

COPY

June 29, 1914.

Messrs. Britton & Grey,
Attorneys at Law,
Washington, D. C.

Gentlemen:

At the suggestion of Mr. Oscar Lawler of Los Angeles, we ask you to have looked up in the Land Office the record of an application for right-of-way filed by W. B. Hamilton in January, 1912 and numbered Los Angeles 014683. The history of this application which is adverse to the interest of the Cuyamaca Water Company is somewhat as follows:

Filed in January, 1912.

Late in 1912 protest filed by Murray & Fletcher (Cuyamaca Water Co) asking for public hearing and alleging bad faith and particularly alleging that Hamilton held no valid water rights, and therefore, that a rejection of the land office was proper. We had understood that the application had been rejected by the department after notice to the petitioner and engineer had been made and no answer received and that thereafter Judge Boone of San Diego resurrected the proceeding by alleging that the petitioner had not received due notice and that he wished to be heard.

Mr. Lawler furnishes the following record of the local land office at Los Angeles: "Does not show rejection. On October 29, 1913, thirty days was allowed applicant to make report. Dec. 29th Boone appeared as attorney. January 10, 1914 applicant wrote Commissioner sending report to Civil Engineer and Hydraulic Engineer and photographs."

You will understand the importance of the exact status of rejection or temporary rejection when we explain that the water right of Hamilton will lapse within 60 days under the laws of California because no work has been performed upon it, were it not that the State Law also provides that when an application has been made to the interior Department within a Forest Reserve that the appropriator is not obliged to perform any work. Now is it appears from the record that a considerable period elapsed during which this filing was not so protected together with the known fact that at no time has any actual work been done upon his filing. This Company will attack Hamilton's claim to water on the ground of forfeiture.

This water filing has been the subject of considerable misstatement and is now being tendered for a considerable price to the City of San Diego as a valid property and in opposition and to the detriment of a similar proposition made by the Cuyamaca Water Company.

We wish to learn all the facts on record in the land office so that we can take further action to a proper presentation of our rights to the department and also for the information of the City Attorney of San Diego who is about to make an examination of the supposed rights which Hamilton or his assigns are attempting to make. We have stated this case rather fully in order that you may understand what is required and what is important. The emphasis being the possibility of proving a time lapse of the water filing either through a technical rejection or a proof of non-continuous status before the department due to the assignment by Hamilton of a water claim to other parties and the failure of the new parties to make application in their own name. At this time we are asking you to furnish the Washington record and copies of any papers which in your judgment bear directly on this matter. We also ask that you advise us by Night letter of the essential facts, particularly regarding dates, as soon as possible after the receipt of this letter.

Very sincerely yours,
Cuyamaca Water Co.
By W. S. Post,
Engineer.

WSP-BK

2F. copy

June 29, 1914.

Messrs. Britton & Grey,
Attorneys at Law,
Washington, D. C.

Gentlemen:-

At the suggestion of Mr. Oscar Lawler of Los Angeles, we ask you to have looked up in the Land Office the record of an application for right-of-way filed by W. B. Hamilton in January, 1912 and numbered Los Angeles 014683. The history of this application which is adverse to the interest of the Cuyamaca Water Company is somewhat as follows:

OK Ed

Filed in January, 1912.

Late in
May, 1912 protest filed by Murray & Fletcher (Cuyamaca Water Co) asking for public hearing and alleging bad faith and particularly alleging that Hamilton held no valid water rights, and therefore, that a rejection of the land office was proper. We had understood that the application had been rejected by the department after notice to the petitioner and engineer had been made and no answer received and that thereafter Judge Boone *of San Diego* resurrected the proceeding by alleging that the petitioner had not received due notice and that he wished to be heard.

Mr. Lawler furnishes the following record of the local land office at Los Angeles: "Does not show rejection. On October 29, 1913, thirty days was allowed applicant to make report. Dec. 29th Boone appeared as attorney. January 10, 1914 applicant wrote Commissioner sending report to Civil Engineer and Hydraulic Engineer and photographs."

Britton & Grey, #2.

