

MAX THELEN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
FRANK R. DEVLIN, COMMISSIONER

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission
of the
State of California

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, SECRETARY
W. P. GEARY, RATE EXPERT
RICHARD SACHSE, CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
P. A. SINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—BUTTER 2260

I. C. 6168.

March,
First,
1916.

Cuyamaca Water Co.,
916 Eighth St.,
San Diego, Calif.

Gentlemen:

Complaint has been made by Bertha Spargur alleging that the Cuyamaca Water Co. have, for the last fifteen months, demanded payment for one miner's inch of water on account of ownership by complainant of Lot 3, South La Mesa.

Complainant states that a very small amount of water only has been used and that she considers herself entitled to have applied as measure of payment for that amount of use, the domestic rate instead of the irrigation rate. The complaint and request is so unusual and exactly the reverse of a number received by the Commission concerning the application of your rates, that we presume you will be willing to acquiesce.

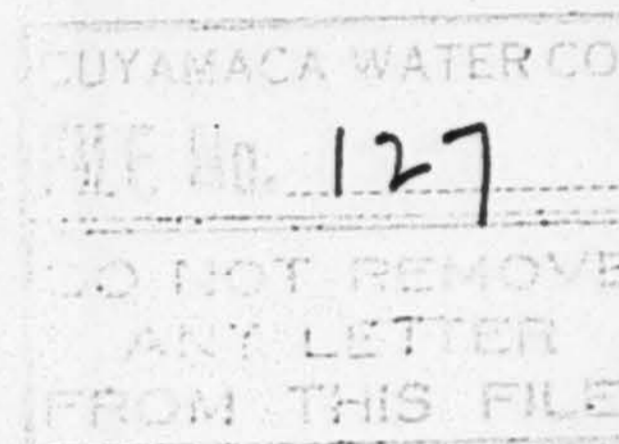
If the water is not actually used on this land for irrigation purposes to any reasonable extent, we can see no reason whatever for refusing the request of complainant.

Will you please report your decision to the Commission at the earliest opportunity.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By *Charles R. Detrick*
Secretary.



File No. 127
Subject I. C. 8168
Bertha Spargur

March 6, 1916

I.C. 6168

Mr. Faude:

What do you think of this and what is our procedure?

ED Fletcher

EF:B

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE ANY LETTER FROM THIS FILE.

March 8/16
 I.C. 6168
 3436-Brand Boulevard
 Los Angeles Cal.
 Cuyamaca Water Co.
 San Diego Cal.
 RECEIVED
 MAR 9 1916
 CUYAMACA WATER CO.
 FILE NO. 127

Gentlemen - I enclose check for \$85 to pay, according to enclosed statement - which is paid under protest + we wish to call your attention again to the fact that we are using no water for irrigation whatever. The water is only being used by a Mr. Grabham, living in the house ^{on the land} for household purposes + we were informed that Mr. Grabham has been, or is, employed by your company (over)

0.4

He refuses to pay any rent
for the house or for the water.
This, I submit, is a great
injustice - I am under the
physician's care & cannot
come to San Diego but shall,
as soon as possible, endeavor
to convince you of the great
injustice being done me
in this matter. I am not a
non-resident of San Diego
through choice but to obtain
medical treatment & hope
to be able to return soon.

Yours truly
Bertha Spargur

March 9, 1916.

I. C. 6168

Mr. Ed Fletcher,
Mgr C W Co.

