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FRANKLIN W. PECK

FLINT & MACKAY
SUITE 747 TITLE INSURANCE BUILDING
LOS ANGELES, CALIFORNIA

April 3, 1924.

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

Dear Col. Fletcher:

Re Cuyamaca Water Company:

In answer to your request for a copy of the petition filed by the Cuyamaca Water Company with the Railroad Commission.

I find that the five copies which we received were filed with the Commission as required by their rules. It was necessary, therefore, for us to make a copy of the papers on file with the Commission, but unfortunately in our desire to speed up the work, only two copies were made, one of which we have sent to Mr. Sanders in accordance with his request, and we have asked him to let you have his copy. The remaining copy we are retaining so that it will be available when Mr. Sanders comes up tomorrow.

Yours very truly,

ARS:M

FLINT & MACKAY

By

Arthur R. Smiley

file

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SUITE 747 TITLE INSURANCE BUILDING
LOS ANGELES, CALIFORNIA

January 30, 1925.

Col. Ed. Fletcher,
% Cuyamaca Water Co.,
San Diego, California.

Dear Col. Fletcher:

Re - Cuyamaca Water Co. - R. R.
Hearing.

Enclosed is copy of memorandum of results of conference with the Railroad Commission which memorandum has incorporated therein all the amendments suggested by the various parties.

Yours very truly,

Arthur R. Smiley

ARS:M
Enclosure
cc - to C.F. Stern.

*4-3
10-10-24
cc - Arthur R. Smiley
Franklin W. Peck
Wesley L. Nutten, Jr.*

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

San Francisco, Calif.,
January 29, 1925.

RESULTS OF CONFERENCE BEFORE THE COMMISSION EN BANC
IN THE MATTER OF THE TRANSFER OF THE CUYAMACA
WATER COMPANY TO THE LA MESA, LEMON GROVE
AND SPRING VALLEY IRRIGATION DISTRICT.

Application No. 10619

The following proposals were agreed upon at this conference: to supplement the present option between the Cuyamaca Water Co. and the Irrigation District.

1. The District will assign to the City of San Diego all rights and water rights in the San Diego River which is now owns or will hereafter acquire from the Cuyamaca Water Company, and it will also consent to the entry of judgment against it in the case now pending in the Superior Court of San Diego County entitled City of San Diego v. Cuyamaca Water Co. et al No. _____
2. The District will transfer to the City of San Diego all the lands now owned by it or that it may hereafter acquire from the Cuyamaca Water Company in the El Capitan Dam and Reservoir site with appurtenant rights for the sum of one hundred thousand dollars (\$100,000).
3. The District will exercise its option to purchase Mission Gorge Dam Site No. 3 for the sum of one hundred fifty thousand dollars (\$150,000) from Cuyamaca Water Company, and the City of San Diego agrees to purchase this dam site at the cost to the District.
4. The District will lease to the City of San Diego all water producing, transmitting and storage facilities and appurtenant rights of way, easements, rights and privileges to be acquired by it from the Cuyamaca Water Company, and in consideration thereof the said City of San Diego will assume the obligation to pay a rental sufficient to meet the interest and sinking fund requirements of the bonds of the Irrigation District to the extent of the property involved therein, with an option to purchase the property so leased at the expiration of said lease.
5. In consideration for the release of some 300 acres more or less of land in the flooded area of the proposed Fletcher reservoir, Ed Fletcher, Charles F. Stern, and/or the Cuyamaca Water Company will relinquish the hunting and fishing privileges on Cuyamaca Lake and the proposed El Capitan Reservoir and in addition will grant an easement of a one hundred foot strip of land above the high water contour of Cuyamaca Lake and El Capitan Reservoir, on lands owned by them. The City of San Diego agrees to keep these lands open to the public for hunting and fishing purposes and also agrees to grant to Ed Fletcher and Charles F.

-2-

Stern the right of ingress and egress to the island in Cuyamaca Lake.

6. The City of San Diego will agree to sell to the Irrigation District water for irrigation and domestic purposes as required, subject to the following conditions: That the maximum demand shall be not to exceed eight and one-half million gallons daily, to be reached at the end of a period of twenty years, and that the ~~demand~~^{maximum} for the intervening years shall be the subject of recommendation by the Commission's engineers after further study.

7. Arrangements should be agreed upon by and between the city and the District providing for the revision and adjustment of the rates set out above to take care of any radical changes in the future economic conditions which cannot at present be foreseen but which may possibly render the rates set out above unjust in some instances.

8. The City of San Diego agrees to take steps to acquire by lease or purchase the distribution systems now serving domestic water to the districts adjoining the City and known as Kensington Park, Teralta and Normal Heights, at a price mutually agreeable or to be fixed by arbitration or by the State Railroad Commission, as conditions may warrant.

9. The area of the Irrigation District shall be definitely determined upon, not to exceed 18,000 acres.

10. In periods of water shortage curtailment of water use in the District and in the City of San Diego will be made in the same percentage.

11. All present consumers of water from the Cuyamaca Water Company shall be provided with water service either by the City of San Diego or by the District.

12. The City of San Diego shall sell to the Irrigation District, water for irrigation purposes at the rate of six cents per thousand gallons and water for domestic purposes at the rate of sixteen cents per thousand gallons.

13. The District shall transfer to the City 400 acres more or less, now owned by it, in Mission Gorge Damsite No. 3 for consideration of \$100,000.

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FLINT & MAC KAY

SUITE 747 TITLE INSURANCE BUILDING

LOS ANGELES, CALIFORNIA

October 5, 1925.

Col. Ed Fletcher,
Fletcher Building,
920 Eighth Street,
San Diego, Calif.

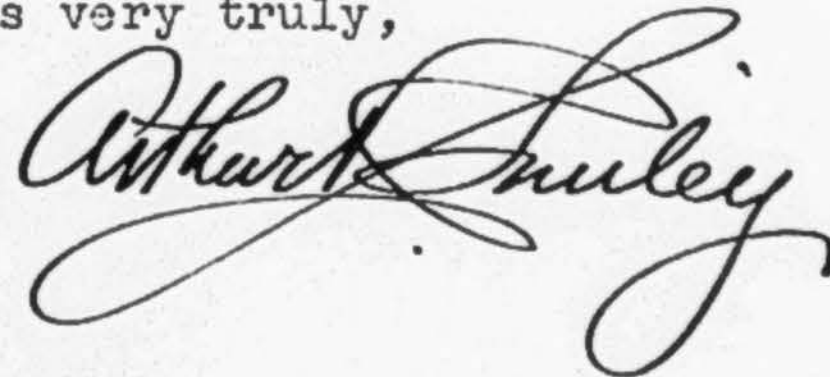
In re: CUYAMACA WATER CO., etc.

Dear Col. Fletcher:-

This is to acknowledge yours of October 2nd, addressed to Senator Flint, enclosing copy of report of Eldred and Wansley, Accountants, to La Mesa, Lemon Grove and Spring Valley Irrigation District, showing final statement of capital expenditures to August 31, 1925; together with copy of your letter of October 1st to the District, stating that this report is satisfactory to you.

This appears finally to clear up all items of capital expenditures and we think it is well to have this matter once and for all fixed at this time. We are handing these papers to Mr. Stern.

Yours very truly,



ARS/FY

Ed Fletcher Papers

1870-1955

MSS.81

Box: 25 Folder: 27

General Correspondence - Smiley, Arthur



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