You will understand the importance of the exact status of rejection or temporary rejection when we explain that the water right of Hamilton will lapse within 60 days under the laws of California because no work has been performed upon it, were it not that the State Law also provides that when an application has been made to the Interior Department that the appropriator is not obliged to perform any work. ^{within a First Reunion} Now ^{if} it appears from the record that a considerable period elapsed during which this filing was not so protected ~~and had been reviewed~~ together with the ^{known} ~~non~~-fact that at no time has any actual work been done upon his filing, ^{attack} this Company will ~~take~~ Hamilton's claim to water on the ground of forfeiture.

This water filing has been the subject of considerable misstatement and is now being tendered for a considerable price to the City of San Diego as a valid property and in opposition and to the detriment of a similar proposition made by the Cuyamaca Water Company.

We wish to learn all the facts on record in the land office so that we can take further action to a proper presentation of our rights to the department and also for the information of the City Attorney of San Diego who is about to make an examination of the supposed rights which Hamilton or his assigns are attempting to make. We have stated this case rather fully in order that you may understand what is required and what is impor-

Britton & Grey, #3.

tant. The emphasis being the possibility of proving a time lapse of the water filing either through a technical rejection or a proof of non-continuous status before the department due to the assignment by Hamilton of a water claim to other parties and the failure of the new parties to make application in their own name. At this time we are asking you to furnish the Washington record and copies of any papers which in your judgment bear directly on this matter. We also ask that you advise us by Night Letter of the essential facts, particularly regarding dates, as soon as possible after the receipt of this letter.

Very sincerely yours,

Cuyamaca Water Co.

Bylo Stort.
Engineer.

WSP-BK

British & ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

... of the ...

Wm. ...
...
...
...

250
250
250
250
250

20.00
20.00
20.00
20.00
20.00

1000.00

WESTERN UNION



DAY LETTER

THEO. N. VAIL, PRESIDENT

RECEIVED AT
230GS J 171 COLLECT BLUE

WASHINGTON DC JUL 7 1914

CUYAMACA WATER CO

SANDIEGO CAL

HAMILTON APPLICATION COVERS ELEVEN HUNDRED ACRES CAPACITY SEVENTY THOUSAND
ACRE FEET GEOLOGICAL SURVEY QUESTIONED APPLICATION BECAUSE OF SIZE AND
DOUBTED FEASIBILITY INDIAN SERVICE OBJECTED TO APPLICATION BECAUSE NO
ARRANGEMENT MADE FOR DAMAGES OCTOBER ELEVENTH NINETEEN THIRTEEN COMMISSION-
ER CALLED ON HAMILTON FOR SHOWING RESPECTING OBJECTIONS BY SURVEY JANUARY
TENTH NINETEEN FOURTEEN SHOWING FILING CONSISTING OF REPORT BY C T SACKET
CIVIL ENGINEER ANSWER TO CALL BY L L BOONE REPORT BY
H A WHITNEY HYDRAULIC ENGINEER SANDIEGO PHOTOGRAPHS OF STREAM NEAR
PROPOSED DAMSITE REPORT BY L B HARRIS CIVIL ENGINEER SHOWING
COVERS MANY PAGES ON SUBMISSION TO SURVEY OBJECTION MODIFIED AND

WESTERN UNION



DAY LETTER

THEO. N. VAIL, PRESIDENT

RECEIVED AT (230GS J 171 COLLECT BLUE WASHINGTONDC JUL 7 1914)
(CUYAMACA WATER CO - SHEET 2)

MATTER AGAIN SUBMITTED TO SURVEY JUNE TWENTY SEVENTH NINETEEN FOURTEEN
JUNE TWENTIETH NINETEEN FOURTEEN COMMISSIONER INDIAN AFFAIRS SUBMITTED
REPORT SUPERINTENDENT INDIAN SCHOOL IN CHARGE OF CAPTAIN GRANDE INDIAN
RESERVATION ALSO REPORT SUPERINTENDENT IRRIGATION ADVERSE TO
APPLICATION AND REPORTS THAT APPLICATION WOULD FLOOD LARGER PART OF
RESERVATION AND CAUSE REMOVAL OF INDIANS NO DEFINITE ACTION TAKEN ON ANY
OF THESE OBJECTIONS OR ON PROTEST BY MILLER AND FLETCHER WHAT COPIES
DESIRED

BRITTON AND GRAY

140PM

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D.C.

