

From the papers of Ed Fletcher, the following letters have been removed to the alphabetized correspondence files:

"HODGES APPLICATION: STATE WATER COMMISSION"

FAULKNER, E. O. to Fletcher, 1/23/22

LEE, Chas. H. (Pres. of State Water Commission):

Lee to Fletcher, (11 letters) 4/22/21, 5/11/21,  
6/11/21, 6/17/21, 7/21/21, 7/21/21, 7/22/21,  
7/28/21, 7/29/21, 9/6/21, 9/17/21

Fletcher to Lee, (8 letters) 6/11/21, 6/13/21, 6/13/21,  
6/20/21, 7/23/21, 7/25/21, 7/26/21, 8/2/21

STATE WATER COMMISSION (SWC):

SWC to Fletcher, (3 letters) 7/25/21, 7/28/21, 9/6/21

Fletcher to SWC, (10 letters) 4/18/21, 4/28/21, 4/29/21,  
5/21/21, 5/23/21, 5/24/21, undated, 7/28/21, 8/29/21,  
1/26/22

## San Dieguito Mutual Water Company

ED FLETCHER,  
President  
E. O. FAULKNER,  
Sec.-Treas.

Fletcher Building

San Diego, Calif.

April 28, 1921

State Water Commission,  
San Francisco, California.

Gentlemen:

In answer to your inquiry as to estimated expenditures during each six months' period since appropriation of the Lake Hodges water was made, including any money expended for lands and water rights, will say that the San Dieguito Mutual Water Company has expended during each six months' period not less than \$25,000, from the date of water filing on the San Dieguito River; that the cost of the present water system to the San Dieguito Mutual Water Company, and its distributing lines, including lands within the reservoir site and water rights, is in excess of \$1,500,000; and further, that the stockholders of the San Dieguito Mutual Water Company, in order to acquire reservoir lands flooded, riparian rights, etc. were compelled to purchase in excess of 9,000 acres of land, a considerable portion of which was made non-riparian, and these lands are owned today by the stockholders of the San Dieguito Mutual Water Company.

Very sincerely yours,

SAN DIEGUITO MUTUAL WATER CO.

*E. Fletcher*  
President

EF:KIM



COMMISSIONERS:  
 CHARLES H. LEE, EXECUTIVE MEMBER  
 A. W. MASON  
 J. L. MATTHEWS  
 JOSEPHINE A. PATTEN, SECRETARY

STATE WATER COMMISSION  
 OF  
 CALIFORNIA

SIXTH FLOOR CALL BUILDING  
 74 NEW MONTGOMERY ST.  
 SAN FRANCISCO

ADDRESS ALL COMMUNICATIONS TO THE  
 STATE WATER COMMISSION

EX OFFICIO:  
 GOVERNOR WILLIAM D. STEPHENS  
 STATE ENGINEER W. P. MCCLURE  
 L. D. BOHNETT, ATTORNEY  
 TELEPHONE DOUGLAS 4957

Form 9a

May 10th, 1921.

In re Application No. 12- 2315

San Diequito Mutual Water Co.,

Fletcher Bldg., San Diego Co.,  
California.

The application of yourselves  
 for a certificate prescribing the time in which to apply to beneficial  
~~to appropriate~~ the waters of use

San Diequito River

has been found to be correct in form. As the application is  
 for more than three (3) cubic feet per second, it will be necessary  
 for the Applicant to have published the enclosed Notice as pres-  
 cribed under the caption "Notice and Protests", on Page 6 of Rules  
 and Regulations, copy herewith, to which your attention is called.

Publication in a newspaper of general circulation  
 published in Escondido  
 will be acceptable to this office. The Notice should be published  
as promptly as possible and proof of publication must be filed  
with the Commission within sixty days from the date of this letter.

