

Boulder Creek

[KLUEGEL]

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
Sacramento, Calif

San Francisco, Calif.,  
January 25, 1921

In re Application No. 2013

[re BOULDER CREEK  
POWER PROJECT  
etc]

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

Dear Sir:

Under date of December 17th, 1921, this office wrote you as follows:

Under date of November 15th we wrote you in regard to the above numbered application suggesting that you move the point of diversion up-stream in order to avoid making diversion on another person's property.

We asked at that time to send us a definite location of the new point and a sketch of the change in the pipe line location as a result. It was called to your attention that proof of publication of the advertising notice had not been filed in this office.

No answer has been received from this letter and it is desired to know what steps you intend to take and when this proof of publication may be expected.

An early reply will be appreciated."

Will you please give this matter your immediate attention.

Yours very truly,  
H. A. KLUEGEL  
Chief of Division  
By Adelaide Smith  
Chief Clerk

AS-B

Original to Mr. King

206

Office  
April 24, 1922.

Mr. King:

What does this refer to? Please return the letter to me with your comments.

E. F.

BA

E. & M. J. HOW CO

FLETCHER-SUMMONS INVESTMENT COMPANY

*Handwritten signature*



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

206

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

April 18, 1922

Application No. 567.

Mr. Ed Fletcher,  
920 - 8th Street,  
San Diego, California.

Dear Sir:

You are hereby advised that under date of April 18, 1922, you have been granted permission to change the point of diversion of water under the above numbered application, as petitioned by you under date of June 2, 1921.

The point of diversion is to be changed

From a point described as follows:  
A point north 80°58' W 452.6 feet from the corner common to Sections 8, 9, 16 and 17, T. 12S., R 2E., S.B.B.&M.

*Black Canyon Pt of Diversion*

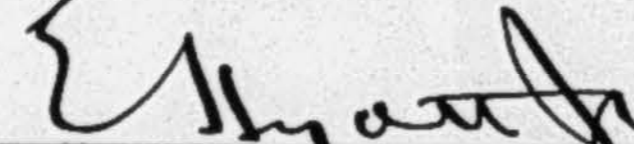
To a point located as follows:  
A point about 1000 ft. downstream, said point being S 37°12' W 1465.8 feet from the said common corner of Sections 8, 9, 16 and 17 described above.

*This located by F.M. RIVETS*

The records of this office have been amended to agree with the above.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

APP.  
APB:IM

COPY

May 10, 1922.

Applications Nos. 499-584-830-835-1043-2338

Messrs. Woodruff & Shoemaker,  
820 Merchants National Bank Building,  
Los Angeles, California.

Gentlemen: Attention: Mr. C. H. Hartke

On April 3rd, a letter was sent you from this office in regard to the above numbered applications of Susie B. Albright and the Estate of Harrison Albright. However, no reply thereto has been received as yet.

In that letter, it was stated that a report on the project by a competent consulting engineer would be a necessary prerequisite for a further consideration of extension of time for filing of answers to protests on these applications. This report should cover (1), the feasibility of the project; (2), data on the available water supply; (3), information necessary to prepare a reply to the several protests filed against these applications.

The names of several consulting engineers qualified to make such a report were given you by Mr. Baker, of this office. It is desired to know at this time who has been retained to draw up this report. A statement from this engineer is also desired informing this office when the report will be submitted. This should be at an early date as considerable time has already been allowed for the preparation of this report.

On June 7, 1921, at a conference held in the office of the Division of Water Rights, at which Messrs. Albright, Huber, Poole, Fletcher and others were present, Mr. Albright designated Mr. W. L. Huber as his sole and only representative before the Division of Water Rights, in matters pertaining to the above numbered applications. This designation was witnessed by other interested parties. Susie B. Albright, however, did not designate anyone as her representative.

Because of recent developments in Mr. Albright's affairs, it would now seem advisable to have your law firm appointed with power of attorney as the sole representative before this office of all parties holding an equity in these applications.

Please inform us if there are parties other than Harrison and Susie B. Albright who hold an equity in these applications.



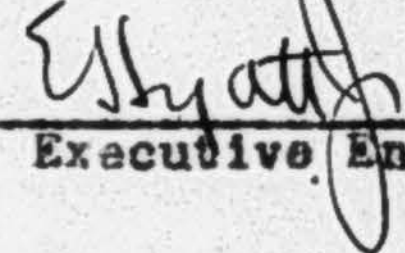
Messrs. Woodruff & Shoemaker....Pg. 2.

Sometime within the next two weeks, Major H. A. Kluegel, Chief of Division and Mr. Baker will be in Los Angeles at which time a conference can be arranged in the Los Angeles Office of the Division of Water Rights.

Your early attention to the matters here discussed is earnestly requested as further action must be taken on these applications in the near future.

Very truly yours,

H. A. Kluegel  
CHIEF OF DIVISION

By   
Executive Engineer

*get*  
GET\*LS

c.c. to:

W. L. Huber, 1st National Bank Bldg.,  
San Francisco, California.  
Col. Ed. Fletcher, Fletcher Bldg.,  
San Diego, California.  
Susie B. Albright, 618 Benton Blvd.,  
Los Angeles, California.

May 26, 1922

Major H. A. Kluegel,  
Division of Water Rights,  
Department of Public Works,  
Sacramento, Calif.

My dear Major:

Enclosed find copy of letter I have received from Chandler, which may or may not be your views, but is sent simply for your information.

I do hope that a decision can be rendered at an early date.

I received this morning from Mr. Baker a list of questions, which are being prepared and the answers will be put in your hands in the next two weeks.

With kind personal regards, I am

Sincerely yours,

EF:KLM



206  
STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
CALL BUILDING, SAN FRANCISCO  
510 EIGHTH ST.

May 29, 1922

Application No. 567

Colonel Ed Fletcher,  
Fletcher Building,  
San Diego, California.

Dear Mr. Fletcher

Acknowledging your letter of May 22, regarding the Black Canyon and Santa Ysabel Creek filing, if as you state, you are not depending upon appropriation rights initiated under the law prior to the passage of the Water Commission Act, for power purposes, it would appear that your above numbered filing should be included with your Federal Power Commission application as a showing of water right.

In this connection, the application has been ready for issuance of permit by this office for many months but action has been delayed pending completion before the Power Commission.

It is noted that your application to the Power Commission carries a statement that there is a filing pending before this Division, however, this has apparently been overlooked by the Power Commission, as they have the idea that you are depending solely upon old rights.

Please let us know if there is anything further we can do for you in this connection.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

EH:IM

5/31/22

Mr. King:

See me about this.

E. F.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

May  
Twenty ninth  
1922

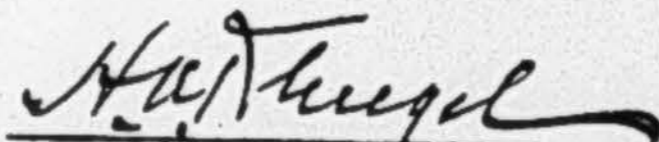
Colonel Ed. Fletcher,  
916 8th Street,  
San Diego, California.

My dear Colonel Fletcher:

I am in receipt of yours of the 24th,  
together with the clipping concerning the La Mesa  
meeting, and thank you for it.

I have seen Mr. Chandler and we hope  
to have some conference in the near future and  
I hope that we shall then be able to get down  
to a more definite program on the Cuyamaca case.

Kindest regards,



(H. A. Kluegel)  
CHIEF OF DIVISION OF WATER RIGHTS  
STATE DEPARTMENT OF PUBLIC WORKS

HAK:AW

206

July 5, 1922

Department of Public Works,  
Division of Water Rights,  
Sacramento, California.

Subject: Application No. 567

Gentlemen:

The above application has been pending before the  
State Water Commission since 1917 and has apparently been  
delayed from time to time owing to the fact that there was  
some misunderstanding regarding obtaining the rights from  
the Federal Government.

There is now pending before the Federal Power  
Commission an application for a preliminary permit for the  
use of this water for power purposes. They are withhold-  
ing the issuance of this permit until Application No. 567  
is made a part of my application to the Federal Power Commis-  
sion.

In the Application No. 567 the statement is made  
that the project will be completed by July 1st, 1922.