CABLE ADDRESS "BRIGRAY"

P.W.C.

July 17, 1914.



The Cuyamaca Water Co.,

San Diego, Calif.

Gentlemen:-

Referring to your letter of the 29th ultimo,
in the matter of the pending application for right of
way by W. B. Hamilton, acting in accordance with the
request contained in said letter, we telegraphed you
under date of the 7th instant as follows:

"Hamilton application covers eleven hundred
acres capacity seventy thousand acre feet. Geo-
logical Survey questioned application because of
size and doubted feasibility. Indian service
objected to application because no arrangement
made for damages. October eleventh nineteen thir-
teen Commissioner called on Hamilton for showing
respecting objections by Survey. January tenth
nineteen fourteen showing filing consisting of
report by C.T. Sacket civil engineer answer to
call by L L Boone report by H A Whitney hydraulic
engineer San Diego photographs of stream near pro-
posed damsite report by L B Harris civil engineer.
Showing covers many pages. On submission to Survey
objections modified and matter again submitted to
Survey June twentyseventh nineteen fourteen. June
twentieth nineteen fourteen Commissioner Indian
Affairs submitted report Superintendent Indian
school in charge of Capitan Grande Indian reserva-
tion also report Superintendent irrigation adverse
to application and reports that application would
flood larger part of reservation and cause removal
of Indians. No definite action taken on any of these
objections or on protest by Miller and Fletcher.
What copies desired."

We have heard nothing further from you in this
matter, and we include here the copy of the telegram

C.W.C. - #2.

sent you in confirmation thereof.

Yours very truly,

Britton & Gray

Copy

Copy

July 27, 1914.

Britton & Gray,
1512 H St.,
Wilkins Bldg.,
Washington, D. C.

Gentlemen:

Answering yours of July 17, will say this is
our position:

We want this matter killed in Washington if
possible. If it is ever going to be serious, we
want a hearing, so that Murray and Fletcher can put
up a fight. Simply keep in touch with the matter and
follow it up, and if it does come to a hearing at any
time let us know.

Very sincerely yours,

CUYAMACA WATER COMPANY,

Manager.

F-S

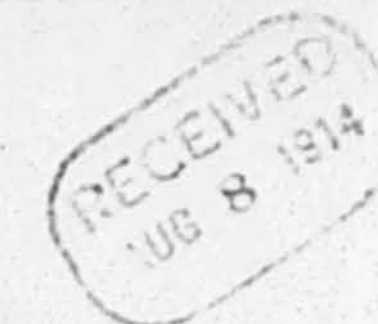
Not reviewed after dictation.

A. B. BROWNE
ALEX. BRITTON
EVANS B. BOWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

W. CO.
FILE

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"



F. W. C.

August 3, 1914.

The Cuyamaca Water Co.,
San Diego, Calif.

Gentlemen:-

We have entered our appearance in the matter of the pending protest of Murray and Fletcher against the Reservoir application for right of way by W. B. Hamilton, and will keep you informed of all action taken respecting this matter.

Very truly yours,

Britton & Gray

Mathews:

Here is the letter and answer.

Ed Fletcher

BRITTON & GRAY
Attorneys & Counsellors at Law

Washington, D.C. August 3, 1914

The Cuyamaca Water Company,
San Diego, Calif.

Gentlemen:-

We have entered our appearance in the matter of the pending protest of Murray and Fletcher against the Reservoir application for right of way by W. B. Hamilton, and will keep you informed of all action taken respecting this matter.

Very truly yours,

(Signed) Britton & Gray

CABLE ADDRESS "BRIGRAY"

A. S. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D.C.

F.W.C.

August 7, 1914.

Mr. William S. Port,
Chief Engineer,
Cuyamaca Water Co.,
Santiago, Calif.