Dear Sir:-

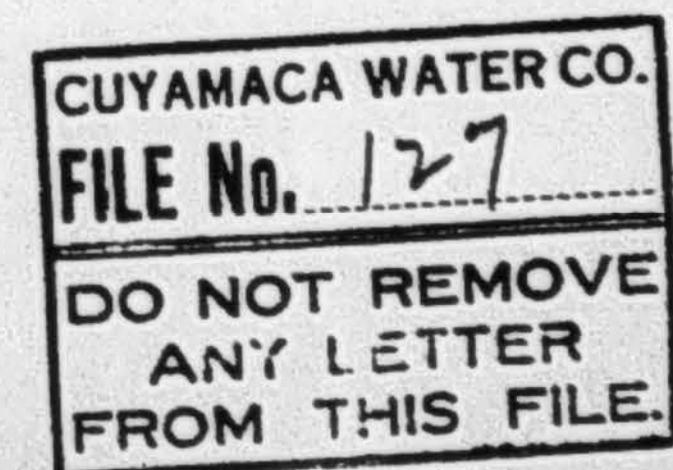
I return your letter of March 6th with
Railroad Commission's letter of March 1st regarding
complaint by Bertha Spargur that she has been com-
pelled to pay for one inch of water on Lot 3 in
South La Mesa, she desiring to pay for what water
is used at domestic rates.

We should have no objection to billing
Mrs. Spargur at domestic rates for all water she
uses providing that she will not come back at us
later and demand the irrigation rate. In other
words, her irrigation right should be canceled
for all time. This should be clearly explained
to the Railroad Commission so that there can be
no mistake about it.

Do you desire me to write the Commission?

F. M. Faude.

F:K



March 10, 1916.

I. C. 6168

Mr. Faude:

Answering yours of March 9th, I return same together with a copy of the Railroad Commission letter. Send a copy of this letter to Bertha Spargur, together with an agreement, drawn up by Makin, that in consideration of one dollar and other considerations she waives all rights in the matter of that certain contract of water right dated _____ (Look up) This contract should be made between Bertha Spargur, James A. Murray and Ed Fletcher. We can then put in on record and cancel it and give her water at domestic rates.

Ed Fletcher

EF:B

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

I. C. 6168

Mr. Fletcher;

Copy of

Enclosed find agreement with Bertha Spargur as per your instructions to Faude.

Makin.

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

I. C. 6168

I, Bertha Spargur, of the City of San Diego, County of San Diego, State of California, for and in consideration of One Dollar (\$1.00) and other valuable considerations, do hereby assign, transfer and set over unto JAMES A. MURRAY and ED. FLETCHER of the City of San Diego, County of San Diego, State of California, all my right, title and interest in and to that certain contract of water rights dated June 20, 1895, which said contract provides for the use of One Miners Inch of water to be used on Lot Three (3) of the Subdivision of South La Mesa according to Official Map thereof on file in the Office of the County Recorder of San Diego County, State of California.

Said contract was made between Augusta C. Kaidel and San Diego Flume Company and was subsequently transferred to Bertha Spargur; and said contract is Number 253 of the files of the Cuyamaca Water Company of the City of San Diego, County of San Diego, State of California.

State of California, }
County of _____ } SS.

Before me, _____, a Notary Public in and for the County of _____, State of California, personally appeared Bertha Spargur known to me to be the person whose name is subscribed to the within instrument, and she duly acknowledged to me that she executed the same.

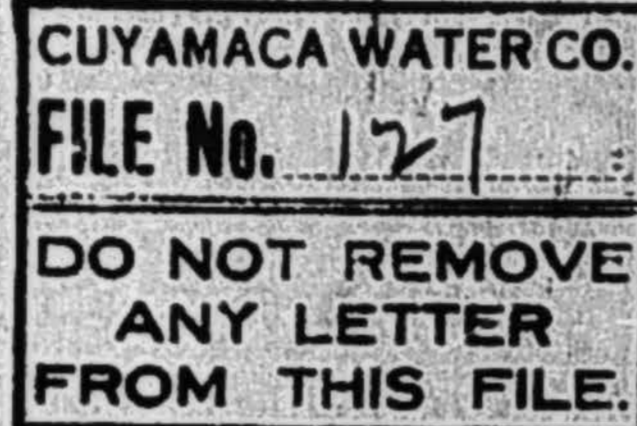
In Witness Whereof, I have hereunto set my hand and affixed my Official Seal, at my office in the County of _____, State of California, this _____ day of _____, 1916.

DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Notary Public in and for the County of _____ State of California.

1.C.6168

March 14, 1916.



Mrs. Bertha Spargur,
3436 Brand Ave.,
Los Angeles, Cal.

Dear Madam:-

We have your letter of March 8th regarding claim that use of water on your place in South La Mesa was entirely for household purposes and not for irrigation.