Very truly yours,

**JOSEPHINE A. PATTEN**

Secretary

APB:GB

APPLICATION 12-2315

NOTICE IS HEREBY GIVEN, that San Diequito Mutual Water  
 Company of San Diego, San Diego County, California, has applied  
 to the State Water Commission of California to have the time  
 prescribed within which it must apply to beneficial use  
 the waters of San Diequito River in San Diego County claimed  
 under a Notice of Appropriation by H. Taylor, Recorded April  
 28th, 1921, in Book Number 4, of WATER CLAIMS, page 285 et  
 seq., records of San Diego County, which calls for the diver-  
 sion of all the water flowing or hereafter to flow in the  
 channel of the Bernardo River, otherwise known as the Die-  
 quito River or Santa Ysabel River in the County of San Diego,  
 together with the water from all creeks or affluents of said  
 river, to the extent of Ten Thousand inches measured under a  
 four inch pressure of the continuous flow of said stream.

This application under Section 12, of the Water Commission  
 Act, Statutes of 1913, Chapter 586, calls for the diversion  
 of thirty-seven thousand seven hundred (37,700.00) acre  
 feet per annum of the waters of the San Diequito River in San  
 Diego County, to be diverted at a point, N. 28° 57' E., 3831.94  
 feet from the SW corner of Section 18, T 13 S., R 2 W.,  
 S.B.B. & M., to be conducted through conduit to a reservoir  
 located in and near the SE $\frac{1}{4}$  of Section 16, T 13 S., R 3 W.,  
 S. B. B. & M., and used on 18,000 acres located in Townships  
 12, 13 and 14 South Ranges 3 and 4 West., S. B. B & M., as  
 shown on a map on file in the office of the State Water Commis-  
 sion.

The only question that can be considered by the Commission  
 is that of reasonable diligence in carrying on the work neces-  
 sary to put the water to a beneficial use.

Any person desiring to protest against the granting of such  
 application shall, within sixty days from date hereof, file with  
 the State Water Commission, Call Building, San Francisco,  
 California, a written protest, stating reasons therefore,  
which must be restricted to the matter of reasonable diligence  
IN prosecuting the necessary work. A copy of the protest  
 must be served upon the applicant.

Dated: San Francisco, California.

May 10th, 1921

STATE WATER COMMISSION

By CHARLES H LEE  
 Executive Member

APB:GB



**THE STATE WATER COMMISSION**

**STATE OF CALIFORNIA**

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**Rules and Regulations**

**Governing the Appropriation of Water in California  
in Accordance with Chapter 586,  
Statutes of 1913**

**Office: 74 New Montgomery Street, San Francisco  
Call Building, Room 632**

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**CALIFORNIA STATE PRINTING OFFICE**

**J. M. CREMIN, Superintendent**

**SACRAMENTO, 1921**



The following rules and regulations governing the appropriation of water in California, in accordance with chapter 586, statutes of 1913, are hereby adopted, to take effect September 1, 1915.

No rule or regulation shall, however, be construed to deprive the Commission of its right to exercise the directory and mandatory powers conferred upon it by law, or to limit the amount or character of data required from applicants.

STATE WATER COMMISSION,

CHARLES H. LEE, President.

A. W. MASON.

J. L. MATTHEWS.

INTRODUCTORY.

The appropriation of water in California is now governed by the terms of the Water Commission Act (statutes 1913, chapter 586), which was approved by popular vote at the election held November 3, 1914, and went into effect on December 19, 1914. Rights to the use of water must now be initiated by application to the Water Commission, as section 1415 of the Civil Code, providing for the posting and recording of notices is no longer in force.

Most of the Western irrigation states have adopted similar laws under which the state has assumed direct control of the appropriation and distribution of irrigation waters, in the public interest, in order that such waters shall be put to the highest beneficial use with, as far as may be, an avoidance of long, unnecessary and costly suits to determine the rights of various claimants to the use of the public waters of the State. California is the latest of these states to adopt such a law, and the approval of the act by the people of the State under the referendum of 1914 determines the will of the people that such a step should now be taken in California.

Application blanks have been prepared and will be furnished, free of charge, on request. The blanks are classified according to uses as follows: *Agricultural Purposes, Power Purposes, Mining Purposes, Municipal Water Supply.*

The procedure in acting on an application very briefly stated is as follows:

Upon the receipt by the Commission of a complete application, published or other form of notice will be given to other users whose rights may be affected and, if protests are filed, hearings may be held to determine if a permit for the use of the water applied for may be granted. The steps to be taken are fully covered under separate headings in the rules adopted.

