

June 20, 1921.

Miss M. E. Kitching,
San Luis Rey, Calif.

My dear Miss Kitching:

Confirming my talk with you yesterday, enclosed find copy of agreement, which, in my opinion, our people would be willing to accept and pay you \$500.00 for the waiver.

You will notice that this instrument particularly says that you are not waiving "any 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 your right, to use any water that may hereafter flow over, under or across your property." It only says that you are parting with your rights to any water that might flow on the watershed East of Warner's dam, and you are retaining all of your rights to any water above the surface and underground that falls on the watershed West of Warner's dam.

I am sure that Warner's dam, instead of being of any hindrance or damage, will be of benefit as it will eliminate the very worst floods. You have over 300 miles of watershed below Warner's dam to furnish water for your riparian lands below. The entire city's system of San Diego has only about 300 square miles of watershed.

I assume that the property stands in your name, and I will recommend that you be paid cash if you care to sign this agreement. I have made an agreement with Mr. and Mrs. Ronsse without the purchase of their land.

Kindly let me hear from you if you are interested and I will take this matter up if you care to have me, with my principals.

Yours very truly,

EF:KLM

San Luis Rey - Calif.
Feb 15 - 1922.

Mr. E. d. Fletcher,
Ran Diego
Calif.

My dear Mr. Fletcher:

If nothing happens
I will be in Ran Diego Monday
or Tuesday + if I have the
time will call or see you
at your office.

Yours very truly,
Mina Kitching.

February
Twenty-five
1922

Miss M. Kitching,
San Luis Rey, Calif.

My dear Miss Kitching :

Answering yours of Feb. 18th, I will be glad to see you at any time. I suggest you telephone when you are coming to San Diego, or if I am up that way I will make it a point to come and see you.

Yours very truly,

EF:KLM

San Diego, California, March 15, 1922

Mr. Ed Fletcher,
San Diego, Calif.

My dear Mr. Fletcher:

Referring to the agreement submitted to me today in the matter of the right to build Warner's dam, and acquire the water originating east of that point, will say that the agreement is satisfactory, and my mother and I will sign same and deliver the signed agreement to you, properly acknowledged, conveying said rights when you pay me the sum of \$1,000 cash, the understanding being that we will give you good title, but you are, at your own expense, to secure immediately an unlimited certificate of title on this property. In addition to the \$1,000 which we are to receive, you are to turn over to us said unlimited certificate.

You will please expedite the getting out of the certificate at the earliest possible date. Notify me in writing when the certificate is made by the title company, and I will come to San Diego, with the signed agreement, and turn same over to you for record, upon the payment of the \$1,000 above specified and delivery to me of the said certificate of title.

Yours very truly,

Jemima E. Kitching

JEK

April 4, 1922

Miss Jomina E. Kitching,
San Luis Rey, Calif.

My dear Miss Kitching:

Your attorney, Mr. Stickney, was here this morning and asked me to send you a copy of the letter you are to sign, as you had lost the first letter I gave you when you were in the office. Enclosed find the letter in duplicate, one to be signed and returned here and the other for your records.

Yours truly,

EF:KLM

May 9, 1922

Southern Title Guaranty Co.,
San Diego, California.

Gentlemen:

Will you please issue certificate of title showing the following described property free and clear of encumbrance, excepting county highways, rights of way for power or telephone lines, in the name of Permelia E and Jomima Kitching:

Lots 1 and 2, being the South Half of the South West Quarter and the Northeast Quarter of the Southwest Quarter and the Northwest quarter of the Southwest Quarter, all in Section 35, Twp. 10 South, Range 4 west, S. B. H.

You already have a base search on these San Luis Rey lands.

Yours truly,

KLM

Copy
Permelia E. Kitching, a widow, and Jomima Kitching, a single person

We for and in consideration of \$ 1000.00 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 we 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 our 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 our right, except as stated above, to use any water that may hereafter flow over, under or across our property.

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

Lots One and Two; ~~being the South Half of the Southwest Quarter and the Northeast Quarter of the Southwest Quarter and the East Half of the Northwest Quarter of the Southwest Quarter,~~ all in Sec. 35, Twp. 10 South, R. 4 West, S. B. M.

And it is hereby agreed that this grant, and the consent hereby given shall apply to and bind our heirs, lessees and assigns and all our 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 our hands this 22 day of May 19 22

Permelia E. Kitching

Jomima Kitching

May 23, 1922

Miss Jomima Kitching,
San Luis Rey, Calif.

My dear Miss Kitching:

This letter will serve as your authority to remove the buildings from the Hooper place as part of the consideration for the consent to build Warner's dam.

Yours truly,

EF:KLM

May 23, 1922

Southern Title Guaranty Co.,
San Diego, Calif.

Gentlemen:

Enclosed find certificate of title No. 47629. Kindly bring it down, a new certificate, showing this property in the name of Jomima Kitching and Permella E. Kitching, subject to the clouds on the title, as shown in certificate No. 47629, and also subject to the consent to build Warner's dam as per agreement hereto attached.

When you can do this, you will please pay \$1,000, check for which is herewith enclosed, to Jomima and Permella E. Kitching, or to J. K. Stickney, agent.

Yours very truly,

EF:KLM

J. K. Stickney
J. K. Stickney
for Kitchings

47777 Mr. Ed Fletcher:

We acknowledge receipt of certificate No. 47629, also check for \$1,000 above mentioned, and will follow your instructions.

SOUTHERN TITLE GUARANTY COMPANY

H. C. Crane

(Kitching)
San Luis Rey - Calif.
June 19-1922

My dear Mr. Fletcher:

*My Mother received
the Certificate of Title & we
placed a few days ago
and thank you very much.*

*Yours very truly,
Mina Kitching.*

Ed Fletcher Papers

1870-1955

MSS.81

Box: 15 Folder: 10

General Correspondence - Kitching, Jomima (Mima)



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