We have also received a letter from the Railroad Commission along these same lines of which we enclose a copy. This Company is perfectly willing that you change over from the irrigation to the domestic rate provided you are willing to cancel the old so-called irrigation contract. If you are willing to do this, kindly sign the enclosed contract and have your signature acknowledged before a Notary Public and return the contract to us.

We note your statement that the present tenant on your place, Mr. Grabham, refuses to pay any rent or the water bills. This man has worked occasionally for this Company, but at the present time is not employed by us and we are uncertain whether he ever will be again or not.

Very truly yours,

Assistant Manager.

FMF:K
Encl.

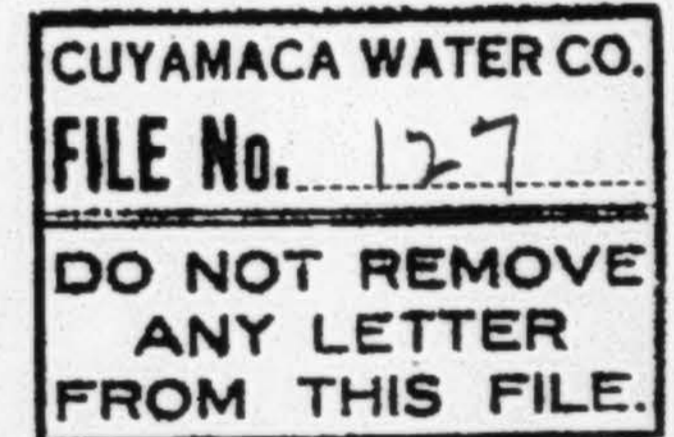
1.C.6168

Mr. Faude:

Give me a report on this as soon as it is completed.

Ed Fletcher.

F-S
3/20/16.



MAX THELEN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
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DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—BUTTER 2280

I. C. 8168

March,
Twenty-third,
1916.

Cuyamaca Water Co.,
916 Eighth St.,
San Diego, Calif.

Gentlemen:

We have received no reply to our letter of March 1st in the matter of complaint of Bertha Spargur.

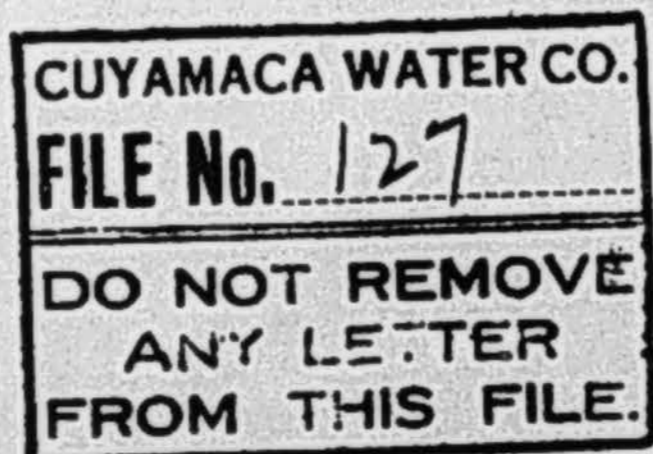
Please let us know whether you are willing to apply domestic rates in this case.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By *Charles R. Detrick*
Secretary.

- RWH.MR



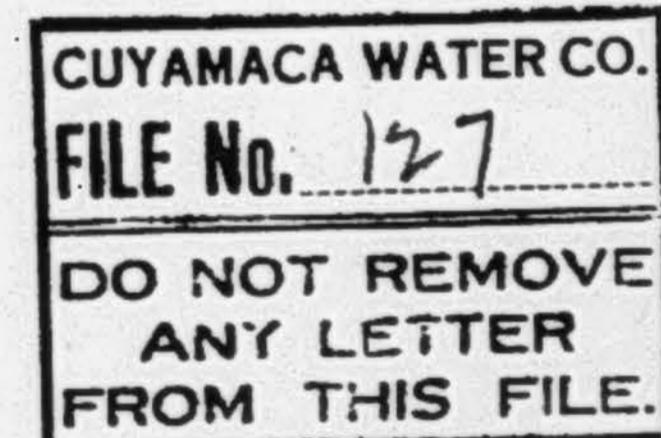
March 25, 1916.