Owing to the financial conditions caused by the  
great war and the fact of the evident misunderstanding about  
the requirements of the Federal Power Commission there has  
been a very considerable delay in putting this project thru.  
I, therefore, am writing to request that the date of the  
final completion of this project be made July 1st, 1924,  
instead of July 1st, 1922.

Will you be kind enough to furnish me with the  
proper form of making an application to change the date of  
completion, should a formal application for that purpose  
be necessary.

Thanking you for your co-operation, I am,

Yours very truly,

Dictated by T. H. King for Colonel Fletcher.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

July 5, 1922

Application No. 2695

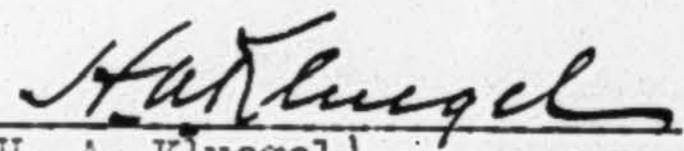
Mr. Ed. Fletcher,  
Fletcher Building,  
San Diego, California.

My dear Mr. Fletcher;

This is to acknowledge receipt of your letter of June 27, enclosing report of your hydrographer, and to thank you for same.

It is a pity that such seasons as the last one do not occur with greater frequency in San Diego County.

Very truly yours,

  
(H. A. Kluegel)  
CHIEF OF DIVISION OF WATER RIGHTS  
STATE DEPARTMENT OF PUBLIC WORKS

DJ:IM

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

July 8, 1922

Mr. Ed Fletcher, Jr.,  
920-8th Street,  
San Diego,  
California.

Dear Sir:

Two applications have been received in this office from you to appropriate water from Springs in San Diego County.

You will note by the rules and regulations, copy herewith, that the fee for filing each application is \$5.00. This is in accordance with an amendment to Section 23 of the Water Commission Act, and the Division of Water Rights cannot consider the applications until the filing fee is received.

It is also desirable to bring to your attention at this time the fact that since your proposed points of diversion are described by reference to "S" Tract in Rancho El Cajon, it would be well for you to submit with your applications a map of said tract showing its tie to a Government Monument.

Under paragraph 3 a definite amount of water to be diverted and the times of diversion must be stated.

Under paragraph 17 at least a general description of the location of the lands to be irrigated is required at the time of filing. Eventually a description by the smallest legal subdivision will be required.

One copy of each application is herewith returned to you and when the above matters have been complied with your applications will be filed and take their regular course.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

A.P.B.  
APB\*LS  
Enc.

# 276



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

July 8, 1922

280-27

Application No. 567

Colonel Ed. Fletcher,  
Fletcher Building,  
San Diego, California.

Dear Colonel Fletcher:

Receipt of your letter of July 5, requesting extension to July 1, 1924, on project bearing the above number before this office, is acknowledged.

Your application for this project seems to have reached a peculiar situation before this office and the Federal Power Commission and there has been considerable correspondence concerning it.

Under date of May 22, you advised this office that you were not depending on your old rights alone on the Santa Ysobel and Black Canyon streams for power purposes, and requested advice as to whether you should submit your application No. 567 to the Federal Power Commission as an exhibit showing that you had complied with the State Law as to water rights in your application before the Federal Power Commission for a preliminary permit.

In reply thereto, under date of May 29, you were advised that the above numbered application should be included in your applications before the Power Commission and it is also understood that you were requested by the Federal Power Commission to include this application.

In your letter of July 5, it is stated that the Federal Power Commission is withholding issuance of permit until application No. 567 is made a part of your applications before that body. The information that you have not filed your application 567 comes as a surprise to this office inasmuch as it was assumed that in order to clear matters before this office and the Federal Power Commission, you would immediately file a copy of that application with that body upon receipt of our letter of May 29.

The reason for not so filing is not clear to this office inasmuch as not doing so not only creates an irregularity in your priority but embarrasses the work of both offices

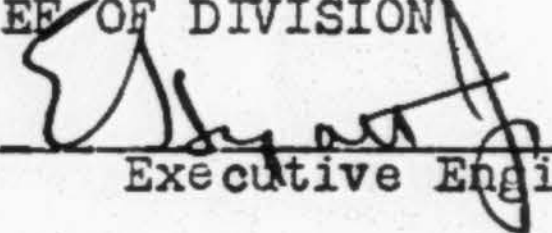
#2 - Colonel Ed. Fletcher.

before which your application has been filed. It is unfortunate that the situation as it now stands does not justify this office in granting the extension requested and it is hoped that you will clear the matter at an early date.

For your information you are advised that the filing of application 567 does not vitiate to any degree the value of your old rights under the State Law. On the contrary it strengthens the aggregate value of your total rights on the River. To that extent also, it will strengthen the value of your showing as to water rights before the Federal Power Commission.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

HC:IM



State of California  
Department of Public Works  
Sacramento

*for Col. Fletcher's  
File*

Division of Water Rights  
910 Eighth Street

July 12, 1922

Application No. 2695

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

Dear Sir:

Examination of the above numbered application shows the following deficiencies to which your attention is invited:

Paragraph 5 shows a pipe line 10 miles long. This pipe line should also be shown on a map.

Paragraph 17. The vicinity wherein the water is to be used is stated, but the acreage to be irrigated is not shown.

Paragraph 18 should be consistent in total with Paragraph 17.

Paragraph 20. The only map in connection with this application on file with this office is a contour map of the reservoir which shows the area in 20-foot contours. The Rules and Regulations are very plain on this point and state contour maps of the reservoir sites should show the area in 5 or 10-foot contours. Besides this contour map, a map should be submitted showing the location of the ditch and also the location in detail of the land to be irrigated.

One copy of your application is herewith returned to you and, as provided in Section 17 of the Water Commission Act, you are allowed sixty days after this notice in which to file an amended and perfected application.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

(Signed) By E. Hyatt, Jr.  
Executive Engineer

JCF:JIM

Enc.

Reg.

cc to Mr. A. E. Chandler,  
723 Balboa Building,  
San Francisco, Calif.

C O P Y

July 14, 1922

206

Major H. A. Kluegel,  
Chief of Division of Water Rights, Application No. 567  
Department of Public Works,  
Sacramento, California.

My dear Major Kluegel:

Replying to your letter of July the 8th. It is indeed unfortunate that the peculiar condition that you refer to on the Sutherland-Black Canyon Power Application has arisen as we were under the impression that we had complied with all the requirements of both the State Water Commission and Federal Power Commission.

Exhibit E of the application to the Federal Power Commission was an enumeration of the water rights held on the Santa Ysabel and Black Canyon Creeks at the points in question. The application before the State Water Commission was referred to in this exhibit along with the enumeration of the other water rights. There was no copy of any of the water rights submitted nor did the Federal Power Commission ask for any such copies.

The reason no copy of the Application No. 567 was originally submitted in the Federal Power Commission Application was that as no copy of any other water right was required we naturally assumed that the enumeration of this application was all that was necessary. Furthermore we did not know or feel that we had the right to submit a copy of our application to the State Water Commission to the Federal Power Commission prior to the granting of the permit from the State Water Commission.

On July 1st, however, a copy of Application No. 567 was forwarded to the Federal Power Commission with a letter explaining to them why it had not been filed before. A copy of the letter to the Federal Power Commission is inclosed herewith.

There has been a great deal of money spent on this project in road building to make the project accessible, core recovery borings to determine bed rock conditions at the dam-site, and the final location and benching of three miles of the pipe line practically completed. In view of these facts in addition to those enumerated in my letter of July the 5th, I feel that the State Water Commission would be justified in granting an extension of time on this work.

Yours very truly,

EF:ME



# 243

July 17, 1922

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
Sacramento, California.

In re Application No. 2695

Dear Sir:

I have mailed you today registered  
under separate cover tracing and one blue line  
print showing the conduit system and lands to be  
irrigated as per Application No. 2695.