An application is not a permit to appropriate water until it is approved by the Commission. Upon approval of any application, a copy of the original application, with such approval

endorsed thereon, will be given to the applicant. In its approval the Commission will specify the time for beginning and for completing the work of construction and the time within which the water appropriated must be put to a beneficial use. Such approved application, or permit, will be filed in the office of the Commission, and also in the office of the recorder of the county in which the point of diversion lies. When the terms of the permit have been complied with, a license will be issued to the applicant, as evidence of his water right.

For the mutual protection of the applicant and prior claimants, notice of the application will be given so that protests may be filed, if desired. Although vested rights to the use of water from the source from which the appropriation is sought can not be lost, prejudiced or impaired by failure to protest against an application, it is recommended that all prior claimants, for the protection of their own interests, should inform the Commission if they have reason to believe that the granting of a permit for the proposed appropriation will conflict with their rights. Unnecessary litigation may be avoided if such action be taken.

A permit or license to appropriate water is not an assurance by the State of a sufficient water supply, nor a guarantee of protection by the State against prior claimants. It does assure the appropriator that upon compliance with its provisions, his priority is definitely established as of the date of his application, and that in this regard the State will protect him against subsequent claimants.

The Commission is authorized by section 24 of the Water Commission Act to ascertain the relative rights of the various claimants to the use of water from a source of supply. Before such ascertainment becomes final and binding, it must be approved, or modified, by the superior court in an action initiated by the State or one of the claimants. Owing to the time thus necessitated in securing a full adjudication of the relative rights, no attempt will be made, in passing upon applications to appropriate, to ascertain all of the existing rights except in unusual cases.

An outline of the procedure relative to ascertainment is set forth in sections 24 to 36, inclusive, of the Water Commission Act. The details of such procedure will be governed by a separate set of rules and regulations.

WATER AND POWER UNITS.

The "inch" of water (measured under a four-inch pressure) mentioned in section 1415 of the Civil Code is the equivalent of one-fiftieth of a cubic foot per second. Section 23 of the Water Commission Act provides that "forty miner's inches



shall be equivalent to one cubic foot per second." In the table of equivalents given below the former inch is called the old California inch and the latter inch the new California inch. The cubic foot per second is called the second-foot.

#### Table of Equivalents.

- 1 second-foot equals 50 old California miner's inches.
  - 1 second-foot equals 40 new California miner's inches.
  - 1 second-foot equals 7.48 United States gallons per second; equals 448.8 gallons per minute; equals 646,317 gallons per day; equals 1.98 acre-feet per day.
  - 1 acre-foot equals 43,560 cubic feet.
  - 1,000,000 United States gallons per day equals 1.55 second-feet.
  - 1,000,000 United States gallons equals 3.07 acre-feet.
  - 1 horsepower equals 550 foot-pounds per second.
  - 1 horsepower equals 746 watts.
  - 1 horsepower equals 1 second-foot falling 8.8 feet.
- To calculate theoretical horsepower, multiply amount of water in second-feet by vertical fall in feet, and divide by 8.8.

#### RULES AND REGULATIONS.

1. **Priority.** The priority of right secured by an application dates from the time it is filed in the office of the Water Commission, but no application can be considered as filed until the filing fee (see 19 hereof) has been paid. Defective applications will be returned for correction and sixty days will be allowed for refiling without loss of priority.
2. **The Application.** The application shall be typewritten or written in ink and filed in duplicate.
3. **Source.** Where the water desired is to be taken from more than one stream, lake, or other body of water, a separate application shall be made for each source. It is permissible, however, to specify two or more sources of supply in one application when the water from such sources is to be conveyed to one diverting channel, commingled, and used for one purpose.
4. **Amount.** The amount of water applied for shall be limited to the amount that can be put to beneficial use. Applications for an amount beyond this can not be approved.
5. **Purpose.** A separate application shall be made for the appropriation of water for each of the following purposes: Agricultural purposes, power purposes, mining purposes, municipal water supply. The appropriation of water for any of said purposes will include water for domestic purposes. Where it is desired to appropriate water for domestic purposes only, the forms for agricultural purposes should be used. When water has been appropriated for one purpose, it is

unlawful to use it for another purpose (excepting domestic purposes) without first securing a permit or license from the Commission for such use.