Mr. Faude:

Give me a report on this Bertha Spargur matter.

Ed Fletcher.

F-S



March 30, 1916.

Mr. Ed Fletcher,
Mgr C W Co.

Dear Sir:-

Your letter of March 25th asking a report on the Bertha Spargur complaint to the Railroad Commission is received.

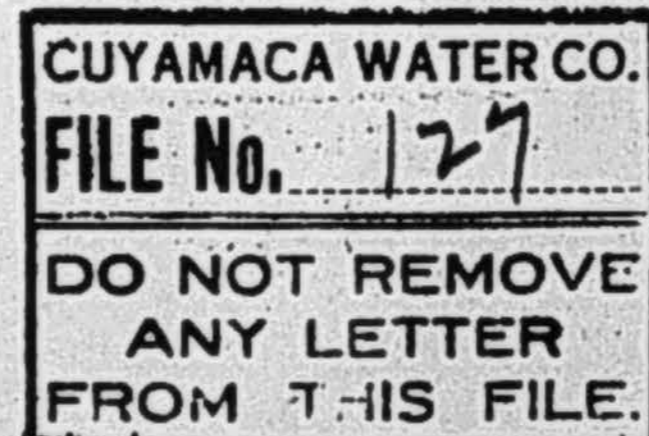
Shortly after we received the first letter from the Railroad Commission, Makin made up an agreement for Mrs Spargur to sign providing for the cancelation of her water right contract in consideration of being allowed to pay a domestic rate. This agreement was sent to Mrs. Spargur on March 14th with a request that she sign the same and return to this Company.

So far as I know she has never signed the agreement. I attach all papers.

F. M. Faude.

FMF:K

Makin How?



Ed Fletcher Company
FLETCHER BUILDING
920 EIGHTH ST.
SAN DIEGO, CALIFORNIA

AGENTS
PINE HILLS
DEL MAR
GROSSMONT

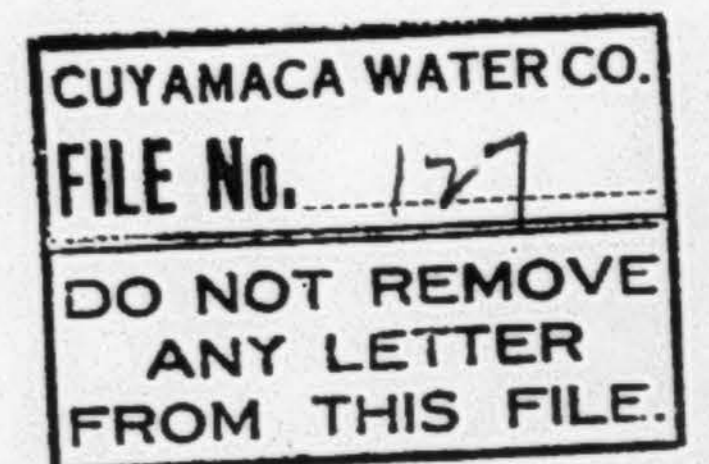
March 31, 1916.

Mr. Faude:

Mr Fletcher wishes you to write another letter to Bertha Sparger regarding the agreement which is hereto attached, and see if she won't come thru.

R. L. Makin

RLM:B



Copy for Ed Fletcher.

April 4, 1916.

Mrs. Bertha Spargur,
3436 Brand Blvd.,
Los Angeles, Cal.

Dear Madam:-

On March 14th we wrote you enclosing a contract covering a relinquishment of your old water contract and asking that you sign the same, have your signature acknowledged before a Notary Public and return to us. We have heard nothing from you since that time and would request that you execute this contract at your earliest convenience and send the same to us provided you desire to take advantage of domestic rates on your property in South La Mesa.

Very truly yours,

F. M. Faude

Assistant Manager.

FMF:K

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

*Mr. Faude:
Keep after this
Ed Fletcher*

MAX THELEN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
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P. A. BINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—BUTTER 2260

I. C. 8168

April,
Seventh,
1916.