Yours very truly,

T. H. KING

By \_\_\_\_\_

WBS:ME

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

July 17, 1922

Application Number 567

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

Dear Mr. Fletcher:

Acknowledging your letter of July 14  
in the Black Canon matter:

It is unfortunate that a delay has  
been occasioned by a mutual misunderstanding.  
We will take the matter up at once with the  
Federal Power Commission and anticipate early  
action on the application. No formal petition  
to change the date previously set down as being  
the time when construction will be completed, is  
necessary. Your request of July 5 will be  
given full consideration at the time the permit  
terms are made out.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

BY E. Hyatt Jr.  
Executive Engineer  
*per A.P.B.*

EH:MC

*Enclosed find for your  
information. Kindly return*



W. 243

July 19, 1922

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
Sacramento, California.

Re Application No. 2695

Dear Sir:

Your letter of July 12th to Colonel Fletcher was handed to me for reply. I am returning herewith Application No. 2695 with the additional information as requested. The map referred to in Paragraph 5 was mailed on July 17th, and I trust it will be in accordance with your requirements as it shows the pipe line as well as the acreage to be irrigated as stated in Paragraph 17.

In reference to Paragraph 20. The map filed with the Commission shows only the 20-foot contours for the reason that in order to depict the reservoir on a sheet which will be within the size required by the State Water Commission, I feared the 10-foot contours would be so close together as to be confusing although our survey and our office map on a larger scale is on the 10-foot contours. If you will return the tracing which you have on file, I will have the 10-foot contours platted upon it.

Yours very truly,

T. H. King  
Chief Engineer Ed Fletcher Co.

THK:ME

270-6

July 25, 1922.

Mr. H. A. Kluegel, Chief,  
Division of Water Rights,  
Department of Public Works,  
Sacramento, Calif.

Application 2695

Dear Sir:

Your letter of July 20th to Colonel Fletcher was referred to me for reply.

Is it necessary to have a duplicate set of maps accompany the application for the use of this water for municipal supply, or will the formal application simply be attached to the maps now on file in connection with this application for agricultural purposes.

Thanking you for your assistance and cooperation in this matter, I am

Yours very truly,

T. H. King  
Chief Engineer

THK:KLM



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

August 2, 1922.

Application No. 567

Colonel Ed Fletcher,  
Fletcher Building,  
San Diego, California.

Dear Sir:

Under even date, permit on above numbered application for the appropriation of thirty cubic feet per second from Santa Ysabel and Black Canyon Creeks for power purposes is being issued.

In the course of the permit check it was noted that although the original application mentioned storage of 11,865 acre feet in the Sutherland Reservoir, the advertising notice of March 1917 omitted all reference to such storage and there has been no further reference to storage in connection with the application either in your own letters or those of this office.

Accordingly, permit has been issued without reference to storage and unless advised to the contrary within thirty days, this office will assume that the elimination of storage features from this application was made with your approval and rights initiated for this purpose will cease and determine.

Yours very truly,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

FB.  
FFB\*LS

The attached bill was paid  
by check for 75<sup>84</sup> Aug 21, 1922  
TKK

Env. No. 243

August 5, 1922

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Enclosed herewith is duplicate application for the use of the waters of the San Diego River at the Mission Gorge Dam-site, as per your letter of July 28, 1922.

I understand Col. Fletcher has already authorized you to have the additional prints necessary made and billed to him instead of us sending you prints from this office.

I trust you will find the application in due form. Should there be any corrections or additions I shall be glad to give any additional information which you may deem necessary.

Thanking you for your cooperation in this matter, I am,

Yours very truly,

TKK/B  
enc.

T. H. KING  
Chief Engineer.



# 276

August 14, 1922.

Application Number ~~2695~~

OFFICE COPY

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Enclosed herewith you will please find check for \$10.00 to cover the filing fees of the two applications of Edward Fletcher Jr. on certain springs on the "S" tract within the El Cajon grant.

I wish to thank you for your suggestion that these two be combined on one application, but since the land to be irrigated is a separate tract in each case I believe it would probably be necessary to make a separate application each appropriation. I am preparing a map showing the location of the springs and the area to be irrigated in each case and will forward them to you in about ten days.

Thanking you again for your assistance I am,

Yours very truly,

T.H.K./M.G.

109

August 14, 1922.

Application Number 2695.

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

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Thanking you again for your assistance I am,

Yours very truly,

T.H.K./M.G.



109

Env. No. 243

August 14, 1922.

August 14, 1922.

Application Number 2695.

Application Number 2695.

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:-

Dear Sir:-

Enclosed herewith you will please find check for \$5.00 to cover filing fee on the above numbered application for municipal use within the city of San Diego.

Enclosed herewith you will please find check for \$5.00 to cover filing fee on the above numbered application for municipal use within the city of San Diego.

I regret the oversight in not sending filing fee with application, but was under the impression that the original filing fee was all that was necessary and that the application extending the use for municipal purposes was really a portion of the original application.

I regret the oversight in not sending filing fee with application, but was under the impression that the original filing fee was all that was necessary and that the application extending the use for municipal purposes was really a portion of the original application.

I wish to thank you for your cooperation in directing me in these matters.

I wish to thank you for your cooperation in directing me in these matters.

Yours very truly,

---

Yours very truly,

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T.H.K./H.G.

T.H.K./H.G.



August 14, 1922.

Application Number 567.

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:-

Your letter of August 2nd, referring to the above application and enclosing bill for fees on permit for same received.

It is certainly a great surprise to me to hear that this permit has been issued without reference to storage.

We have never contemplated this development without reference to storage and have already spent large sums of money in core drilling and surveys in investigating the best possible dam site for a large reservoir at this point. The advertising notice was published in 1917 and I cannot at this time say who was responsible for the omission of the mentioned of storage in this advertisement, but I certainly wish to claim the right to store water under this power application and will greatly appreciate it if you will advise me at once how to proceed in order that you may issue this permit including the right to store water as was set forth in my application.

Yours very truly,

E.F./M.G.

*Letter of Aug 2nd in Mr. Fletcher's file } get this letter back*

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

August 17, 1922

Application Number 567  
Permit Number 1109

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

Dear Sir:

This is to acknowledge receipt of your letter of August 14, 1922 relative to the omission of the storage features in Permit of above number.

We are unable at this time to determine why the storage features of this application have escaped notice and attention since the date of the original filing of the application. However, it would appear that such right to storage as may have been initiated by the filing has not lapsed.

In order that the situation may be cleared up it is recommended that the following steps be taken:

(1) The permit fees on the permit as approved on August 2, and for which you have been billed, should be paid at once in order that the filing of the permit may be made with the County Recorder. Should these fees not be paid the law is specific that all priority of right under the application shall cease and determine. It is understood, of course, that this permit will for the time being be considered only a partial permit and that at a future date supplemental permit may be issued.

(2) The Engineering data necessary in order to complete the application for storage should be filed at once. This data includes a tracing and print of a contour map of the reservoir and an area capacity curve. The proposed inclusive dates of diversion into storage should also be noted.

(3) When the application has been completed in these respects advertisement will then be made.

(4) At the expiration of the advertising period consideration will be given to any protests which may have been



Pge 2- E. Fletcher

filed and to the matter of issuance of a permit.

(5) If no objections develop the supplemental permit may then be issued allowing the storage as applied for.

We regret very much that misunderstanding should have crept into our consideration of this application for permit and as heretofore stated we are absolutely unable at this time to determine the cause. We hope, however, that the matter will work itself out to your satisfaction without too great inconvenience and delay.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

BY   
Executive Engineer

ENB:MC

State of California  
DEPARTMENT OF PUBLIC WORKS  
Sacramento

#276

Division of Water Rights  
910 Eighth Street

August 19, 1922

Applications Nos. 2695-2989-2990-2991

OFFICE COPY

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

Dear Sir:-

Attention: T. H. King

Examination of applications 2695 and 2989 and map in connection therewith, and of applications 2990 and 2991, shows the following deficiencies to which your attention is invited:-

APPLICATION NO. 2695

Paragraph 2 shows an amount equal to the total capacity of the reservoir. This amount will logically be reduced by the amount which will be used from this source as a municipal supply for the City of San Diego and also as hereinafter indicated.

Paragraph 7 - The map indicates that the storage dam will also serve as a diversion dam.

Paragraph 8 - The capacity of a twenty-four inch pipe if laid on a grade of one foot to one thousand has been computed to be 6.42 cubic feet per second which is the equivalent of approximately 4,700 acre feet per annum. Since the irrigation season will probably be less than the full year, the total amount which may be conveyed through this conduit will be less than 4,700 acre feet per annum. Kindly comment on this condition and amend your application to correct same.