Dear Sir:-

We have your letter of the first instant, in the matter of the pending application for a reservoir right of way by W. B. Hamilton, Serial 014683, Los Angeles series.

We investigated this matter, and communicated with you by wire on July 7th last. Among other matters called to your attention respecting this application was the fact that the Indian Office had entered a strong protest against the granting of the same. This had only been filed a few days before we examined the record, and we called it to the attention of the Examiner and discussed the matter with him. It now appears that since then the Commissioner of the General Land Office has served a rule upon Hamilton to show cause why his application should not be rejected, basing the same upon the adverse report of the Commissioner of Indian Affairs. We believe it will be difficult for Hamilton to overcome this protest, and it may be that his application will be finally disposed of without consideration of the protest by Murray and Fletcher. Respecting this protest, we have called it to the personal attention

W.S.P. - #2.

of the Chief of the Division having the matter in charge, and indicated that we would like to be heard in the matter before any favorable action was taken upon Hamilton's application over this protest, and we are assured that if it becomes necessary to consider this protest in connection with the pending application by Hamilton that we will be given due opportunity for a hearing. We feel sure that the matter is not to be pigeon-holed, but will be actively pressed, and we will see that this is done. In this connection, we find that the pending application by Murray and Fletcher for a right of way, known as Serial 013283, Los Angeles series, has been referred to the Commissioner of Indian Affairs for report. It may be best to have this matter carefully looked after, and especially to ^{see} the officers in the field, as their report carries great influence in the final action of the Commissioner of Indian Affairs in reporting either for or against a pending application for right of way. We have hopes that the matters already called to the attention of the Department respecting Hamilton's application will work its avoidance. However, his time in which to make response to the call has not yet expired, and what showing he will make cannot be anticipated. We will look after the matter carefully, however, from this end of the line, and keep you fully advised.

Respecting our fees, it is usual for us to exact a retainer before proceeding in a matter as far as we have in this. This was due, however, to the fact that your first

W.S.P. - #3.

communication desired an immediate response by wire, and because of the supposed necessities of the case and the fact that Hon. Oscar Lawler had referred you to us, we have up to the present time made no statement respecting fees. We believe that we should have a retainer of \$500.00. Any further charge in connection with the matter will, as you will readily appreciate, depend upon the amount and character of work hereafter demanded of us.

Yours very truly,

Britton & Gray

Copy

Britton & Gray
Attorneys and Counsellors at Law,
Wilkins Building, 1512 H Street,
Washington, D. C.

F. W. C.

August 7, 1914.

Mr. William S. Post,
Chief Engineer,
Cuyamaca Water Co.
Santiago, Calif.

Dear Sir:-

We have your letter of the first instant, in the matter of the pending application for a reservoir right of way by W. B. Hamilton, Serial 014683, Los Angeles series.

We investigated this matter, and communicated with you by wire on July 7th last. Among other matters called to your attention respecting this application was the fact that the Indian office had entered a strong protest against the granting of the same. This had only been filed a few days before we examined the record, and we called it to the attention of the Examiner and discussed the matter with him. It now appears that since then the Commissioner of the General Land Office has served a rule upon Hamilton to show cause why his application should not be rejected, basing the same upon the adverse report of the Commissioner of Indian Affairs. We believe it will be difficult for Hamilton to overcome this protest, and it may be that his application will be finally disposed of without consideration of the protest by Murray and Fletcher. Respecting this protest, we have called it to the personal attention of the Chief of the Division having the matter in charge, and indicated that we would like to be heard in the matter before any favorable action was taken upon Hamilton's application over this protest, and we are assured that if it becomes necessary to consider this protest in connection with the pending application by Hamilton that we will be given due opportunity for a hearing. We feel sure that the matter is not to be pigeon-holed, but will be actively pressed, and we will see that this is done. In this connection, we find that the pending application by Murray and Fletcher for a right of way, known as Serial 013283, Los Angeles series, has been referred to the Commissioner of Indian Affairs for report. It may be best to have this matter carefully looked after, and especially to see the officers in the field, as their report carries great influence in the final action of the Commissioner of Indian Affairs in reporting either for or against a pending application for right of way. We have hopes that the matters already called to the attention of the Department respecting Hamilton's application will work its avoidance. However, his time in which to make response to the call has not yet expired, and what showing he

W S P #2.

will make cannot be anticipated. We will look after the matter carefully, however, from this end of the line, and keep you fully advised.