Cuyamaca Water Co.,
916 Eighth St.,
San Diego, Calif.

Gentlemen:

Kindly make reply to our letter
of March 23rd, in re complaint of
Bertha Spargur.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By *Charles R. Detrick*
Secretary.

JA.MR

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
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Copy for Mr. Fletcher

April 11, 1916.

State Railroad Commission,
833 Market St.,
San Francisco, Cal.

Gentlemen:-

I. C. 8168.

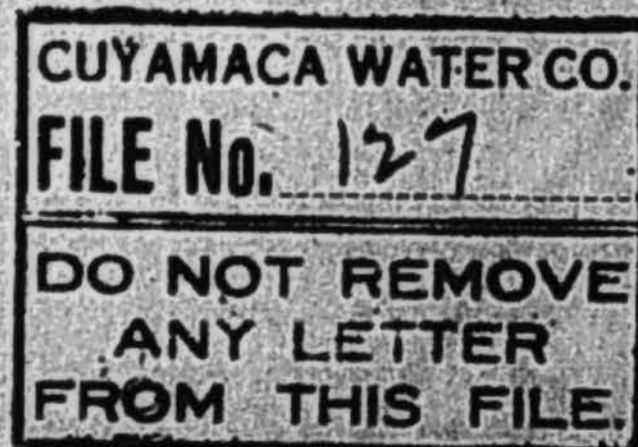
We have your letter of April 7th regarding complaint of Bertha Spargur.

We have written to Mrs. Spargur offering to apply the domestic rate in her case providing she will give up any rights she may claim to water at the cheap irrigation rate. The letter to Mrs. Spargur was written March 14th and again on April 4th. So far we have heard nothing from her in reply.

Very truly yours,

Assistant Manager.

FMF-K



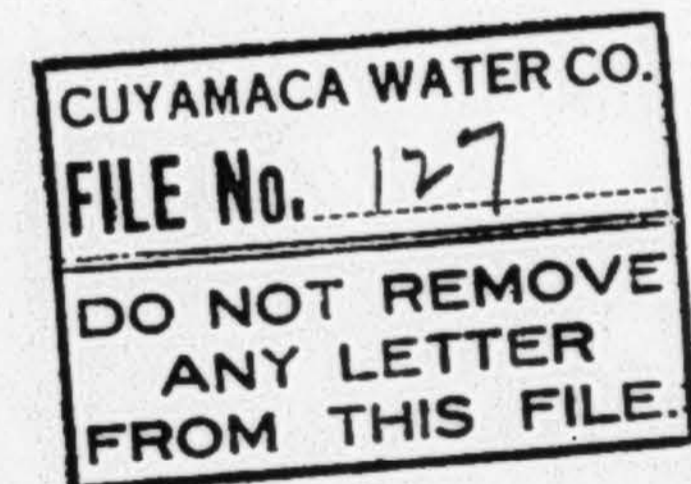
April 14, 1916.

Mr. Faude:

Have Harritt or some one see Mrs. Bertha Spargur and get this matter cleaned up.

Ed Fletcher.

EF:K



April 20, 1916.

Mr. Ed Fletcher,
Mgr C W Co.

Dear Sir:-

I have your memorandum of April 14th asking that I have Harritt or some one else see Mrs. Spargur and get her complaint cleaned up.

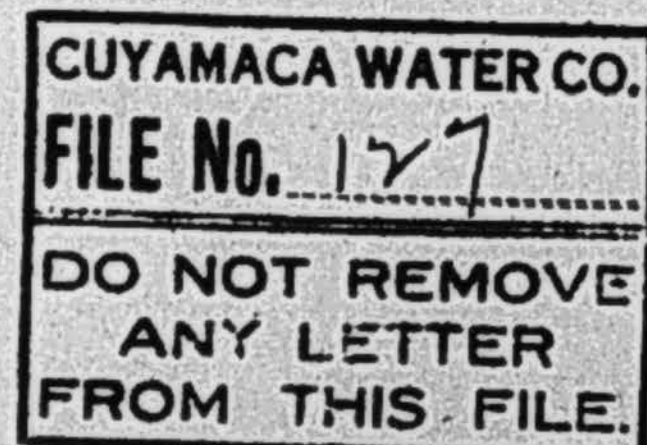
I attach letter which I have written to Mrs. Spargur and you will note that she is in Los Angeles making it impossible to see her personally.