6. **Point of Diversion.** A separate application shall be made for each diversion. It is permissible, however, to specify two or more points of diversion in one application where the proposed conduits are to be used to irrigate the same parcels of land, or convey water to the same power house, or are to be combined into a single conduit.

7. **Maps.** Each application shall be accompanied by a map in duplicate—one copy on tracing linen and the other a print of such tracing. It is not necessary to delay filing an application in order to finish survey and map work. The application, although incomplete, should be filed to avoid loss of priority, and should be accompanied by a statement of the time necessary for the completion of the survey and map and the procurement of other data for perfecting the application.

The map shall be neatly and accurately drawn with India ink, and shall be not larger than 28 inches by 40 inches and not smaller than 24 inches by 36 inches.

The map shall show the location of the point of diversion by courses and distances from some government corner. If on unsurveyed land, the distances and bearings may, if the nearest existing corner of the public survey is more than two miles distant, be taken from a permanent mark on some natural object or permanent monument that can be readily found and recognized. The location of the headgate shall be indicated. The location of the main ditch or canal shall be shown throughout, and where government survey lines are crossed, frequent ties to section corners shall be shown.

The map shall show the name and location of the stream from which water is to be taken and the location and area (in acres) of land to be irrigated, or place where water is to be used for other purposes. (This may be done by marking the boundaries, or by coloring the areas.) Where the appropriation is for irrigation purposes, the estimated acreage to be irrigated in each 40-acre tract shall be written on the map in all cases where the full 40-acre tract is not to be irrigated.

Wherever the canal line crosses streams, or other ditches, the location of such crossings shall be shown and such intersecting streams and ditches can be more clearly shown by using ink of a different color.

Maps shall show the name of the ditch, canal, or reservoir, and the certificate of surveyor as given below.

If water power is to be developed, a profile of that portion of the canal wherein the power is to be developed shall be shown on the map, or accompany same.

Maps shall be filed with all applications, but for appropriations of three cubic feet per second or less such maps need not



be prepared by a surveyor nor conform to the full requirements specified above, unless so ordered by the Commission.

The map of a reservoir shall show the total area to be submerged and enough levels to permit of computing its capacity in acre-feet. For large reservoirs, contours of 5 or 10-foot interval shall be shown.

**CERTIFICATE OF SURVEYOR.**

NOTE.—This certificate shall be neatly lettered on the map and signed by the surveyor.

I, \_\_\_\_\_ of \_\_\_\_\_, do hereby certify that this map was made from notes taken during an actual survey made by me (or under my immediate supervision) on \_\_\_\_\_, 19\_\_\_, and that it correctly represents the works described in the accompanying application, the location of streams and other ditches in the immediate vicinity, and the acreage to be irrigated.

\_\_\_\_\_  
Surveyor.

**8. Notice.** After an application has been filed in full compliance with the Water Commission Act and the rules and regulations established thereunder for in excess of three cubic feet per second, the Commission will instruct the applicant to publish notice thereof, in a form to be prescribed by the Commission, in some newspaper of general circulation published within the stream system, selected by the applicant subject to the approval of the Commission, once a week for four consecutive weeks (which requirement of publication is hereby construed to mean, for the purposes of this paragraph, four insertions and no more). Proof of publication shall be filed with the Commission within sixty days from the date of its instruction to make publication.

In cases where the application is for the appropriation of not more than three cubic feet per second, the Commission will attempt to reach prior appropriators by letter. For this purpose the applicant should use the separate sheet attached to the application for submitting a list of the names and addresses of all claimants, known to him, of the waters of the same source below the point of diversion or storage. The Commission may order the publication of notice of application for amounts not in excess of three cubic feet per second where it is not practicable to reach the prior appropriators by mail.

**9. Protests.** Any person, corporation or association interested may, at any time within the period specified in the notice, file with the Commission a written protest against the granting of said application. A copy of said protest shall be served upon the applicant. It shall set forth the protestant's reasons for the rejection of said application, and affidavits substantiat-

ing such reasons shall also be filed when required. Applicant shall file an answer to any protest within the time allowed by the Commission. Any answer, brief or form of reply filed herein shall be brought to the attention of the other party by furnishing him with a copy of same. Such copies shall be made and furnished by the person making the charge (or a response to a charge against an application, as the case may be.

