

E. W. S. DELACOUR

HOME 37 (EL CAJON 832)

CRESSON GROVE.

EL CAJON, R. F. D., NO. 1

SAN DIEGO COUNTY, CAL.

June 19th. 1912.

The Ed Fletcher Company,
155 O, D. Street,
San Diego, Cal.

Dear Sirs :-

I have received two circular letters from you about the water situation in San Diego County, with an intimation that you would be pleased to hear from any one on any phase of the subject.

I have been in California but five months, so that I have no local bias one way or the other. But I have bought property here, and with the property went a water contract. It seems to me that, whether you call this contract a "so-called water right" or any other name, it is immaterial. The fact remains that the original owners contributed to the Flume Company about \$300,000. towards the \$1,500,000, original cost. In addition to this, they have paid about 3% interest whenever water has been delivered, on the remaining \$1,200,000. These are vested interests which I cannot see how any Court can equitably ignore.

If you have made an investment which has not turned out as well as you anticipated, I cannot see how, after you have admitted an insufficient return, you can expect to be bought out at no loss to yourselves. Why not have the system valued by an outside and independent man of standing, and then offer it to the present consumers on the basis of such valuation. You would then get back the value of the property, which is all anyone ought to expect.

Yours truly,

E. W. S. Delacour.

June 20th, 1912.

Mr. E.W.S. Delacour,
El Cajon, Calif.

Dear Sir:

I am in receipt of yours of June 19th and contents noted, and am pleased to hear from you.

Before we bought the system, it was controlled by English bond holders; the consumers could not reach these people in England in time of emergency until too late, as they were hard people to do business with. If an emergency arose, before any action could be gotten, the damage was done. My interests under the system are so large that I tell you frankly they are greater than any interests I have in the system itself.

We have appealed to the Railroad Commission, who will undoubtedly put their engineers in the field, appraise the value of the system, and make water rates accordingly. You must realize that before any private corporation or set of men will put any material amount of money into this system, there must be established a uniform rate, and we must know what we can depend upon for revenue before the system is developed to any great extent. It is utterly impossible to develop water at \$1000. an inch, and \$60. a year maintenance fee to take care of the future

requirements.

I have for a year advocated the taking over of the system at cost and interest, as far as my holdings are concerned, and Mr. Murray several times was willing to sell out at very small profit, but the consumers could not see it that way. I believe that they have made a mistake, and have missed a golden opportunity to develop the system as a mutual water company, for Mr. Murray will now go ahead and develop it himself, if the rates established by the Railroad Commission are satisfactory.

I am as much convinced as ever that our purchase was a cheap one, and that it will prove a fine investment to develop the system; therefore you cannot blame me for feeling that I have done everything within my power within reason when we have several times offered our interests practically at cost, and nothing was done. Of course, it is simply a matter of opinion as to the valuation of the system, and your letter would indicate that we should stand a loss in the sale of this system, while it is only natural that we should expect at least our money back and interest, and with so many people feeling that we have a proposition which is not worth what we paid for it, and believing that we have a system which will not warrant putting in a million or two million dollars more, and on which good returns could be made on money invested, it seems the only way to do is to let private capital develop the property, and I feel that I have gone the limit already in trying to help out the country by offering the proposition practically at cost, with no takers.

In fact, every indication would point that they expect us to take \$100,000. less than what we paid for it. It is unfortunate that our predecessors handled the system they way they did, and the article that I issued was simply to let the people know the situation as we know it to be.

I feel now that before anything further us done, that we should await the decision of the Railroad Commission; after that, if the consumers want to buy and arbitrate the value of the system, I will do all I can to help it along.

Very truly yours,

EF/AK

June 22, 1912

Mr. R. S. Roqua,

San Diego, Calif.

Dear Sir:

E. W. S. DELACOUR

HOME 27 (EL CAJON 222)

CRESSON GROVE.

EL CAJON, R. F. D., No. 1
SAN DIEGO COUNTY, CAL.

July 1st. 1912.