If we do not hear from her within a few days, I believe we can consider the matter closed and so inform the Railroad Commission.

Yours very truly,

F. M. Fenske.

FLF:K



April 20, 1916.

Mrs. BERTHA Spargur,
3436 Brand Ave.,
Los Angeles, Cal.

Dear Madam:-

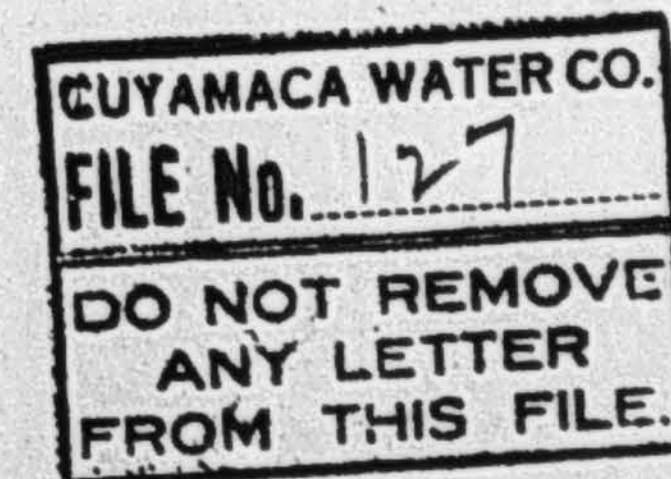
On March 14th we wrote you enclosing a contract covering a relinquishment of your old water contract, asking that you sign the same, have your signature acknowledged before a Notary Public and return to us. We wrote you again on April 4th regarding this matter but have received no reply to either of our letters.

We would again request that you execute this contract at your earliest convenience and send the same to us provided you desire to take advantage of domestic rates on your property in South La Mesa.

Yours very truly,

Assistant Manager.

FLF:K



Mail 25 1/6

651 - Chestnut Avenue
Long Beach Calif
Cuyamaca Water Co.,
San Diego Cal.

CUYAMACA WATER CO.
FILE NO. 127

Gentlemen - Your favor of 20th inst. just received -

The matter to which you refer is now entirely in the hands of my lawyer - also the papers you requested me to execute -

I want or expect nothing but what is right in the matter & you gentlemen are in a position to know just what my rights are & what would be best for me to do under the circumstances without my being obliged to undergo the additional expense of litigation - It certainly is unjust for me to be obliged

to pay \$5⁸⁵/₁₀₀ per month for the little water used on Lot 3 - South La Mesa - We do not know whether we would be justified in relinquishing the old water contract or not but will endeavor to ascertain the legal status of the matter, at an early date - If I am obliged to continue the full payments I shall certainly cultivate the place & use all the water for which I am paying.

Yours very truly
Bertha Spangue
Please pardon pencil.

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
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CUYAMACA WATER COMPANY
SUCCESSORS TO
THE SAN DIEGO FLUME COMPANY
OFFICE: FLETCHER BUILDING
116 EIGHTH ST., BET. BROADWAY AND E
P. O. Box 1412

ED. FLETCHER, MANAGER
F. M. FAUDE, ASST. MANAGER
LOU B. MATHEWS, SECRETARY
C. HARRITT, SUPERINTENDENT

SAN DIEGO, CALIFORNIA. May 10, 1916.

I.C. 8168

Mr. ED Fletcher,
Mgr C W Co.

Dear Sir:-

I attach letter from Mrs. Bertha Spargur dated
May 7th.

You will remember that Mrs. Spargur wrote the
Commission asking that she be allowed to take the domes-
tic instead of the irrigation rate as the water was costing
more than she cared to pay. This letter from Mrs. Spargur
indicates that she wants the domestic rate for such time
only as it will figure out cheaper than the other and that
when the other rate will figure cheaper, she wants that.