Paragraph 19 - Please fill in completely.

Application No. 2989

Paragraph 2 - Since the amount specified is the same as the capacity of the reservoir, it is logical that same should be reduced by the amount which will be used for irrigation purposes.

Paragraph 7 - The map indicates that the storage dam will also serve as a diversion dam.

Paragraph 8 - Should be filled in completely. This information is necessary for the computation of the capacity of the conduit.



#2

Paragraph 18 - Should be filled in to cover the period indicated under paragraph 16.

One copy of amended application 2695 and a copy of application 2989 is returned herewith, and under Section 17 of the Water Commission Act you are allowed sixty days in which to complete same by submitting the information requested above.

APPLICATIONS NOS. 2990-2991

Paragraph 2 - In accordance with enclosed form 69, the maximum amount of water for which either application could be approved would be 1.87 second feet continuous flow or its equivalent in case of rotation. This amount should accordingly be entered under this paragraph.

Both of these applications are further deficient in that no maps according to the Rules and Regulations have been filed in support thereof and also in that certain of the information called for by the various paragraphs of the applications has not been submitted.

We are enclosing herewith six blanks of township plats on which, since the applications are for less than three cubic feet per second, maps as required by the Rules and Regulations may be submitted.

One copy only of each of these applications is filed. It is believed that a copy of each application was retained by you for your own files and request is made that amended applications be submitted in accordance with information contained on such retained copies. Should additional blanks be needed, same will be sent upon request.

Under Section 17 of the Water Commission Act you are allowed sixty days after this notice in which to complete these applications.

Very truly yours,

H. A. Kluegel  
Chief of Division

By Edward Hyatt, Jr.  
Executive Engineer

JCF:IM  
ENC.  
REG.

COPY

(For original letter see Encl. 243)

August 21st, 1922.

Application Number 567.

Mr. H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:-

Colonel Fletcher turned over your letter of August 17th to me for reply.

Enclosed herewith is check for \$75.84 covering fees on Application No. 567 as per your statement dated August 2nd.

Colonel Fletcher has instructed me to prepare the data requested in your letter of August 17th, so that the right of storage may be included under permit No. 1109.

Yours very truly,

T. H. King.  
Chief Engineer.

T.H.K/M.G.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
Sacramento

*Original  
Serial No.  
12-2641*

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

Form 30

Application No. 12-2641

CERTIFICATE PRESCRIBING TIME FOR COMPLETE  
APPLICATION OF WATER TO PROPOSED USE.

(Issued under the provision of Section 12  
of the Water Commission Act--Statutes  
1913, Chapter 586.)

STATE OF CALIFORNIA  
City and County of Sacramento.) ss

This is to certify that the DIVISION OF WATER RIGHTS has considered the work done by Ed Fletcher and William G. Henshaw, as surviving partners of a co-partnership formerly composed of James A. Murray, Ed Fletcher and William G. Henshaw, and doing business under the firm name and style of Cuyamaca Water Company of San Diego, California, in appropriating 100,000 Miners Inches i.e., two thousand (2000) cubic feet per second of the waters of San Diego River for domestic and irrigation purposes, under a notice of appropriation dated June 1, 1910, and recorded in Book 4 of Water Claims at Page 51, of the Records of the County Recorder of San Diego County, California, and as the Division of Water Rights has determined that such works have been prosecuted with due diligence, it hereby fixes the time within which the full amount of water appropriated shall be applied to a useful or beneficial purpose as ending October 1, 1925.

WITNESS my hand and the seal of the Department of Public Works this 6th day of September 1922.

STATE DEPARTMENT OF PUBLIC WORKS  
Division of Water Rights

By H. A. KLUEGEL  
Chief of Division

(SEAL)

September 15, 1922.

Major H. A. Kluegel, Chief of Division,  
State Department of Public Works,  
Division of Water Rights,  
Sacramento, California.

Application 12-2641

My dear Major:

Referring to Application 12-2641, I thank you for the certificate prescribing time for complete application of water to proposed use, and giving us until October 1st, 1925 to make the development.

I wish to call your attention to suit brought by the City of San Diego in the Superior Court against the Cuyamaca Water Company on January 11, 1922, claiming the ownership of all the waters of the San Diego River under the laws of Spain, a so-called pueblo right.

As you know, we have spent several hundred thousand dollars in developing the Cuyamaca System, have more than doubled its net safe yield, have had the U. S. Reclamation Service pass on our water supply, we have purchased El Capitan damsite and made extensive explorations to determine whether it is feasible or not as a damsite. We have done the same thing at our diverting dam, and finally several years ago we acquired the so-called Fletcher damsite, purchased the Marcks ranch on which the Fletcher damsite is located, have made our core drillings and found satisfactory bedrock, and we are in a position to finance the construction of the final unit in the development of the Cuyamaca System - the Fletcher dam, which shows up the best of all.

We have been unofficially informed by officials of the City of San Diego, however, and believe it to be true, that if we start the building of the Fletcher dam, we will be immediately enjoined unless we await the final determination as to the ownership of the waters of the San Diego River in the suit brought by the city, above mentioned. We are rushing this suit as rapidly as possible and expect to have it tried within the next ninety days in the Superior Court. We have every confidence that we will win, however, it may be appealed to the Supreme Court.

We wish to live up to the spirit and the letter of your decision, however as the work will be let by contract we can see that we would be in a very embarrassing situation



and run great danger of financial loss, if the contract were let and the work half completed and then we were enjoined by the city, with many months delay.

Can you see your way clear to answer the following questions:

Can your Department recognize a stay in the proceedings caused by the litigation of the city of San Diego, and give us a reasonable extension of time of completion, or will you insist upon our going ahead and taking chances on being enjoined, and perhaps take a heavy loss if the work is partially completed and we are compelled by the courts to stop, thereby putting ourselves in a position to be sued by the contractors for their profits, and the danger of damage by floods.

We wish to cooperate with your Department in every way. We are determined to complete this development, and we would appreciate any advice from you on this subject, but we are fearful of commencing the construction of this dam until the courts have determined this question, or we can make some satisfactory agreement with the city as regards its pueblo claim.

We have no fear of any riparian owner below, including the City of San Diego, except the ownership of the water thru the old Spanish pueblo claim.

Thanking you for your interest in this matter, and awaiting an early reply from you, I am

Sincerely yours.

(signed) Ed Fletcher

EF:KLM

September 15, 1922.

File 130-3

Major H. A. Kluegel, Chief of Division,  
State Department of Public Works,  
Division of Water Rights,  
Sacramento, California.

Application 12-2641

My dear Major:

Referring to Application 12-2641, I thank you for the certificate prescribing time for complete application of water to proposed use, and giving us until October 1st, 1925 to make the development.

I wish to call your attention to suit brought by the City of San Diego in the Superior Court against the Cuyamaca Water Company on January 11, 1922, claiming the ownership of all the waters of the San Diego River under the laws of Spain, a so-called pueblo right.

As you know, we have spent several hundred thousand dollars in developing the Cuyamaca System, have more than doubled its net safe yield, have had the U. S. Reclamation Service pass on our water supply, we have purchased El Capitan damsite and made extensive explorations to determine whether it is feasible or not as a damsite. We have done the same thing at our diverting dam, and finally several years ago we acquired the so-called Fletcher damsite, purchased the Marks ranch on which the Fletcher damsite is located, have made our core drillings and found satisfactory bedrock, and we are in a position to finance the construction of the final unit in the development of the Cuyamaca System - the Fletcher dam, which shows up the best of all.

We have been unofficially informed by officials of the City of San Diego, however, and believe it to be true, that if we start the building of the Fletcher dam, we will be immediately enjoined unless we await the final determination as to the ownership of the waters of the San Diego River in the suit brought by the city, above mentioned. We are rushing this suit as rapidly as possible and expect to have it tried within the next ninety days in the Superior Court. We have every confidence that we will win, however, it may be appealed to the Supreme Court.

