

April 11, 1918.

To the Members of the
Spring Valley Water Committee,
Spring Valley, Calif.

Gentlemen:

I am pleased to inform you that we have today received from the State Railroad Commission approval in a general way of our plans for the building of a major dam at or near the diverting dam.

Mr. Murray, as you know, telegraphed Washington that on certain conditions he would build a dam on the San Diego River. That was at a time when it looked as if Mr. Murray would have to finance the whole project. Since then, Mr. Henshaw and I have arranged our finances and are able to put up our part of the necessary funds. All we want is a reasonable assurance that no injunction proceedings will be brought by the City.

We have no fear of the riparian owners below, for we can condemn any rights they have, but with the municipality of San Diego it is an entirely different proposition. We might let contracts; get our dam half built, and then have the city enjoin us, which would mean endless litigation - at least five or six years, to the Supreme Court of the United States, and in addition to that we would have our money invested and would probably have to pay the contractors damages for loss of profits even.

We must have a reasonable assurance, and a resolution passed by the City Council protecting us in this matter. We have an opinion by Supreme Justice Henshaw, who says that unquestionably we have the right to build this diverting dam, and the right was given to us by the original Act of Congress, to the San Diego Flume Co., in 1891; yet, the municipality of San Diego holds this club over our heads - the bugbear of the ownership of all the water in the San Diego River.

The City fails to realize that we can conserve this water quicker and cheaper than they can and, if necessary, in an emergency we can furnish it to them.

I hope that within the near future your committee will have a conference with the City Council in regard to this matter.

Very truly yours,

CUYAMACA WATER COMPANY,

By

Manager.

Ed Fletcher Papers

1870-1955

MSS.81

Box: 55 Folder: 44

Business Records - Water Companies - Cuyamaca Water Company - Cuyamaca Customers - Water companies (Cuyamaca customers) - Spring Valley Irrigation District



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