Respecting our fees, it is usual for us to exact a retainer before proceeding in a matter as far as we have in this. This was due, however, to the fact that your first communication desired an immediate response by wire, and because of the supposed necessities of the case and the fact that Hon. Oscar Lawler had referred you to us, we have up to the present time made no statement respecting fees. We believe that we should have a retainer of \$500.00. Any further charge in connection with the matter will, as you will readily appreciate, depend upon the amount and character of work hereafter demanded of us.

Yours very truly,

Britton & Gray.

C O P Y

Sept, 11, 1914

Messrs. Britton & Gray,
Wilkins Bldg., 1512 H St.,
Washington, D. C.

Gentlemen:-

Replying to your letter of August 8th, in reference to application of Murray & Fletcher for right of way known as Serial 013282 Los Angeles, we wish that you would represent us in this matter as well as the other.

On this application we think that the field officers have been thoroughly advised by our engineer and our understanding is that a favorable report has been made by the Chief of the Indian Irrigation Service and by the Indian Superintendent in charge of reservation. Damages have been assessed at \$2700. or \$50 an acre for the reservoir. However, this reservoir occupies portions of fenced-in fields of three or four Indians of the Conejos Valley of the El Capitan Indian Reservation and the Superintendent, T. F. McCormick told us that a very considerable time would elapse before the department would act because the local Indians object to the taking of their lands. We do not know what the process of forcing their consent is, but we judge that the next move comes from Washington. The appraised value of the land to be taken is very generous and two or three sections of desirable land still remain near the reservoir which the Indians could occupy in lieu of the lands taken. Further, the stipulations provide for the right of the Indian Service to buy and pump water for irr-

B & G

- 2 -

gation purposes from the reservoir onto the Indian lands and the Indians will thereby be benefited by having stored irrigation water in the summer time which is not their present situation.

Further, in January, 1914, the Superintendent, T. F. McCormick presented the stipulations relative to this matter. We objected to stipulations 7 and 8 and I enclose our letter of February 9th to the Superintendent. These stipulations repeat certain various stringent provisions of the original contract for the San Diego Flume Company on the main San Diego River. The situation is made clearer in the attached diagram for your use. Mr. McCormick is probably in agreement with us on this point. At any rate, these stipulations 7 and 8 may become so onerous that it may be impossible to find money for the proposition or proceed with the work unless modified. We think this matter requires presentation at Washington, with the object of cutting out these stipulations 7 and 8, the Indian Bureau being fully protected by the terms of the San Diego Flume Company contract of 1892.

Enclosed find check for \$250. on account of services.

Please wire me when the Hamilton application is thrown out, and if there is any official printed notice of same, or if I can get from Washington a written statement that Hamilton's application has been thrown out, this is what I want very much, indeed, for a special reason.

Yours very truly,

CUYAMACA WATER COMPANY

By _____
Manager

WSP-BK

F-8

Enc. 1 check \$250.
1 letter to T.F. McCormick
1 topographic map.

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

658.

Alex. B.

October 8, 1914.

Cuyamaca Water Company,
San Diego, California.

*check mailed
Sept 11/1914
#6086 - \$250.00*

RECEIVED
OCT 14 1914

Dear Sir:-

We have your favor of October 1, referring to yours of September 11, enclosing check for \$250.00, and note your request that we send you receipted voucher for the same.

We regret to say that your letter of September 11, whilst it did enclose a check for \$250.00, did not enclose a voucher. Under date of September 17, we acknowledged receipt of the check, and if you will send us voucher, either original or duplicate, we will be pleased to sign the same and return for your files.

Yours very truly,

Britton & Gray

Copy

*Signatures
B - application for
R of H. of H. R. Hamilton*

Copy

Britton & Gray
Wilkins Bldg., 1512 H St.,
Washington, D. C.

658

October 8, 1914.

Alex. B.