We wish to live up to the spirit and the letter of your decision, however as the work will be let by contract



we can see that we would be in a very embarrassing situation and run great danger of financial loss, if the contract were let and the work half completed and then we were enjoined by the city, with many months delay.

Can you see your way clear to answer the following questions:

Can your Department recognize a stay in the proceedings caused by the litigation of the city of San Diego, and give us a reasonable extension of time of completion, or will you insist upon our going ahead and taking chances on being enjoined, and perhaps take a heavy loss if the work is partially completed and we are compelled by the courts to stop, thereby putting ourselves in a position to be sued by the contractors for their profits and the danger of damage by floods.

We wish to cooperate with your Department in every way. We are determined to complete this development, and we would appreciate any advice from you on this subject, but we are fearful of commencing the construction of this dam until the courts have determined this question, or we can make some satisfactory agreement with the city as regards its pueblo claim.

We have no fear of any riparian owner below, including the City of San Diego, except the ownership of the water thru the old Spanish pueblo claim.

Thanking you for your interest in this matter, and awaiting an early reply from you, I am

Sincerely yours,

EF:KLM

561  
Sept. 15, 1922.

File 130-3

Major H. A. Kluegel, Chief of Division,  
State Department of Public Works,  
Division of Water Rights,  
Sacramento, California.

Application 12-2641

My dear Major:

Referring to Application 12-2641, I thank you for the certificate prescribing time for completion of application of water to proposed use, and giving us until October 1st, 1925 to make the development.

I wish to call your attention to suit brought by the City of San Diego in the Superior Court against the Cuyamaca Water Company on January 11, 1922, claiming the ownership of all the waters of the San Diego River under the laws of Spain, a so-called pueblo right.

As you know, we have spent nearly a million dollars in developing the Cuyamaca System, have more than doubled its net safe yield, have had the U. S. Reclamation Service pass on our water supply, we have purchased El Capitan damsite and made extensive explorations to determine whether it is feasible or not as a damsite. We have done the same thing at our diverting dam, and finally two or three years ago we acquired the so-called Fletcher damsite, purchased the Marcks ranch on which the Fletcher damsite is located, have made our core drillings and found satisfactory bedrock, and we are in a position to finance the construction of the final unit in the development of the Cuyamaca System - the Fletcher dam.

We have been unofficially informed by officials of the City of San Diego, however, and believe it to be true that if we start the building of the Fletcher dam, we will be immediately enjoined unless we await the final determination as to the ownership of the waters of the San Diego River in the suit brought by the city, above mentioned. We are rushing this suit as rapidly as possible and expect to have it tried within the next ninety days in the Superior Court. We have every confidence that we will win, however, it may be appealed to the Supreme Court.

We wish to live up to the spirit and the letter of your decision, however as the work will be let by contract

I don't think this is the correct copy - see white copy -



Page Two

we can see that we would be in a very embarrassing situation and run great danger of financial loss, if the contract were let and the work half completed and then we were enjoined by the city, with many months delay.

Can you see your way clear to answer the following questions:

Can your Department recognize a stay in the proceedings and give us a reasonable extension of time of completion, caused by the litigation of the city of San Diego, or will you insist upon our going ahead and taking chances on being enjoined, and perhaps take a heavy loss if the work is partially completed and we are compelled by the courts to stop, thereby putting ourselves in a position to be sued by the contractors for their profits and the danger of damage by floods.

We wish to cooperate with your department in every way. We are determined to complete this development, and we would appreciate any advice from you on this subject, but we are fearful of commencing the construction of this dam until the courts have determined this question, or we can make some satisfactory agreement with the city as regards its public claim.

We have no fear of any riparian owner below, including the City of San Diego, except the ownership of the water thru the old Spanish public claim.

Thanking you for your interest in this matter, and awaiting an early reply from you, I am

Sincerely yours,

EF:KLM

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

Division of Water Rights  
910 Eighth Street

September 21, 1922

Application 12-2641

Mr. Ed Fletcher  
916-8th Street,  
San Diego, California.

Certificate prescribing time for  
Complete application of water to  
Proposed use.

Dear Sir:

Receipt of your letter of September 15, 1922 is hereby acknowledged. We do not expect your company to run risks of loss as outlined in your letter. Proof of such a condition as stated would furnish good cause for an extension of time for the grant of a further certificate.

If shortly prior to October 1st, 1925 you find yourselves unable to complete by that date, due to a delay in starting construction, which delay was occasioned by such a condition as now stated to exist, you should make a showing as to those facts and ask that a further certificate extending time to complete be granted.

In this connection your attention is invited to Section 12 of the Water Commission Act, Page 10. A copy of the Act is enclosed for your convenience.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By Spencer E. Burroughs  
Attorney for Division

SEB:MC

Enc.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

Division of Water Rights  
910 Eighth Street

September 21, 1922

Application 12-2641

Mr. Ed Fletcher  
916-8th Street,  
San Diego, California.

Certificate prescribing time for  
Complete application of water to  
Proposed use.

Dear Sir:

Receipt of your letter of September 15, 1922 is hereby acknowledged. We do not expect your company to run risks of loss as outlined in your letter. Proof of such a condition as stated would furnish good cause for an extension of time for the grant of a further certificate.

If shortly prior to October 1st, 1925 you find yourselves unable to complete by that date, due to a delay in starting construction, which delay was occasioned by such a condition as now stated to exist, you should make a showing as to those facts and ask that a further certificate extending time to complete be granted.

In this connection your attention is invited to Section 12 of the Water Commission Act, Page 10. A copy of the Act is enclosed for your convenience.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By Spencer E. Burroughs  
Attorney for Division

SEB:MC

Enc.

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

September 27, 1922

Application No. 567 - Permit No. 1109

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

Gentlemen:- Attention: T.H.King, Chief Engineer

Under date of August 21, you wrote this office to the effect that the data required in connection with above numbered application, in order to show the storage features therein, were in course of preparation and it is desired to know how soon the same will be filed.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Executive Engineer

*Emb.*  
HNS:IM



Sept. 30, 1922

Application No. 567 - Permit No. 1109

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Replying to your letter of September 27th.  
Contour map of Sutherland Reservoir with area and  
capacity tabulation will be sent to you under separate  
cover on Monday, October 2nd. I understand this is  
all the information you require in order to complete  
the application for the Sutherland Reservoir to  
include the storage of 11,865 acre feet as stated  
in the original application.

If there is any further data required, I  
shall be glad to send it at once.

Yours very truly,

T. H. King  
Chief Engineer.

THK:ME

Tracing + 2 Blue Line prints mailed to  
Major Kluegel Oct-3-1922. Registered

Enc. 206

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

October 9, 1922

Application 567-Permit 1109

Mr. Ed Fletcher,  
920 - 8th Street,  
San Diego, California.

Attention T. H. King  
Chief Engineer

Dear Sir:

Acknowledgment is made of receipt of a tracing and two  
prints of Southerland Reservoir filed in connection with above  
numbered application, and letter dated September 30, 1922.

This office now desires to issue a supplementary per-  
mit covering the storage feature of this application, but be-  
fore proceeding toward that end finds it necessary that informa-  
tion be submitted to cover the following deficiencies in the ap-  
plication:

(1) Between what dates will the water be diverted to  
storage.

(2) It is noted that the application in its present form  
specifies a dam of different dimensions than those indicated by  
the map and the capacity curve. Kindly advise this office as to  
the dimensions of the dam by which you now propose to impound the  
water.

Under Section 17 of the Water Commission Act you were  
allowed 60 days in which to complete the application by submitting  
the information requested above.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

BY   
Executive Engineer

JCF:MC

16-cc/



October 12, 1922

Applications Nos. 2695 - 2989

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Replying to your letter of August 19th, regarding the above numbered applications.

Application No. 2695

Under paragraph 2 it is stated that 44,225 acre feet or the total capacity of the reservoir is to be stored and later applied to beneficial use. It was not my understanding that this was intended to convey the idea that 44,225 acre feet or the total capacity of the reservoir should be taken as the annual yield of the said reservoir.

The yield of this reservoir will depend greatly upon the other development on the river above. I have made net safe yield studies of this reservoir and these seem to indicate that with the Cuyamaca Water Company developed as at present, the Mission Gorge will be capable of delivering, as a municipal supply, 8800 acre feet annually. With increased development by the Cuyamaca Water Company above the yield of the reservoir will be reduced. Assuming the complete development of the Cuyamaca Water Company, Mission Gorge Reservoir would probably be able to deliver 6300 acre feet annually.

