

COUNTY OF SAN DIEGO
SAN DIEGO, CALIFORNIA
JAMES HERVEY JOHNSON
ASSESSOR

March 1, 1935

Senator Ed. Fletcher,
State Capitol,
Sacramento, California.

Dear Senator:

Judging from our appraised values the prices asked on the lands in San Pasqual Valley are way out of reason. For example Chris Marchus asks \$60,000 for his land, it is appraised (not assessed) by us at \$18,150; Peet asks \$40,000 for his land, that is appraised by us for \$15,600; Webb asks \$160,000 for his land, that is appraised by us at \$43,125; Dyer asks \$14,000 for his land that is appraised by us at \$1,175; and La Prade asks \$6,000 for his land that is appraised by us at \$150.

Our total appraised valuation of all the land is \$255,625 and as I understand the owners are asking \$300,000 for their water rights, without the land.

This seems like a ridiculous situation and I could not consciously recommend to the people of San Diego that they pay such excess prices for this land, especially in view of the fact that the last supreme court decision makes it very doubtful whether the State would have to buy the land in order to complete the Sutherland Dam.

After you have written, or talked, it over with the owners, please let me know what you hear further about it.

Very truly yours,

Hervey
James Hervey Johnson

JHJ:fh

Hon. James Hervey Johnson
County Assessor
San Diego, California.

My dear Hervey:

Answering yours of the 1st, I agree with you absolutely, that, if they are going to exempt automobiles to the extent of \$250, they should protect the public by making it mandatory to have at least a \$5,000 public liability policy.

Referring again to San Pasqual Lands and the value of water rights, as well as appraised value of the lands, you know and I know that the courts have decided that, whenever a piece of land, or water rights, is needed for a particular use, it has an added value entirely distinct and separate from the commercial and agricultural value. It is sometimes called strategic value. That value will not develop maybe for 10 or 20 years to come, if ever. Therefore it is not fair to place anything but an agricultural value on the San Pasqual Valley lands, at least until such time as the city of San Diego has designated that it desires the property for a specific purpose, makes a definite offer and it is refused. From an agricultural standpoint your values are excessive. No ranch in San Pasqual is even paying taxes and 3% interest on your present day value.

Most of these farmers in San Pasqual Valley were born there. They don't want to leave. All they want is to get something for their water rights, not try to block the city, and still be allowed to stay there. Webb, for instance, has made a high price for his land but a very low price for his water rights. Confidentially he can be foreclosed at any time and the property taken away from him. This I know for a fact. Just the same way Chris Marchus doesn't want to leave. His children were born there. He puts a high price on his land but a low price on his water rights. I have already got him to reduce the price of his water rights in the last two or three days from \$17,500 to \$12,500 and he may take \$10,000. Just so Dyer and Pete. I think I can get Pete to come down to \$10,000

James Hervey Johnson
#2.

or \$12,500, but I wish you would get a written opinion from one of the best water attorneys in the state, or I will get it for you and show you that that recent decision is very misleading as far as the public is concerned, and the people of the San Pasqual Valley have valuable water rights that will forever prohibit the building of either Sutherland or Pamo Dams until the rights are acquired from these property owners, either by purchase or condemnation.

I have been through the mill for 25 years and am telling you that the litigation alone will cost almost as much as it will cost to buy the water rights along the lines that I have outlined.

Please give this matter your most serious consideration and then go down and talk to Buck, the City Manager.

I am away, giving the best that is in me at \$100 a month, at the greatest sacrifice of my life. Won't you do something for me now, please, in helping to get this water matter straightened out?

They are running me ragged up here. The following is strictly confidential: There are 3 or 4 senators who have been here from 12 to 24 years who think they run the Senate and oh, boy, what a time I have had, but I got on my high horse yesterday and circulated a petition and got 28 senators to sign it out of 40, for an appropriation of \$75,000 for the exhibit and its maintenance at the exposition. The fur is going to fly some day this coming week. I got the Governor to approve it, incidentally.

Sincerely yours,

EF/RC

March 11, 1935.

Honorable James Hervey Johnson
County Recorder
San Diego, California.

My dear Hervey:

Won't you boost those riparian right valuations up to \$200,000? Write and tell me how much an acre you are willing to recommend for lands that are riparian to the stream.