The Ed Fletcher Company,
1548, D. Street,
San Diego, Cal.,

Dear Sirs :-

I have your letter of June 24th. delivered here on June 28th. You make a mistake in thinking that my letter of June 19th. "would indicate that we should stand a loss in the sale of this system". It is you, not I, who indicate that you should stand a loss. Your circular letters state that the same amount invested in real estate would have doubled in two years; that you have a deficit of \$700. a month, and that, on the rates fixed by contracts, in good faith, prior to the investment of your capital, and well-known by you at the time, you see no chance of amortization. Then you state that if new rates are not established sufficient to assure a reasonable income on this admitted inflated capitalization, it is only natural that you should expect at least your money back and interest.

I cannot quite follow your line of argument, and for this reason wrote as I did on June 19th. But I indicated nothing intentionally beyond a desire to get at the bottom of a state of affairs, which is keeping the district covered by your system, some years behind other parts of California, in both development and values.

Yours very truly,

E. W. S. Delacour

E. W. S. DELACOUR

HOME 27 (EL CAJON 222)

CRESSON GROVE.

EL CAJON, R. F. D., No. 1
SAN DIEGO COUNTY, CAL.

Feb. 5th. 1916.

Cuyamaca Water Company,
916, Eighth Street,
San Diego, Cal.,

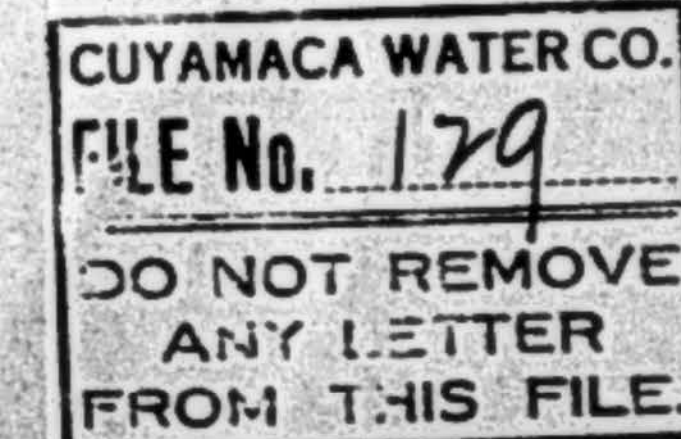
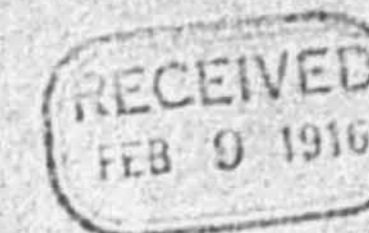
Dear Sirs :-

Your post card concerning January flume water arrived to-day. Surely, there is some mistake in sending a bill for the full amount of water. During the latter part of January there was no water in the flume, as you, doubtless, are well aware.

Kindly correct the statement and return to me, so that I may send you the amount due.

Yours truly,

E. W. S. Delacour



Feb. 9, 1916.

Mr. E. W. S. Delacour,
R. F. D. No. 1,
El Cajon, Calif.

Dear Sir:

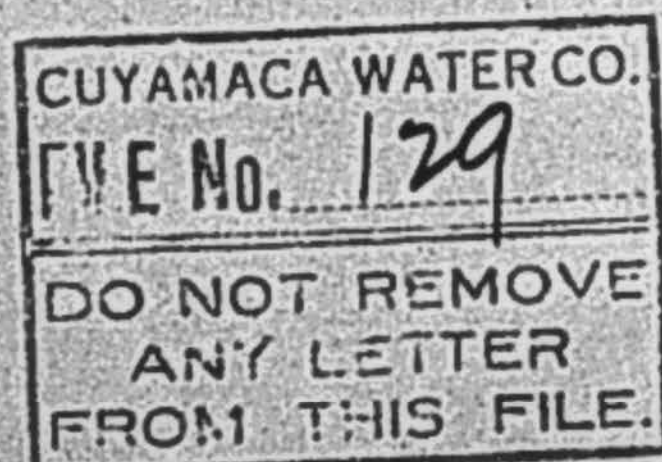
Replying to your letter of Feb. 5, 1916, relative to your bill for water rentals for the month of January, 1916, as you will see by the enclosed circular letter that we are sending out to all consumers on the flume line, the matter of allowances for shortage of water at the time that the flume was carried out by flood rains and storms has been referred to the state Railroad Commission for their decision, and if there are any allowances to be made, upon hearing from them the rebates will be allowed on the next bill, and we would suggest that you pay this bill as presented, and which we are returning herewith.