I believe that it would be a good idea to write
the Commission and explain this feature and ask that this
complaint of Mrs. Spargur be closed as it is evident she
does not want to cancel her water right.

F. M. Faude.

FLM:K

CUYAMACA WATER CO.
FILE No. 127
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May 10 1916
651 - Chestnut Avenue
Long Beach Calif.
Cuyamaca Water Co.,
San Diego, Cal.
Gentlemen - I enclose check
for \$5.85 to pay, as per enclosed
statement - which
paid under protest -
believing it is unjust.
You gentlemen are versed
in these matters & no doubt
know what my legal rights
are - & I think that you
should save me the trouble
& expense of litigation &

IC 8168

CUYAMACA WATER CO.
FILE No. 127
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2

I have been waiting -
 hoping you would do so -
 + I still hope that you
 will adjust the matter
 amicably, without any further
~~trouble~~ trouble + expense -
 My lawyer thinks that
 you, being a large concern
 you will do so without
 taking any advantage of
 my lack of knowledge in
 such matters + it is only
 reasonable to suppose that
 you would deem it to your
 best interests to be fair + right
 Yours truly, Bertha Spargur
 Please excuse pencil -

I.C. 8168

May 11, 1916.

Mr. Faude:

I suggest that you write a letter to the
 Railroad Commission regarding Mrs. Bertha Spargur,
 and let me see it.

Ed Fletcher.

CUYAMACA WATER CO.
 FILE No. 127
 DO NOT REMOVE
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 FROM THIS FILE.

F-S

CUYAMACA WATER CO.
FILE No. 127
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

May 16, 1916.

State Railroad Commission,
833 Market Street,
San Francisco, Cal.

I. C. 8168

Gentlemen:-

In regard to the above numbered Informal Complaint,
we have the following letter from Mrs. Bertha Spargur:

"651 Chestnut Avenue, Long Beach, Calif.,
May 7th, 1916.

Cuyamaca Water Co.,
San Diego, Cal.

Gentlemen:-

I enclose check for \$5.85 to pay, as per enclosed statement, which is paid under protest, I believing it is unjust. You gentlemen are versed in these matters and no doubt know what my legal rights are and I think that you should save me the trouble and expense of litigation and I have been waiting, hoping you would do so and I still hope that you will adjust the matter amicably, without any further trouble and expense. My lawyer thinks that you, being a large concern, you will do so without taking any advantage of my lack of knowledge in such matters and it is only reasonable to suppose that you would deem it to your best interests to be fair and right.

Yours truly,
Bertha Spargur"

It is evident from this letter that Mrs. Spargur does not intend to accept our proposition of relinquishing any rights she may have to water at irrigation rates so that she can get the benefit of the lower cost of water at domestic rates. It is also evident that Mrs. Spargur wants the domestic rate just so long as this figures out the cheapest and as soon as her use of water increases so that the irrigation rate figures cheaper, she wants this rate.

We feel that our proposition to Mrs. Spargur was fair and think she is unreasonable in the stand she is taking and we therefore ask you that this informal complaint be closed.

Yours very truly,

Assistant Manager.

WAF:K

Aug 9th 1916
651 - Chestnut Avenue
Long Beach Calif. 127
Cuyamaca Water Co.,
San Diego Calif.
Gentlemen I enclose check
for \$5.85 to pay for water (as
per enclosed statement) which
I pay under protest for the
reason that I am not using
the amount of water charged
for + for the further reason
that the charge is not in
accordance with the contract
with your company in relation
to Lot 3 - South La Mesa -
+ all the payments I have ever
made to your company +
(over)

127

August 15, 1916

*always under protest, have
been, as I believe, not in
accordance with the terms
of said contract -*

*Yours truly
Bertha Spargur*

*for funds answer
ad. 8.*

Mrs. Bertha Spargur,
651 Chestnut Ave.,
Long Beach, Cal.

Dear Madam:-

We have your letter of August 9th enclosing check for \$5.85 in payment for water used on your property near El Cajon Avenue, the receipt for which has been sent you.