Assuming the gross area to be irrigated remains as at present contemplated at 5000 acres, the net irrigated area would be, in round figures, 3500 acres. It has been quite well established that the average duty of water in this territory can be assumed at one acre foot per acre of land actually irrigated. This 5000 acres would, therefore, require an annual delivery of 3500 acre feet. Assuming this all to be delivered in eight months, the capacity of the pipe line would be 7.2 second feet. Allowing 10% for transmission losses gives us, in round figures, a capacity of 8.0 second feet for the pipe line. Bulletin No. 376 of the U. S. Department of Agriculture, by Fred C. Scobey,



10/12/22

gives the capacity of a 24" woodstave pipe, laid on the grade of one foot per thousand at eight second feet.

Assuming the yield of the reservoir to be 8800 acre feet annually there would remain 4300 acre feet for municipal use within the City of San Diego, or assuming the complete development of the Cuyamaca Water Company there would be 2800 acre feet for the municipal use within the City of San Diego. These figures are well on the safe side since it is manifestly unfair to an irrigation project to limit the yield of a reservoir to the municipal yield as an agricultural development can get by in case of an emergency on a two-thirds or even one-half supply. The safe yield studies quoted above, however, are my studies based on a municipal supply without shortage.

It is my understanding that the Application No. 2989 was merely supplemental to and really a part of the original Application No. 2695. It would be difficult at this time to definitely state the exact amount of water which would be available for the municipal supply within the City of San Diego for the reason that the yield of the Mission Gorge Reservoir will depend upon the extent of the development of the Cuyamaca Water Company, as has been shown above.

It is somewhat difficult to bring out all of these conditions in the form of application. Will you be kind enough to advise me how I should amend the applications Nos. 2695 and 2989 to cover this condition according to your regulations.

Thanking you for your courtesy in this matter, I am,

Yours very truly,

T. H. King.

THK:ME

P. S. Colonel Fletcher is very desirous of getting early action on the issuance of this permit and if there is any further information, I will forward it very promptly.

T. H. K.

Applications Nos. 2695 and 2989 inclosed.



October 13, 1922

Application No. 567 - Permit No. 1109

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Permit No. 1109 calls for the actual construction work to begin on or before October 15th, 1922. You will recall that there was a misunderstanding about the issuance of this permit and my engineer, Mr. King, has received a letter under as late a date as October 9th, in connection with the issuance of a supplementary permit covering the storage feature of the application.

This development is really a part of the so called Volcan project of which the principal unit is the Warner's Dam on the San Luis Rey River. As you undoubtedly know construction work is going forward at a rapid pace on this unit.

Owing to the delay in getting the permit as above mentioned, and the fact that the Company constructing the Volcan project is at work on a major dam at the present time, it is difficult and not expedient to commence actual construction on the Sutherland Reservoir on the date specified, namely, October 15th. It would be unwise to start construction until a permit was issued allowing us the storage facilities for which we originally applied. Under those conditions can you not issue me an extension of time for the beginning of actual construction. If possible, I would request that the date be set forward to October 15th, 1924.

Thanking you for your advice and assistance in this matter, I am,

Yours very truly,

EP:ME

October 13, 1922

Application 567 - Permit 1109

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Answering your letter of October 9th, 1922, regarding above application.

(1) Between what dates will water be diverted to storage. Ans. Throughout the entire year.

I am not quite clear as to the proper answer to this question. The Santa Ysabel River at this point flows throughout the year although at certain periods during the latter part of the summer the flow is extremely low. If it is the intention that it be stated during what period of the year the inflow into the river is greater than the draft, the question raised is quite intricate as in Southern California the runoff period fluctuates in duration and time very widely. Generally speaking, the months of December, January, February, March, and April are the months during which the greatest runoff occurs although during certain years the runoff persists as late as July, in some years is over during April.

(2) Since this application was made the U. S. Reclamation Service made a very thorough study of this reservoir site and their determinations were that the economic storage was 60,000 acre feet, flooding to the 2111 foot contour U.S.G.S. Mr. J. B. Lippincott has recently made an independent study and arrived at the same conclusion. If it is possible, therefore, Colonel Fletcher would like to change this application to include a possible storage to the 2123 contour U.S. G.S. datum. If he can so amend his application, will you be kind enough to return to me the tracing of the contour map of the Sutherland Reservoir, and I will have another tracing prepared showing the reservoir to the above contour. If it is not permissible to so change the application, the map you now have shows in a heavy dotted line the contour of the reservoir as proposed in the original application and while some additional topography is shown, the top contour of the proposed storage is clearly defined.

Yours very truly,

THK:ME

T. H. King.



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
910 EIGHTH STREET

October 20, 1922

Applications 2695-2989

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

Dear Sir:

Attention Mr. T. H. King  
Chief Engineer

Acknowledgment is made of receipt of your letter dated October 12, 1922 relative to the above numbered applications to appropriate water for agricultural and municipal purposes from San Diego River.

Please be advised that the letter contains information which is accepted by this office as being a part of the applications although it need not be shown in the body of the applications.

In view of the fact that you now desire action as soon as possible on these permits, the following points are brought to your attention. It is necessary that these points be cleared up before definite action can be taken on these applications:

Application 2695

Paragraph 17: The map shows that the land to be irrigated lies in two tracts and it is necessary that the acreage of each tract be shown on the map.

Paragraph 19: Please state the periods of irrigation.

Paragraph 20: It is noted that the project map has been submitted without the usual certificate of surveyor. It is further noted that the map of the reservoir contains no table or curve showing capacity. Under date of July 12, 1922 we mentioned the fact that the rules and regulations called for a contour map of reservoirs in five or ten foot contours. In this case, due to the excellence of the map showing the 20 foot contours, it has been decided to waive

page 2 Mr. Ed Fletcher

this rule and the reservoir map will be in satisfactory shape if a capacity curve or table is added thereto.

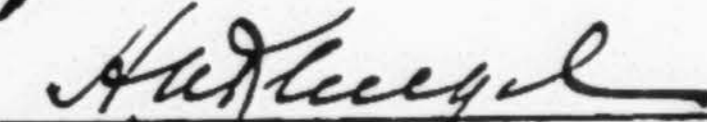
Application 2989

The deficiencies in this application were completely covered in a letter from this office dated August 19, 1922.

One copy of each of these applications is now in your possession for amendment and we enclose herewith a tracing of each map with request that you revise these tracings as suggested above. In returning these revised tracings to this office please submit therewith three prints of each revised tracing. When this has been done you will have submitted sufficient maps to supply the requirements of this office on these applications.

It is noted that the 60 day extension allowed in our letter of August 19, 1922, has expired and if you desire more time for the completion of these applications a written request to that effect is in order.

Very truly yours



( H. A. Kluegel )  
CHIEF OF DIVISION OF WATER RIGHTS  
STATE DEPARTMENT OF PUBLIC WORKS

JCF:MC

Enc.



October 26, 1922

Applications Nos. 2695-2989

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

In order that the additions suggested in your letter of October 20th may be made to the maps in connection with the above applications, I hereby request an extension of time to November 10th, 1922.

Yours very truly,

EF:ME

*Mission San*

October 26, 1922

Applications Nos. 2695-2989

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Replying to your letter of October 20th, and acknowledging receipt of tracings in connection with the above applications. These tracings will be returned to you, under separate cover, within a few days with the additions as suggested in your letter.

The applications Nos. 2695 and 2989, however, are not in my possession having been returned by registered mail under date of October 12th, 1922.

Paragraph 19: The irrigation season will begin about April and end about December.

I am inclosing herewith a letter signed by Colonel Fletcher requesting an extension of time to November 10th, 1922, in order that the maps may be completed according to your suggestions.

Thanking you for your advice and assistance, I am,

Yours very truly,

T. H. King.

THK:ME



October 26, 1922

Applications Nos. 2695-2989

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

In order that the additions suggested in your letter of October 20th may be made to the maps in connection with the above applications, I hereby request an extension of time to November 10th, 1922.