Cuyamaca Water Company,
San Diego, Calif.

Dear Sir:

We have your favor of October 1, referring to yours of September 11, enclosing check for \$250.00, and note your request that we send you receipted voucher for the same.

We regret to say that your letter of September 11, whilst it did enclose a check for \$250.00, did not enclose a voucher. Under date of September 17, we acknowledged receipt of the check, and if you will send us voucher, either original or duplicate, we will be pleased to sign the same with return for your files.

Yours very truly,

Britton & Gray

Copy.

Britton & Gray,
Wilkins Building, 1512 H St.,
Washington, D. C.

Alex. B.

October, 21, 1914.

Cuyamaca Water Company,
Fletcher Building,
San Diego, California.

Gentlemen:

We have your favor of October 15, with enclosed duplicate voucher for \$250.00, on account of fee heretofore paid us, and are pleased to return the same herewith duplicate receipted.

Yours very truly,

Britton & Gray.

Enc.

CABLE ADDRESS "BRIGRAY"

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.



Alex. B.

October 21, 1914.

Cuyamaca Water Company,
Fletcher Building,
San Diego, California.

Gentlemen:-

We have your favor of October 15, with enclosed duplicate voucher for \$250.00, on account of fee heretofore paid us, and are pleased to return the same herewith duplicate receipted.

Yours very truly,

Britton & Gray

Enc.

copy

Copy

Oct. 27, 1914.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Gentlemen:

Answering yours of the 20th, will say that the Superintendent of the Indian Reservation, also an inspector from Los Angeles have been here, and their report will knock Boone sky high.

There is nothing to it - this trouble with the Indians. We shut their water off for three weeks to reline the flume and at the same time we shut all the water off from our white consumers as well, and we did it under orders of the Railroad Commission of the State, who have jurisdiction. I have been informed that the report that will be made will be friendly to us.

Yours very truly,

CUYAMACA WATER COMPANY

Manager

F-8

Copy

Britton & Gray,
Attorneys and Counsellors at Law,
Wilkins Bldg., 1512 H Street,
Washington, D. C.

F. W. C.

December 8, 1914.

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

Dear Sir:-

We have your letter of the 28th ultimo, in which you say "The report is around here that Boone's application has been knocked out." We assume from this that you refer to the reservoir application of W.B. Hamilton, respecting which the Commissioner of the General Land Office required him, in June last, to show cause why his application should not be rejected on account of objections thereto raised by the Indian Service. He was late in responding to the rule, but finally a response was made by one Boone as his attorney. This response was, in October last, submitted by the Commissioner of the General Land Office to the Commissioner on Indian affairs. The matter has been the subject of an investigation in the field, and we learn a report has been received from the Field Service and that action thereon, in some way, is expected shortly. You have perhaps gotten some wind of the report by the Field Service of the Indian Office, for no definite action has yet been taken in rejection of Boone's application.

We are in close touch with the matter, and will advise you of any definite action taken at the earliest moment.

Very truly yours,

Britton & Gray.

A. S. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

CABLE ADDRESS "BRIGRAY"

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

F. W. C.

December 8, 1914.

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

Dear Sir:-

We have your letter of the 28th ultimo, in which you say "The report is around here that Boone's application has been knocked out." We assume from this that you refer to the reservoir application of W. B. Hamilton, respecting which the Commissioner of the General Land Office required him, in June last, to show cause why his application should not be rejected on account of objections thereto raised by the Indian service. He was late in responding to the rule, but finally a response was made by one Boone as his attorney. This response was, in October last, submitted by the Commissioner of the General Land Office to the Commissioner on Indian affairs. The matter has been the subject of an investigation in the field, and we learn a report has been received from the Field Service and that action thereon, in some way, is expected shortly. You have perhaps gotten some wind of the report by the Field Service of the Indian Office, for no definite action has yet been taken in rejection of Boone's application.

E. F. - #2.

We are in close touch with the matter, and will advise you of any definite action taken at the earliest moment.

Very truly yours,

Britton & Gray

Copy

Part -

Copy.