We note your protest regarding the amount of this bill and would call your attention to the fact that this rate is as fixed by the Railroad Commission in their Decision No. 536 in Application No. 118 and it is in accordance with this Decision and order of the Commission that we make this charge.

We trust this will explain matters to your satisfaction.

Very truly yours,

Assistant Manager.

FMF:K

February 12, 1917.

Mrs. Bertha Spargur,
137 Bloomfield Ave.,
Long Beach, Cal.

Dear Madam:-

We have your letter of February 9th enclosing check for \$5.85 in payment of bill for irrigation water for month of February.

We regret that you are not satisfied with this bill and note your statement that you have used no water whatever. Under the present decision of the Railroad Commission, we can not do anything else than charge irrigation consumers for their water, regardless of whether or not they have used any, and as during the past few years, this Company has failed to secure enough revenue to pay even operating expenses, to say nothing of interest on the investment and depreciation, we can not make an exception in any case whatever as we need every cent of revenue we are entitled to under the Railroad Commission's Decision.

Under the recent decision of the Commission, which will go into effect on March 1st, it is provided, so far as we can determine at this time, that an irrigation consumer who uses no water, would still pay a small monthly minimum based upon the size of the service connection. In your particular case, this would amount to about \$1.75 a month. This is a matter, however, that has not been finally determined and will not be for some little time and there may be some change.

Our new rules and regulations will be cut within a short time and we shall be pleased to send you a copy which will contain information on this and other matters which may be of interest to you.

Very truly yours,

Assistant Manager.

FMF:K

127

Feb 9 1917
 1 1/2" R. Meter
 \$1.75
 37 - Bloomfield Ave.
 Long Beach Calif.
 Cuyamaca Water Co.
 San Diego Calif.
 Gentlemen -
 Enclose check
 for \$5.85 to pay enclosed statement
 paid under protest, as usual
 as we are using no water.
 Kindly inform me if
 under the new, recent ruling
 of the State R.R. Commission
 I am obliged to pay this
 \$5.85 if I use no water whatever.
 Of course I wish to do nothing
 to jeopardize my water right
 which has already cost me
 so much for nothing received.
 Yours truly, Bertha Spargur -

RECEIVED
FEB 10 1917

127

March 17

137-Bloomfield Ave
Long Beach Calif.
Cuyamaca Water Co.



San Diego Calif.
Gentlemen - I enclose \$~~5~~^{5.85}
to pay enclosed statement
which is paid under protest
as I'm using absolutely no water
The R.R. Commission assured
me about a year ago that this
matter would be adjusted.
I dislike to be obliged to
place the matter before the
commission again - I fully
realize that you have enough
troubles without mine but
my husband & I are both invalids
& at more expense than we
can afford at present & are
absolutely unable, at present,

2
to pay for this water, without
deriving some benefit -
I think our reputation at
San Diego for honesty & fairness
should have some weight with
you in the matter -

Very truly yours
Bertha Spargur

Kindly pardon pencil

P.S. Please address us
after March 14th at
Mojave -
Kern County
Calif.

March 12, 1917.

Mrs. Bertha Spargur,
Mojave, California.

Dear Madam:-

We have your letter of March 9th enclosing check for \$5.85 in payment of water bill for the month of February 1917. Receipt for this has been sent you under separate cover.

We regret that you still protest the payment of these bills, but we can assure you that you are being treated exactly as all our other consumers and strictly in conformity with the Railroad Commission Decisions and orders.

On April 1st a new schedule of rates goes into effect under which, if you use no water, you will only have to pay a small monthly minimum depending upon the size of the service pipe, which in your case will be \$1.75 per month; and if you should order the water shut off, you will have to make no payments whatever until such time as you order it turned on again.

We trust this will explain matters to your satisfaction.

Very truly yours,

Assistant Manager.

FMF:K

127

Ed Fletcher Papers

1870-1955

MSS.81

Box: 55 Folder: 27

**Business Records - Water Companies - Cuyamaca
Water Company - Cuyamaca Customers - Customer
correspondence - Spargur, Bertha, I.C.#8168**



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