Yours very truly,

EF:ME

October 31, 1922

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
910 Eighth Street,  
Sacramento, California.

Dear Sir:

Under separate cover, I am sending you today two tracings and three blue line prints of each on the Applications No. 2695 and 2989 Mission Gorge.

Yours very truly,

T. H. King.

THK:ME



State of California  
DEPARTMENT OF PUBLIC WORKS  
Sacramento

# 276

Division of Water Rights  
706 Forum Building

November 22, 1922

Applications Nos. 2695-2989-2990  
and 2991

OFFICE COPY

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

Attention Mr. T.H. King, Chief Engineer

Dear Sir:-

Acknowledgment is made of receipt of two tracings and three blue prints of each of maps in connection with the above numbered applications to appropriate water from San Diego River in San Diego River.

Examination of applications 2695 and 2989 shows same to be sufficiently in form for advertising which will be instituted by this office in due course.

Applications 2990 and 2991 are deficient in that no maps in accordance with the Rules and Regulations of this office, have yet been submitted, and also in that certain of the information necessary for the completion of certain of the paragraphs of these applications has not yet been received.

Reference is made to a letter from this office dated August 19, 1922, which allowed, under Section 17 of the Water Commission Act, an extension of sixty days for the completion of the applications.

Please be advised that unless the information now requested for a second time for the completion of these applications is received within thirty days after this notice, it will be assumed that you do not care to proceed with them and applications Nos. 2990 and 2991 will be cancelled from the records of this office.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By E Hyatt, Jr.  
Deputy Chief of Division

JCF:IM  
Reg.

COPY

(For original letter see Env. no. 243)

# 276

Applications Nos. 2990-2991

Dec. 16, 1922

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
706 Forum Building,  
Sacramento, California.

Dear Sir:

Under separate cover, I am sending you today, by registered mail, applications in duplicate of Ed Fletcher, Jr., for the appropriation of water from certain springs within the "S" tract of the Rancho El Cajon.

These applications are accompanied by maps showing the location of the springs and the area to be irrigated therefrom. These maps are not made in the size required by the rules and regulations but they are copies of the filed map of the "S" tract and since the appropriation is for less than three cubic feet per second, I believed that this was the better way to submit the map showing the location of the diversion.

Thanking you for your courtesy in this matter,

I am,

Yours very truly,

THK:MS

T. H. King.

OFFICE COPY



#276

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
704 FORUM BUILDING

December 22, 1922

Applications Nos. 2990 - 2991

Mr. Ed. Fletcher, Jr.,  
Fletcher Building,  
San Diego, California.

Dear Sir:-

Attention Mr. T. H. King, Chief Engineer

Acknowledgment is made of receipt of duplicate copies of the above numbered amended applications with inserted maps in support thereof, and also of a letter from you dated December 18, 1922.

An examination of these applications in connection with the maps submitted has been made and you are advised that before we can advertise the application the following information should be submitted:

Paragraph 5 should describe in a general way the manner in which the water is to be conveyed from the pumps to the land. 2990 Iron Pipe 2' long  
2991 " " 2 "

Paragraph 7. It is noted that the capacity of the pumping plant for application 2990 is 0.28 cubic foot per second and for application 2991 is 0.60 cubic foot. Since it is against the policy of this office to consider applications to appropriate more water than can be accommodated by the system, you are advised that the amount specified under paragraph 2a will be reduced to these figures unless pumping plants of greater capacity are specified.

Paragraph 8 should show the size of pipe by which the water is to be conveyed from the pumps. 4" Iron Pipe 20' to 1000 ft

Paragraphs 14, 15 and 16. Please submit the best estimate you can.

Paragraph 23. In case there are other rights now existent for the irrigation of this land a statement as to the kind and amount of these rights should be submitted under this paragraph. None  
Pump foot is at present in operation

Each of the above items should be answered for both applications. In order that your consideration of the answers requested may be aided, we are returning to you two copies of each of the amended applications.

It is evident to this office that you will be able to submit all the information requested within a short time but in order that you may

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#2 - Mr. Ed. Fletcher, Jr.

submit the information at your convenience, you are hereby allowed extension to January 25, 1923, at which time we shall expect to have the information requested above.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Deputy Chief of Division

5  
JCF:IM  
Enc.  
Reg.















APPLICATIONS NOS. 2990-2991

January 15, 1923.

Jan. 23, 1923

Mr. H. A. Kluegel,  
Division of Water Rights,  
Dept. of Public Works,  
Sacramento, Calif.

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
706 Forum Building,  
Sacramento, California.

My dear Mr. Kluegel:

Dear Sir:

Replying to your favor of January 11th regarding Application #2013, would say that we have taken this matter up with Mr. King, our chief engineer, and he tells us that he has had a conference with you, also with Mr. Baker regarding this and that he will take the matter up with Mr. Fletcher immediately upon his return from the East.

In reply to yours of December 22d, 1922, regarding Applications Nos. 2990 and 2991 of Ed Fletcher Jr., we are returning herewith the two above applications in duplicate with the corrections as suggested in your letter of December 22d, 1922.

Hoping you will find this satisfactory,

Yours very truly,

I am,

Yours very truly,

MEF:AH

THK&WBS/ME

T. H. King.



#243

January 29th, 1922

Major H. A. Kluegel,  
Chief of Division of Water Rights  
Department of Public Works,  
Sacramento, California.

Dear Sir:

Enclosed herewith is Affidavit of Publication  
of Notice of Application to Appropriate Water, Nos. 2695-  
2939. Said publication was made in accordance with  
your letter of December 29th, 1922.

Yours very truly,

T. H. King,  
Chief Engineer.

THKME

*Joe Finner Beary*



In the Superior Court of the County of San Diego,  
State of California.

Affidavit of Publication

IN THE MATTER OF

STATE OF CALIFORNIA, }  
County of San Diego. } ss.

Mr. Ed Fletcher

NOTICE OF APPLICATION TO APPROPRIATE WATER.

Application Nos. 2695-2989.  
Notice is hereby given that Mr. Ed Fletcher of Fletcher building, San Diego, California, has applied to the State Department of Public Works of California, Division of Water Rights, for a permit to appropriate as follows:

APPLICATION No. 2695.

Filed December 19, 1921.  
Source—San Diego River.  
Amount—44,225 acre feet per annum.  
Use—Agricultural and domestic.  
Point of Diversion—Within Lot E partition of Lot 79 of Rancho Ex Mission San Diego.  
To be used—To irrigate 5000 acres of the Linda Vista Mesa as shown on map filed with the Division of Water Rights, Sacramento.  
Time of Diversion to Storage—January 1 to December 31 of each season.  
Irrigation to begin about April 1 and end about December 1 of each season.

APPLICATION No. 2989.

Filed August 16, 1922.  
Source—San Diego River.  
Amount—44,225 acre feet per annum.  
Use—Municipal.  
Point of Diversion—Within Lot E partition of Lot 79 of Rancho Ex Mission San Diego.  
To be used—As a municipal supply in the City of San Diego.  
Time of Diversion to Storage—January 1 to December 31 of each season.

Any person desiring to protest against the granting of such permit shall within 60 days from the date hereof filed with the Division of Water Rights, Sacramento, California, a written protest. Such protest shall clearly set forth the protestant's objections to the granting of the application and shall contain the following information:

- (1) Statement of the injury which would result to protestant from such appropriation and use.
- (2) The basis of protestant's water right.
- (3) Protestant's past and present use of water both as to amount used and land irrigated, or use made of water if other than irrigation.
- (4) The approximate location of such land or place of use and of the point of diversion of the water.

A copy of the protest should be sent to the applicant, and this office notified that the same has been done.

Dated: Sacramento, California, December 29, 1922.

H. A. KLUEGEL,  
Chief of Division of Water Rights, State Department of Public Works.  
First publication January 4, 1923. 667

Frank Grandier, being duly sworn, says that he is a citizen of the United States over eighteen years of age, and not interested as a party or otherwise in the above named matter. That he is, and at all the times hereinafter mentioned was, principal clerk of the printers and publishers of THE DAILY TRANSCRIPT, a newspaper of general circulation, printed and published daily, Sundays excepted, at the City of San Diego, in the above named County and State; that as such principal clerk of the printers and publishers he has, and at all times herein mentioned has had, charge of all the advertisements published in said newspaper. That the

Notice of Application to appropriate Water

of which the annexed clipping is a printed copy, has been published  
Four consecutive times in said newspaper for a period of  
Four weeks

~~to-wit:~~ to-wit: upon January 4.11.18.25, 1923

and that said publication was made in the newspaper proper, and not in a supplement.

