoir application. Do not advise further action.
4. All unsurveyed public land. No chance for any one to apply while unsurveyed.
5. Owned by William D. Henshaw (scrip).
6. Vacant land. Suggested to be entered as timber and stone land.
7. Patented to William Roselein, St. Louis, Mo. in 1893.
8. Patented to Jose D. Rodriguez.
9. Homestead Entry of George F. Staat, Encinitas, Cal., made December 1, 1910. Will be perfected December 1, 1915, probably.



Escandido Cal.  
Nov. 13 - 1915

My dear Colonel:

Mr. Wohlford handed me the following this evening:

Proposed Lining 63,500ft. Rock Creek to end. The upper portion above Rock Creek is completed.

Assuming that the finished ditch to be 3' x 4' with 4" bottom and sides .123 cu yds. of Concrete will be required per lineal foot.  
.123 cu. yds @ \$12 = \$1.48 per foot.

62700' <sup>lining</sup> @ \$1.48	\$ 92,796
800' Flume @ 4.20	<u>3,360</u>
	\$ 96,156

Or.

Assuming Hell Hole siphon ~~built~~ to be constructed there will be 14,000ft. less ditch required.

Credit 14,000ft. @ \$1.50	\$ 21,000
	<u>\$ 75,156</u>
Add Cost of Siphon.	7,815
	\$ 82,971

The idea is to use about 1 cement to 6 Gravel. This will call for 8500 barrels cement.

The estimate is prepared <sup>however</sup> on 1:5 cement and this means 10,000 barrels. The cement is figured at \$2.80 @ F.O.B. Escandido, so about \$28,000 of the \$96,000 estimate is ~~cost~~ for cement.

#

~~In other~~

That is to say the estimate is for 7712 cu. yds concrete requiring 10,000 bbls of Cement.

Very Sincerely yours  
W. S. Post.

E.F.

Dec 14.

[W 1915] <sub>3m</sub>

[see  
McCormick, T.F.]  
<sub>asm</sub>

Mr. McCormick says  
these stipulations and  
a check for \$ 2782.<sup>50</sup>  
deposited with him  
are the next steps on the  
Conejo Reservoir.

He does not assure  
immediate results, but  
has acted promptly thus  
far. The consent of the  
local Indians is needed  
or at least a report after they  
have been read these stipulations  
and then Indian Office will  
go over their head, if their objections  
are ill founded.

W.S. Post.

84A

Dec. 15, 1915.

Mr. Post:

Enclosed find Robinson's two letters (of Nov. 17 and Dec. 14). Here is another unfortunate circumstance, where you didn't get things in black and white. The result is that it puts me over a barrel, as I took your statement to Mr. Murray as to costs. Mr. Robinson's proposition is entirely different from your understanding, and the one that was included in our letter, which you heard me dictate. Robinson's letter I don't remember ever seeing. In fact, this is the day that I went to the hospital. Enclosed find copy of my answer in reply to Robinson.

Ed Fletcher.

F-S

C. W. CO.

December 27th,  
1915.

Mr. W. B. Mathews,  
Title Insurance Building,  
Los Angeles, Cal.

Dear Sir:-

At Mr. Gottesburn's request, you will find the charter of the City of San Diego of 1850 in the Statutes of 1850, page 121.

I can not locate a copy of the proceedings in 1854 validating land grants in California. This proceeding, I understand, was before a United States District Court or before a United States Land Commission reporting to the Court upon which patents were issued to the various land grant claimants.

Tomorrow night we are sending photographic reproductions of

(1) U. S. Patent map of Pueblo of San Diego dated July 1858 (by John C. Hays) filed of record on page 197, Book 1 of Patents, San Diego County, Calif.

(2) U. S. Patent map of Rho. Mission, dated February 1869 (by James Pascoe) filed of record on page 345, Book 1 of Patents, San Diego County, Calif.

(3) U. S. Patent map of El Cajon Rancho, dated 1874, filed of record on page 303, Book 1 of patents, San Diego County, Calif.

(4) Map of Partition of Rancho Mission of San Diego, dated January 1885 (by Messrs. Fox, Borden & Woodson referees), filed January 1886 in action Luce vs Commercial Bank of San Diego, Superior Court records No. 348, San Diego County, Calif.

(5) Map of Pueblo of San Diego attached in action Joanna Baldwin vs Cave J. Coutts et al in 18th District Court #869, Records of San Diego County, Calif. This map is a duplicate of the original Capt. Fitch's map as recorded of Evidence in Vol. 6, page 745 (not in San Diego records, probably Government) in Case 589, attached to deposition of Santiago Arguello.

Mr. Post:

I want at once the date of Boone's suit; also the date that the council passed the resolution entering into a contract with Boone. When was the water filing of Sackett's made?

Ed Fletcher.

12/17/15.

Mr. W. B. Mathews,  
page 2.

July 5, 1854 and taken before commissioner G. Thompson  
Burrill by the President and Trustees of City of San Diego  
pueblo lands as Exhibit A - G. T. B.

We will endeavor to obtain a blue print or photo-  
graph of this original map.

Very sincerely yours,

P-E

**Ed Fletcher Papers**

**1870-1955**

**MSS.81**

**Box: 21 Folder: 29**

**General Correspondence - Post, William -**



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