Yours very truly,

CUYAMACA WATER COMPANY.

Secretary

K-8



April 5, 1916.

Mr. E. W. S. Delacour,
R. F. D. 1,
El Cajon, Calif.

Dear Sir:

In reply to your letter of April 3d, relative to rebate for water during the latter part of January and the first part of February, owing to the damage done to our system by the heavy floods, will say that it is our desire that the Railroad Commission shall decide this matter, and establish a precedent, and we shall ask them to take early action. Upon hearing from them with a decision in the matter we will act accordingly.

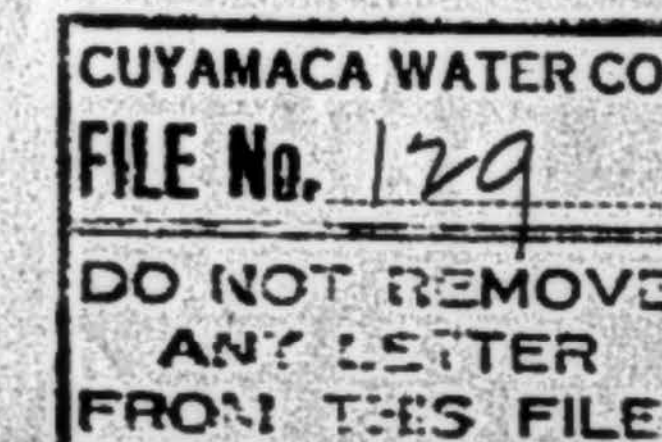
In the meantime, we do not wish to make any change in the bills as rendered, and are returning herewith your statement covering water for the months of February and March.

Yours very truly,

CUYAMACA WATER COMPANY.

Manager.

F
1008



E. W. S. DELACOUR

HOME 27 (EL CAJON 222)

CRESSON GROVE,
EL CAJON, R. F. D., No. 1
SAN DIEGO COUNTY, CAL.

April 6th. 1916.

Cuyamaca Water Company,
916, Eighth Street,
San Diego, Cal.,

RECEIVED
APR 8 1916

Dear Sirs :-

In reply to your letter of April 5th., concerning the rebate for water during January and February, and which you now refuse to make. It could hardly be expected that you would willingly redeem the promises made in your letter of February 9th. to me, but that fact alone is not sufficient to make me liable to you for water you did not deliver, and were physically unable to deliver.

If the Railroad Commission say that I am liable, I will pay, but not otherwise. I therefore enclose check for \$5.40 for service during March, one-half of January and one-half of February remaining in abeyance.

Yours truly,

E. W. S. Delacour

CUYAMACA WATER CO.
FILE No. 129
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

For Hatched answered

CUYAMACA WATER CO.
FILE No. 129
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

April 8, 1916.

Mr. E. W. S. Delacour,
Route #1,
El Cajon, California.

Dear Sir:

I am sorry to see that you are not able to appreciate our proposition in this matter. We are not forcing you to pay this bill but we do not propose to formally prepare a precedent and rebate charges for water unless ordered so to do by the State Railroad Commission especially when a calamity such as we went thru in January befalls us. We are perfectly willing to let the account stand in abeyance until the State Railroad Commission does make some decision or you could pay up under protest and the money could either have been refunded or applied to your account.

I consider your letter insulting. You are well aware that the State Railroad Commission has not ordered us to refund, and I never agreed to refund until I was ordered so to do by the State Railroad Commission. It is easy enough to criticise the other fellow, but when we are not even now getting money enough to pay operating expenses - after having spend \$600,000. to protect the interest of all farmers in that section - it seems to me that any criticism coming from you is with a bad break. I suppose the farmers out in that section would be glad to have Mr. Murray supply water without any profit to ourselves, but at a loss for the benefit of the community in general, and you in particular.