*Frank Grandier*

Subscribed and sworn to before me, January 25, 1923

*[Signature]*

NOTARY PUBLIC IN AND FOR SAID COUNTY.

of the Affidavit of Original was mailed Rights on January



In the Superior Court of the County of San Diego,  
State of California.

**Affidavit of Publication**

IN THE MATTER OF

STATE OF CALIFORNIA, }  
County of San Diego. } ss.

Mr. Ed Fletcher

**NOTICE OF APPLICATION TO APPROPRIATE WATER.**

Application Nos. 2695-2999.  
Notice is hereby given that Mr. Ed Fletcher of Fletcher building, San Diego, California, has applied to the State Department of Public Works of California, Division of Water Rights, for a permit to appropriate as follows:  
APPLICATION No. 2695.

**Frank Grandier**, being duly sworn, says that he is a citizen of the United States over eighteen years of age, and not interested as a party or otherwise in the above named matter. That he is, and at all the times hereinafter mentioned was, principal clerk of the printers and publishers of **THE DAILY TRANSCRIPT**, a newspaper of general circulation, printed and published daily, Sundays excepted, at the City of San Diego, in the above named County and State; that as such principal clerk of the printers and publishers he has, and at all times herein mentioned has had, charge of all the advertisements published in said newspaper. That the

**Application to appropriate Water**

which the annexed clipping is a printed copy, has been published **Four** consecutive times in said newspaper for a period of

**Four weeks**

~~to-wit:~~ to-wit: upon **January 4.11.18.25, 1923**

and that said publication was made in the newspaper proper, and not in a supplement.

*Frank Grandier*

Subscribed and sworn to before me, **January 25, 1923**

*[Signature]*

NOTARY PUBLIC IN AND FOR SAID COUNTY.

This is a duplicate of the Affidavit of Publication. The original was mailed to Division of Water Rights on January 29th, 1923.



No. \_\_\_\_\_ Dept. \_\_\_\_\_

In the  
**Superior Court,**  
COUNTY OF SAN DIEGO  
STATE OF CALIFORNIA

**Affidavit of Publication**

Filed \_\_\_\_\_, 192\_\_

\_\_\_\_\_, Clerk.

By \_\_\_\_\_, Deputy.

Attorney for \_\_\_\_\_



#276

#276

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
787 FORUM BUILDING

January 31, 1923

Applications Nos. 2990-2991

Mr. Ed. Fletcher, Jr.,  
Fletcher Building,  
San Diego, California.

Dear Sir:

Attention T. H. King, Chief Engineer

Acknowledgment is made of receipt of duplicate copies of each of the above numbered amended applications to appropriate water from springs in San Diego County.

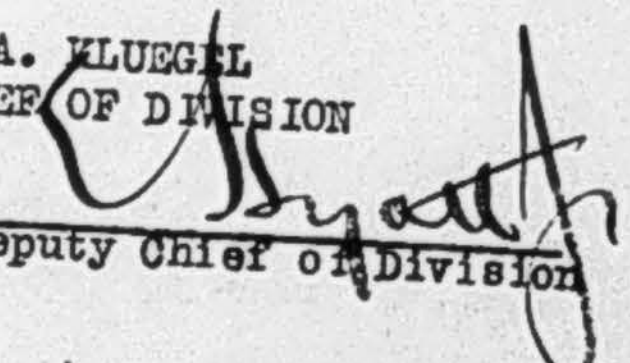
Examination of these applications shows that it is necessary to receive a small amount of information before this office can proceed to advertise these applications. The information required is as follows:

- (a) The period of irrigation is not stated in either application. In case the irrigation period is not of the same duration as the period of diversion, we interpret your intention as being to use water for the balance of the time for domestic purposes. Kindly advise this office as to your intentions in this regard and whether or not we have correctly interpreted them.
- (b) Application 2991 specifies under paragraph 8 a pipe line, the capacity of which has been computed to be 0.3 cubic feet per second. Since the policy of this office is against consideration of applications to appropriate more water than can be accommodated by the conduit, you are advised that the amount for which application is made under application 2991 will be reduced to this figure unless a pipe of larger capacity is specified.

Request is made that you submit the required information as soon as possible. Shortly after receipt thereof, this office will proceed to advertise the applications.

Very truly yours,

H. A. KLUEGEL  
CHIEF OF DIVISION

By   
Deputy Chief of Division

4" Pipe 1

Applications Nos. 2990-2991.

Feb. 5, 1923

Major H. A. Kluegel,  
Chief of Division of Water Rights,  
Department of Public Works,  
Sacramento, California.

Dear Sir:

Replying to your letter of January 31st, 1923.

In answer to paragraph A, it was intended to convey the idea that the use of this water for irrigation and domestic use covered the entire period of diversion, namely from January 1st to December 31st, of each year.

In answer to paragraph B, Application 2991 is in error having been confused with the Application 2990 in this office. The pipe line dimension in Application No. 2991 should read 5" in diameter, under paragraph 8, subparagraph B. Will you kindly make this change in Application?

I regret that this error occurred in making out the application and thank you for your kindness in calling my attention to the same.

Trusting the above information will be what is required, I am,

Yours very truly,

T. H. King.

THK:ME



April 10, 1923.

File 220-6

Major H. A. Kluegel,  
Division of Water Rights,  
Department of Public Works,  
Sacramento, California.

My dear Major:

What is the status of our Application 2695-  
2689? My understanding is that it was advertised and  
proof of publication sent you. I am anxious to get this  
matter settled.

When are you coming down here to take that  
trip with me to see O'Neill?

Yours sincerely,

EF:KLM

220-6

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
707 FORUM BUILDING

April 13, 1923.

Applications Numbers 2695-2989

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

Dear Sir:

Acknowledgment is made of receipt of a letter  
from you dated April 10th, 1923, relative to the above  
numbered applications to appropriate water from San Diego  
River in San Diego County for agricultural and municipal  
purposes.

This office made an office investigation of this  
matter during March 1923, at which time it reached the con-  
clusion that any action on these applications must be taken  
in connection with the possible "Pueblo Rights" of the City  
of San Diego, which according to the protest of that municipal-  
ity are now the subject of a court action.

Action on these applications will accordingly be  
deferred until such time as such action may take into account  
the decision of the court in this matter.

Very truly yours,

*H. A. Kluegel*  
\_\_\_\_\_  
(H. A. Kluegel) *B. E. B.*  
CHIEF OF DIVISION OF WATER RIGHTS  
STATE DEPARTMENT OF PUBLIC WORKS

*File*



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
SACRAMENTO

DIVISION OF WATER RIGHTS  
787 FORUM BUILDING

October 24, 1923.

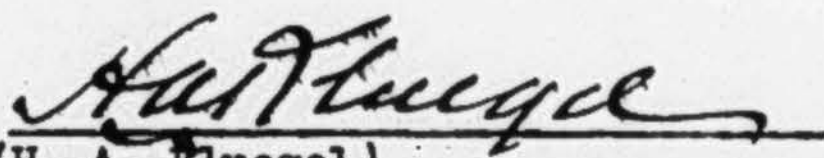
In re Applications Numbers  
2695 and 2589

Mr. Ed Fletcher,  
Fletcher Building,  
920 Eighth Street,  
San Diego, California.

My dear Colonel Fletcher:-

I wish to thank you for your letter of October 18th, 1923 giving the present status of the situation on San Diego River and for the copy of Mr. Sellew's report. I shall read this with pleasure and return it to you shortly.

Yours very truly,

  
(H. A. Kluegel)  
CHIEF OF DIVISION OF WATER RIGHTS  
STATE DEPARTMENT OF PUBLIC WORKS.



**Ed Fletcher Papers**

**1870-1955**

**MSS.81**

**Box: 15 Folder: 13**

**General Correspondence - Kluegel, Major H.A.**



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