

280-16

McEds Fletcher
San Diego Calif.,

Bonsall Calif
July 23rd 1929

Dear Sir:

Now as the Santa Fe is busy building the dam impounding the waters of the San Luis R. and its tributaries how about my water right? You can guarantee me a water right, Am I not entitled to something. I understand they are buying up water rights. I would not mind selling them the tract. Do you suppose there is any chance of them buying it? I am writing to you, as you are in a position to know and are better informed in the subject than most people. I would be very much under obli-

gations to you if you would inform me in regard to the matter. I understand that a dam at Warner would decrease the flow about 60% in that case it would be a damage to all who have river rights and depend upon the river water for water. Crops that are irrigated would be deprived of their moisture. I am entitled to a water right and you would greatly oblige me and I would ever appreciate it if you would inform me just what type of title to sell the place or be paid for my right. Very Respectfully Yours
A. C. Loveland

370-8
July 25, 1922.

Mr. A. C. Loveland,
Bonsall, Calif.

My dear Mr. Loveland:

Answering yours of July 23rd, will say the building of Warners Dam will prevent floods, but will not, in the opinion of the engineers of the Water Company, divert over 50% of the water. As a matter of fact, there are over 350 square miles of water shed below Warners Dam, which is a larger watershed than all of the City of San Diego's water system combined - Barrett, Moreno, and Otay. The Sweetwater, 189 square miles, has only a mile, Lake Hodges, 196, Cuyamaca, 12, and your watershed below the dam, particularly on Palomar Mountain is the best in the county.

It would be a mighty hard and expensive matter to prove that the building of Warners Dam in any way effected your water level. However, write me a letter giving the legal description of your land and explaining where it is, and I can then give you a better opinion, and will do what I can to help you.

Very sincerely yours,

BF:AH

Bonsall, Calif. Aug. 5, 1922

Mr. Ed Fletcher,
San Diego, Calif.

My dear Mr. Fletcher:

In reply to yours of a recent date, would say the legal description of my land is as follows:

N $\frac{1}{2}$ of N.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$ of
N.W. $\frac{1}{4}$ Section 14, Twp. 10 S., Range 3 West,
S. B. M.

The floods of a few years ago washed out most of my orchard, submerged my well so that my windmill fell up hill and it lays there as it fell. I have been running my _____ this year; have been clearing land. I intend to set out more fruit trees and grow alfalfa, peanuts, potatoes. The floods washed out my fences on the river. My tenant never put them back to the corner which lies out beyond the fringe of trees into the new bed. He was satisfied to put the fence out to the edge of the willow fringe and there it stands. If water is cut off by the dam it will interfere with my trees and crops which are submerged from the river. The old county road cuts my place, which corner in the new bed, cutting down into the Montserrate ranch and causing or making it necessary for their stock to pass thru my place to get to a part of their lands, or making them go round into the river bed. It is somewhat inconvenient for them because it necessitates so much fencing; for this reason I should prefer to sell if I could get a reasonable figure. If I to not sell I will put out orchard.

Thanking you for your kind letter. I await an early reply to this. For the next two weeks I shall be in the vicinity of San Francisco, but a letter addressed to me at Bonsall will be forwarded.

Very respectfully yours,

A. C. LOVELAND

Original to Mr. Treanor

August 7, 1922

Mr. A. C. Loveland,
Bonsall, Calif.

My dear Mr. Loveland:

I return your letter of the 5th. Will
you kindly enclose the legal description before I can
do anything.

Yours very truly,

EF:KLM

I, A. C. Loveland
for and in consideration of \$, the receipt of which is hereby
acknowledged, do hereby grant and convey to Ed Fletcher, his heirs and
assigns, the right to construct and maintain a dam and reservoir in Section
ten, Township 11 South, Range two East, S. B. M., and known as Warner's
Ranch, in the County of San Diego, State of California, and the right to
perpetually collect and impound by and in such dam and reservoir any and
all water of the San Luis Rey River, and any and all waters that may flow
therein, and the right to perpetually divert any and all the said waters
so collected and impounded, from the watershed of the San Luis Rey River
at this point of diversion into other watersheds and parts of said County
of San Diego; and I do hereby consent to the construction and maintenance
of such dam and reservoir and to the said collecting and impounding of
the said waters therein and thereby and to the said diversion of said
waters as aforesaid.

This instrument shall not be construed as a waiver to my rights to
any of the waters which may flow into the said San Luis Rey River to the
west of and below the said dam and reservoir; nor to my right, except as
stated above, to use any water that may hereafter flow over, under or
across my property.

It is understood that I am the owner of the following described land
situated in the valley of the San Luis Rey River, in said County and
State, to-wit:

North 1/2 of Northeast Quarter, Southeast Quarter of
Northeast Quarter, Northeast Quarter of Northwest Quarter
of Section 14, township 10 South, Range 3 West, S. B. M.

And it is hereby agreed that this grant, and the consent hereby given
shall apply to and bind my heirs, lessees and assigns and all my successors
in interest in said land.

To have and to hold all the above mentioned rights and privileges
unto the said Ed Fletcher, his heirs and assigns, forever.

Witness my hand this day of 19

August 15, 1922.

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Mr. A. C. Loveland,
Bonsall, California.

My dear Mr. Loveland:

Answering yours of August 5th, will say that our people will not consider buying your property. It is out of the question, and I am personally of the opinion you could never show damage in court. There is too large a watershed below Warner's dam.

The fact is, it will be a benefit to you to have that dam built, however, it is just possible that my people might be willing to pay you \$200 or \$300 for the consent to build Warner's dam, you reserving the right to pumping all you desire, or diverting by gravity all you desire of any water passing under or over your property.

Enclosed find blank form of agreement which is explanatory.

Please let me know if you are interested at all, and I will be glad to help you in any way I can.

Yours very truly,

EF:KLM

Bonsall, Calif., Aug. 29, 1922.

Mr. Ed Fletcher,
San Diego, Calif.

My dear Sir:

I received your communication of a recent date stating that in the building of the dam I would receive no damage etc. etc, including a written contract for me to sign away my water rights for \$250 or \$300. Now, Mr. Fletcher, I beg to differ with you. I have watched the dry seasons and I know that the water level is reduced greatly in periods of drouth and crops are affected. I am about to plant an orchard on the tract. Have recently cleared some land for that purpose. Of course I cannot compel the company to buy my land, that is their business but when they begin the construction of a dam that deprives me of my rights and endangers my life and property. That is an entirely different proposition.

I have lost or misplaced the contract, but if you want my signature conveying away my water rights, if you will draw one up and insert in it \$1,000 (One Thousand Dollars) I will sign it up.

Respectfully yours,

A. C. LOVELAND

Original to John Treanor

Ed Fletcher Papers

1870-1955

MSS.81

Box: 16 Folder: 27

General Correspondence - Loveland, A.C.



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