**10. Hearings.** The Commission will make an inspection of a proposed appropriation when necessary, and may, in its discretion, if the facts warrant it, set a time and place for holding a hearing. No hearing shall be held except after fifteen days, notice by registered mail to both the applicant and protestant, which notice shall give the time and place at which said hearing is to be held.

**11. Subpœnas.** Upon the request of any party, or of its own motion, the Commission may issue a subpœna for the production of any persons, papers, records and books in all transactions before said Commission. Subpœnas may be served upon the person, or persons, therein named, by any person over the age of twenty-one years. Due proof of such service shall consist of the acknowledgment in writing, of such service, by the party named in such subpœna, or by the certificate to that effect of the person serving same.

**12. Witness Fees.** The fees and mileage allowed witnesses called to testify, before the Commission, as herein provided, by subpœna, shall be the same as those allowed in the superior courts of the State in civil cases, as provided in section 4300g of the Political Code of this State. The fees and mileage of any witness shall be paid by the party on whose behalf such witness was called.

**13. Cost of Hearings.** The costs of taking testimony at a hearing shall be borne by the parties thereto as follows: Each party shall pay for the direct examination of his own witness and the cross-examination of opponent's witness and also for the proportionate part of the charges made by the referee. Arrangements for charges hereunder shall be made with such referee or reporter by the parties and all claims or charges against any party shall be settled before the testimony submitted by such party will be considered. One copy of the transcript of testimony taken at the hearing shall be furnished to the Commission and the cost thereof borne equally by the parties.

**14. Irrelevant Testimony.** In the event that either party at a hearing shall pursue a line of interrogation of a witness that is clearly irrelevant, the Commission shall summarily put a stop to such interrogation.

**15. Briefs.** At the close of a hearing thirty days will be allowed the parties in which to file briefs, which time will be



U  
copy for  
file

STATE WATER COMMISSION OF  
CALIFORNIA

ANSWER TO PROTEST OF ADAM WIEGAND IN THE MATTER OF  
APPLICATION NO. 2188.

To the  
State Water Commission  
of California  
#74 New Montgomery St.,  
San Francisco  
California.

( Answer to protest by Adam Wiegand  
( against the granting of an  
( application by San Dieguito  
( Mutual Water Company to appro-  
( priate waters of Escondido Creek  
( for irrigation purposes.  
(

— 8 —

extended upon a showing satisfactory to the Commission. Applicant shall file his opening brief within ten days from the close of taking testimony. Protestant shall file his reply brief within fifteen days of the filing of applicant's opening brief. Applicant shall then have five days within which to file his closing brief. Copies of briefs shall be served upon the other party and a duly certified copy with proof of service on opposing party, shall be filed with the Commission.

16. **Attorneys or Agents.** When an applicant or protestant is represented by an agent or attorney, such agent or attorney shall immediately enter his appearance before the Commission and thereupon will be recognized as fully controlling the case on behalf of his client. When an applicant or protestant is represented by more than one agent, or attorney, service of notice, or other papers, upon one of such agents or attorneys shall be sufficient.

17. **Power Sites on Public Lands.** No application for the appropriation of water for power purposes involving the use of public lands of the United States will be approved by the Water Commission prior to notification by the proper federal officer that a complete application (with the exception of evidence of water appropriation) for the use of the public lands has been filed in conformity with the regulations of the secretary of the interior or of the secretary of agriculture.

18. **Inspection of Records.** No application, or documents relating thereto, will be allowed under any circumstances to be taken from the custody of the Commission; but access to the same, under proper rules, will be permitted.

19. **Fees.** All applications at the time of filing must be accompanied by the filing fee of \$5.00.

At the time of issuing permits additional fees are required as follows:

If for the generation of power, ten cents for each theoretical horsepower up to and including one hundred theoretical horsepower; five cents for each theoretical horsepower in excess of one hundred up to and including one thousand theoretical horsepower; one cent for each theoretical horsepower in excess of one thousand theoretical horsepower.