I had a letter from Chris Marchus and he will not settle on the basis of \$150,000 but will on \$200,000, I believe. Once I get Chris in writing it will help me to get the others.

I am giving you the low down. This case that was decided in the Supreme Court recently is being appealed to the U. S. Supreme Court and may be completely knocked out. Even if it stood, people can get a permanent injunction. If you should start the building of Sutherland Dam or Pamo or diverting any water above, they have valid water rights and every one of them would get damages at the end of a law suit. You have seen what our friend Cosgrove has done. He litigated for 15 years. It cost the city over half a million and they will get a paramount right on the San Diego River which in time will be knocked out in the Federal courts in my opinion and leave things in worse shape for litigation now than before.

There is no paramount right on the San Pasqual River and it is going to take endless litigation and time to settle the case in the United States Supreme Court that has just recently been decided in the Supreme Court of California. Then, after that is settled, there comes a question of litigation to determine what rights the land owners have.

It is better to pay \$200,000 and clean up that river and stop litigation and make our plans for future development. The quicker the better!

COUNTY OF SAN DIEGO

SAN DIEGO, CALIFORNIA
JAMES HERVEY JOHNSON
ASSESSOR

March 13, 1935

Senator Ed. Fletcher,
State Capitol,
Sacramento, California

Dear Senator:

I have read your two letters regarding the San Pasqual lands.

I think \$200,000 for the riparian rights to the San Pasqual lands is a great deal more than the actual value. I would not feel like squabbling a great deal over \$50,000. It will be difficult to obtain the consent of the San Diego taxpayers to buying any more land in the San Pasqual Valley anyway because of the previous mess.

Since the completion of El Capitan Dam, the taxpayers generally feel that we have enough water for a long time yet anyway.

If the All American Canal project is approved by the people, the San Pasqual ranchers will never be able to sell anything they have. The people will be satisfied to wait on Colorado River water.

As I wrote before, I would not be able to recommend a higher valuation for the property than \$150,000 and this in my opinion takes into consideration all and more of the so called "strategic value" referred to in your letter. In my opinion such "strategic value" is "hold-up value".

A newspaper reporter has been asking Russell what the valuations in the San Pasqual lands are. I don't know whether he is going to write up a piece complaining how low I am assessing them or complaining how high the property owners hold the lands. My opinion is that the property owners in the Valley would do well to settle on a \$150,000 basis before some agitator stirs up sentiment against making any kind of deal at all.

As I wrote before, I would like to see the thing settled up and Sutherland completed but if the property owners place impossible obstacles in our path, we can do nothing about getting the matter settled.

Yours very truly,

Hervey
James Hervey Johnson
Assessor.

JHJ/jca

Mr. James Hervey Johnson

#2.

You are going to be shocked when you see the report of the State of California on the water supply of San Diego County. We held a meeting, the Supervisors Hastings and Richards and myself, Friday with Hyatt and his organization. Including Santa Margarita, San Luis Rey, San Pasqual, the San Diego River, Sweetwater, Otay and the Spreckels system, we only have enough water net safe yield for 525,000 people during the driest years of record, and we are using nearly half of the total supply now. This is not for publication. Wait until the report is printed and made public. I will send you a copy.

With kindest regards,

Sincerely yours,

EF/RC

September 27, 1955

Honorable James Harvey Johnson
County Assessor
San Diego, California

Dear Sir:

We are desirous of selling Parcel "B" of Lot 4, Block 4, Keeney's Marine View Gardens which the Morse Construction Company owns a half interest and the Bank of Pomona a half interest. This checks with the Southern Title Company but is assessed under Houch on the tax rolls.

Lot 4 is divided into three parcels, "A", "B" and "C". Parcel "B" is in the Southeast corner.

I will appreciate having your men check this land the next time they are in the field.

We are also taxed with improvements and to the best of our knowledge we know of none on that property.

We will go ahead and pay the taxes now and will file claim for a refund.

Thanking you for anything you can do for us in this matter, I am

Sincerely yours

SF/RC

Ed Fletcher Papers

1870-1955

MSS.81

Box: 14 Folder: 3

General Correspondence - Johnson, James Hervey



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