Yours very truly,

CUYAMACA WATER COMPANY

BY _____
Manager

KFB

CUYAMACA WATER CO.
FILE No. 129
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

April 15, 1916.

Mr. E. W. S. Delacour,
R. F. D. 1,
El Cajon, Calif.

Dear Sir:

Answering yours of April 8th, will say that we propose that the State Railroad Commission shall determine whether or not any rebate shall be made in your charges for water, on account of our late flood. The Railroad Commission has said that we could do so, but they have not ordered us to do it, and owing to the fact that our income is so small -- not enough to take care of operating expenses, excepting when we sell excess water to the city -- we certainly do not propose to voluntarily make this reduction, when the shortage of water was caused by an act of God, and through no negligence on our part; particularly as you had more water than you knew what to do with at the time, and suffered no loss through not receiving it.

We are perfectly willing to let the account stand in abeyance until the State Railroad Commission does make some decision, or you can pay under protest. If the Commission orders us to make a refund, we will do so.

Yours very truly,

F-S

Manager

(Copy to the Railroad Commission)

E. W. S. DELACOUR

HOME 27 (EL CAJON 922)

CRESSON GROVE

EL CAJON, R. F. D., No. 1

SAN DIEGO COUNTY, CAL.

April 20th, 1916.

Cuyamaca Water Company,
916, Eighth Street,
San Diego, Cal.,

Dear Sirs :-

In reply to your letter of April 15th. I beg to refer you to your circular letter to consumers on the flume line, dated February 9th. In that circular you stated that, "Providing the Railroad Commission AUTHORIZES a rebate on bills for the time during which you have been without water, such charges will be refunded to the consumer by this Company."

The matter therefore hinges on the value of the word "authorizes". I take it that it means to give authority to; to empower; to make legal; to justify.

The Railroad Commission, in a letter to me dated April eighteenth, stated as follows:-

"The company, early in this season, requested authority to rebate all irrigation rates covering the time that the flume was out of commission. The authority of the Commission was not essential, but insofar as it might be pertinent, IT WAS GRANTED BY LETTER TO THE COMPANY."

You therefore have the authority to make the rebates promised in your circular of February 9th. You have been empowered to do so. It is legal to do so. You are justified in doing so.

What, exactly, you now want, to enable you to redeem the promises openly and publicly made in your circular letter of February 9th., it is rather difficult for an ordinary mortal to see.

Yours very truly,

E. W. S. Delacour

CUYAMACA WATER CO.
FILE No. 129
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

April 22, 1916.

Mr. E. W. S. Delacour,
R. F. D. #1,
El Cajon, Calif.

Dear Sir:

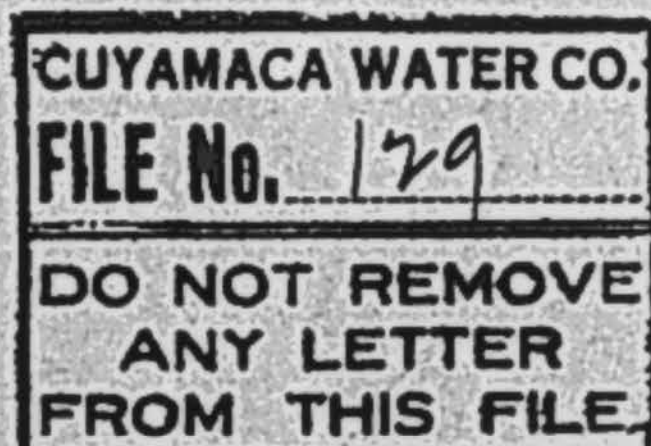
Answering yours of April twentieth, en-
closed find copy of letter to the State Railroad Commission,
which was written yesterday, that is explanatory.

Yours very truly,

CUYAMACA WATER COMPANY.

By _____
Manager

EF:B



ALSO SEE:

DETRICK, CHARLES R.
SEC. RR. COM.
APRIL 7 & 14, 1916

Ed Fletcher Papers

1870-1955

MSS.81

Box: 6 Folder: 23

General Correspondence - Delacour, E.W.S



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