If for agricultural purposes, five cents for each acre of land to be irrigated up to and including one hundred acres; three cents per acre for each acre in excess of one hundred acres up to and including one thousand acres, and two cents for each acre over one thousand acres.

Section 23 of the Water Commission Act contains the following proviso:

No fee shall be required from any person, firm, association, or corporation exempt by any law of the State of California from the payment of such fee.

-----  
In the matter of the above-mentioned protest, applicant wishes to hereby set forth the following in answer thereto and in support of the application:

1. No important sources of ground water of quality suitable for domestic or irrigation uses exists along the lower reaches of Escondido Creek or, more properly, the upper end of San Elijo lagoon, a brackish salty arm of the Pacific Ocean, as was proven by extensive efforts of Cardiff Irrigation District to secure a suitable water supply for the irrigation of only nine hundred acres from any locality in this entire region. The results of this District's efforts were finally submitted to the State Department of Engineering and were held to be sufficient cause for rejection of that District's plan as then proposed.

2. Applicant's plan will not deprive protestant of his water supply from the well which he alleges he has for sixteen years past utilized as a supply for domestic and irrigation purposes.

3. Contrary to protestant's statement that only 40 acres of applicant's lands are riparian to Escondido Creek, its property, Rancho San Dieguito, comprising in all some 8,000 acres, adjoins and crosses Escondido Creek, and of this total area 3,949 acres is



in the watershed of and therefore tributary to Escondido Creek, thus making applicant one of the principal owners of riparian lands.

4. Protestant's lands are, except for a small area, not riparian to Escondido Creek, but are riparian to San Elijo lagoon, a brackish, salty arm of the Pacific Ocean into which San Elijo Creek flows.

5. To heed protestant's request would prevent an important development, and such action would serve no purpose whatsoever;

WHEREFORE, applicant requests that protest be disregarded and that the application be granted.

San Dieguito Mutual Water Company,

By \_\_\_\_\_  
President.

San Diego, California,  
May 17, 1921.

19149 4-21 1500

COMMISSIONERS:  
CHARLES H. LEE, EXECUTIVE MEMBER  
A. W. MASON  
J. L. MATTHEWS  
JOSEPHINE A. PATTEN, SECRETARY

STATE WATER COMMISSION  
OF  
CALIFORNIA

SIXTH FLOOR CALL BUILDING  
74 NEW MONTGOMERY ST.  
SAN FRANCISCO

ADDRESS ALL COMMUNICATIONS TO THE  
STATE WATER COMMISSION

EX OFFICIO:  
GOVERNOR WILLIAM D. STEPHENS  
STATE ENGINEER W. F. MCCLURE  
L. D. BOHNETT, ATTORNEY  
TELEPHONE, BUREAU 1007  
DOUGLAS 4927

Form 49

May 23rd, 1921.

In re Application No. 2188

Mr. Ed Fletcher,  
Fletcher Bldg.,  
San Diego, California.

Dear Sir:

Your answer to the protest of \_\_\_\_\_

Adam Wiegand

to the above numbered application of \_\_\_\_\_

San Dieguito Mutual Water Company

to appropriate the waters of Escondido Creek

has been received in this office.

APB:GB

You will be advised of any action taken on this application.

Very truly yours,  
CC to Mr. Platt Kent, 404 Santa Fe Bldg.,  
San Francisco, California.

ADELAIDE SMITH

Acting Secretary



COMMISSIONERS  
CHARLES H. LEE, EXECUTIVE MEMBER  
A. W. MASON  
J. L. MATTHEWS  
JOSEPHINE A. PATTEN, SECRETARY

STATE WATER COMMISSION  
OF  
CALIFORNIA

SIXTH FLOOR CALL BUILDING  
74 NEW MONTGOMERY ST.  
SAN FRANCISCO

ADDRESS ALL COMMUNICATIONS TO THE  
STATE WATER COMMISSION

EX OFFICIO:  
GOVERNOR WILLIAM D. STEPHENS  
STATE ENGINEER W. F. MCCLURE  
L. D. BONNETT, ATTORNEY  
TELEPHONE 4377

Form 49

May 27th, 1921.

In re Application No. 2188

Mr. Ed Fletcher,  
Fletcher Building,  
San Diego, California.

Your answer to the protest of \_\_\_\_\_

Louis Dank and Bruno Dank, Valentine Bernhard, and  
Charles Gantner,

to the above numbered application of yourself

to appropriate the waters of Escondido Creek  
has been received in this office.

You will be advised of any action taken on this application.

Very truly yours,

ADELAIDE SMITH  
Acting Secretary

APB:GB

BEFORE THE STATE WATER COMMISSION  
OF CALIFORNIA

In the matter of the water  
collecting and distributing  
system of the SAN DIEGUITO  
MUTUAL WATER COMPANY.

PETITION.

To the Honorable, the State Water Commission:

COMES NOW the San Dieguito Mutual Water Company and  
by this its petition represents and shows:

1. That it is a corporation duly organized and  
existing under the laws of the State of California.

2. That it is the owner of a water collecting  
and distributing system in the County of San Diego, State of  
California, consisting of

(a) A reservoir site in the San Dieguito river at  
which a reinforced concrete dam has been constructed having  
a height of 133 feet and a length on the top of 750  
feet. This dam forms what is commonly known as Lake Hodges;

(b) A surveyed and projected reservoir site in the  
Escondido Creek and a dam site therefor, which is commonly  
known as the San Elijo Reservoir. The said dam site is  
located on Lot 11, Sec. 3, T. 13 S., R. 3 S., S.B.M.;

(c) A dam and reservoir on the San Dieguito Ranch  
known as the San Dieguito Reservoir;

(d) A concrete distributing line about 10 miles in  
length leading from said Lake Hodges, now being used for  
conveying water.

(e) Water rights in both of said streams together  
with the right to impound, divert, and use within or without  
their respective water sheds.



3. That your petitioner has expended in acquiring said rights and constructing said dams and distributing systems **including lands flooded upwards of \$1,500,000.**

4. That while the three reservoirs are somewhat widely separated still they are parts and parcels of one water distributing system of which the said Lake Hodges is the main unit, and the others are units auxiliary and supplemental thereto. The water impounded and to be impounded by these reservoirs will be used for irrigating purposes and domestic uses in the same territory - a section of San Diego County which, without the water works of your petitioner, cannot be irrigated for the most part; and all capable of development into a richly productive one with water from said system.

5. That your petitioner in good faith intends fully to develop the possibilities of water distribution in said section and to construct said San Elijo dam and reservoir. But account of financial conditions which have prevailed during the past 6 or 7 years has been much hampered in this enterprise.

6. That the best interests of the State, County, the owners of lands under the distributing system of your petitioner and the latter will be served by a declaration that the said reservoirs and rights constitute a single unit and enterprise.

Dated July 23, 1921.

SAN DIEGUITO MUTUAL WATER COMPANY,

BY \_\_\_\_\_  
Its President.

\_\_\_\_\_  
Its Secretary.

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.

Ed Fletcher, being first duly sworn, deposes and says that he is an officer of the San Dieguito Mutual Water Company, to-wit, the President thereof; that he has read the foregoing petition and knows the contents thereof and that the same is true except as to matters therein stated on information and belief and as to this matter he believes it to be true.

Subscribed and sworn to before me  
this 25th day of July, 1921.

Lou B. Mathews  
Notary Public in and for the  
County of San Diego, State of California.



STATE WATER COMMISSION  
of  
CALIFORNIA

APPL. NO. 12-2315

CERTIFICATE PRESCRIBING TIME FOR COMPLETE  
APPLICATION OF WATER TO PROPOSED USE.

(Issued under the provisions of Section 12  
of the Water Commission Act---Statutes  
1913, Chapter 586.)

STATE OF CALIFORNIA, )  
City and County of San Francisco. ) ss.

This is to certify that the STATE WATER COMMISSION  
has considered the work done by SAN DIEGUITO MUTUAL WATER COMPANY  
\_\_\_\_\_ of San Diego, \_\_\_\_\_ California,  
in appropriating Thirty seven thousand, seven hundred  
(37,700.00) acre feet per annum  
\_\_\_\_\_ of the waters of San Dieguito River  
\_\_\_\_\_ for Agricultural \_\_\_\_\_ purposes, under a notice of  
appropriation dated February 21st, 1914 \_\_\_\_\_ and recorded in  
\_\_\_\_\_ Book "4" of Water Claims  
\_\_\_\_\_ at Page 203 et seq., of the Records of the County Recorder of  
\_\_\_\_\_ San Diego \_\_\_\_\_ County, California, and, as the  
State Water Commission has determined that such works have been  
prosecuted with due diligence, it hereby fixes the time within  
which the full amount of water appropriated shall be applied to  
a useful or beneficial purpose as ending July 1st, 1926 \_\_\_\_\_

WITNESS the seal and signature of the State Water  
Commission, affixed this 23rd day of July 1921

STATE WATER COMMISSION,  
By Charles H. Lee  
A. W. Mason  
J. L. Matthews

SEAL

PERMIT NO. 905

STATE OF CALIFORNIA  
CITY AND COUNTY OF SAN FRANCISCO

This is to certify that we have examined the application of which  
the foregoing is a true and correct copy and do hereby grant same,  
subject to VESTED RIGHTS and the following limitations and conditions,  
in addition to those enumerated in Section 20, (Statutes 1913, Chapter  
586) set forth above - - - - -

1. The amount of water appropriated shall be limited to the  
amount which can be beneficially used and shall not exceed eight (8.00)  
cubis ft. per second for immediate diversion and 12011 acre ft. per  
annum for storage to be diverted from January 1st to December 1st of  
each season.
2. The maximum amount herein stated may be reduced in the license  
if investigation so warrants.
3. Actual construction work shall begin on or before October 15,  
1921 and shall thereafter be prosecuted with reasonable diligence and  
if not so commenced and prosecuted this permit may be revoked.
4. Said construction work shall be completed on or before July  
1st, 1926
5. Complete application of the water to the proposed use shall be  
made on or before July 1st, 1929.

The amount of water diverted under this permit, together with that  
received from other sources shall not exceed the rate of one (1) cubic  
ft. per second to eighty acres of irrigated land, or 0.75 acre ft. per  
acre in any thirty day period.

The works proposed under this application and permit having been  
declared a single enterprise and unit with those being constructed  
under a prior appropriation by certificate issued pursuant to Appli-  
cation 12-2315, the works on such prior appropriation in accordance  
with the terms of said certificate will be sufficient to maintain all  
rights under this permit provided such work is completed and water put  
to use within the period stated herein.

SEAL ) the seal of the State Water Commission this 15th day of  
August, 1921

STATE DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS  
Chas. H. Lee  
Chief of Division



DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

RECEIPT. 3006

in re Appli. 2188

August 31, 1921

RECEIVED from San Dieguito Mutual Water Co.

Eighty-four and 50/100 ---- Dollars (\$84.50)

deposited for the following uses:

Irrigation Fee - Filing Permit 3600 acres \$84.00

Miscellaneous - Recorder's fees .50

84.50

ADELAIDE SMITH  
Chief Clerk

APPLICANT'S COPY  
ORIGINAL FILES IN OFFICE OF STATE WATER COMMISSION

STATE OF CALIFORNIA)  
COUNTY OF SAN DIEGO) ss

I, John H. Ferry, County Recorder of San Diego County, do hereby certify that a copy of Permit No. 905 of the State Water Commission in favor of San Dieguito Mutual Water Co., San Diego, Calif, Application No. 2188 was file in my office on September 3, 1921

Witness my hand and Official Seal this 3d day of September, A.D. 1921

John H. Ferry  
Recorder

Seal

IMPORTANT RECORD

Deed San Dieguito Mutual Water Company to San Dieguito Water Company executed July 1, 1924, filed of record August 5, 1924, Book 1023, Page 241 of Deeds.

E.F.

*Original given miss  
Fletcher to put in safe.*



**Ed Fletcher Papers**

**1870-1955**

**MSS.81**

**Box: 46 Folder: 10**

**Business Records - Water Companies - Volcan Land and Water Company - San Dieguito System - San Dieguito Mutual Water Company - State Water Commission filings and general correspondence**



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