Britton & Gray,
Wilkins Bldg., 1512 H Street,
Washington, D. C.

F. W. C.

December 31, 1914.

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

Dear Sir:

Confirming our telegram of yesterday, as follows:

"Hamilton application rejected by Commissioner."

We enclose tissue copy of the decision of the Commissioner of the General Land Office, dated the 30th instand, rejecting the application of W. B. Hamilton, for easement for a reservoir site along the San Diego River in Tps. 14 and 15 S., R. 2 E., S.B.M., partly within the Capitan Grande Indian Reservation, and partly within the Cleveland National Forest.

As you will recall, we protested against this application, but the decision, in rejecting the application, rests alone upon the adverse report of the Indian Office, rendering consideration of our protest unnecessary. Hamilton has, of course, under the rules governing procedure before the Interior Department, opportunity for appeal within thirty days after notice. It might be well for you to see that the Local Office gets the notice out promptly, as this will greatly aid in the final cleaning up of the application.

We have followed this matter very closely, and are much pleased with the results obtained. As we have heretofore advised you, we are pressing the Indian Office for action upon the right of way application filed by you and Mr. Murray. We are promised that early in the next week a stipulation will be submitted for your approval.

Very truly yours,

Britton & Gray.

CABLE ADDRESS "BRIGRAY"

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

F. W. C.

December 31, 1914.

Mr. Ed. Fletcher,

Fletcher Building,

San Diego, Calif.

Dear Sir:-

Confirming our telegram of yesterday, as follows:

lows:

"Hamilton application rejected by Commissioner."

We enclose tissue copy of the decision of the Commissioner of the General Land Office, dated the 30th instant, rejecting the application of W. B. Hamilton, for easement for a reservoir site along the San Diego River in Tps. 14 and 15 S., R. 2 E., S.B.M., partly within the Capitan Grande Indian Reservation, and partly within the Cleveland National Forest.

As you will recall, we protested against this application, but the decision, in rejecting the application, rests alone upon the adverse report of the Indian Office, rendering consideration of our protest unnecessary. Hamilton has, of course, under the rules governing procedure before the Interior Department, opportunity for appeal within thirty days after notice. It might be well for you to see that the Local Office gets the notice out promptly, as this will greatly aid in the final cleaning up of the application.

originally enclosed
Dec 30, 1914. letter from
Commissioner of Gen'l
Land Office
G.M.

copy

E.F. - #2.

We have followed this matter very closely, and are much pleased with the results obtained. As we have heretofore advised you, we are pressing the Indian Office for action upon the right of way application filed by you and Mr. Murray. We are promised that early in the next week a stipulation will be submitted for your approval.

Very truly yours,

Britton & Gray

copy

copy

January 5th,
1915

Messrs. Britton & Gray,
Wilkins Bldg. 1512 H St.,
Washington, D. C.

Gentlemen:-

Thanks for your letter of December 31st. I hope that you will be able to get a new stipulation in the Murray & Fletcher right of way. You call it right of way application, but it is in addition to a right of way the use of land for reservoir purposes.

Yours very truly,

Col. Fletcher

RF-BK

84

Copy.

Britton & Gray,
Wilkins Bldg., 1512 H Street,
Washington, D. C.

F. W. C.

January 30, 1915.

The Cuyamaca Water Company,
Fletcher Building,
San Diego, Calif.

Gentlemen:

Referring to your letter of December 21st last, asking us to submit a bill for services, will say that as you are advised, we have succeeded in having the conflicting application by Hamilton rejected, and the pending application for right of way by Murray and Fletcher in your interest advanced to possible final consideration.

As you will recall, the formal stipulation, submitted to you for approval preliminary to the granting of the application for right of way, was found objectionable in many particulars, and we have secured a modification of this stipulation, the redraft having been, under date of January 28, 1915, forwarded to the Superintendent of the Pala School, to be forwarded to you for execution in duplicate.

It was not our intention to submit a bill until the pending application for right of way had received Departmental approval; however, we believe the matter now in such shape that it can soon receive final approval. We have given much time and attention to these matters, and believe that our efforts have met favorable results.

We are enclosing a bill for \$2500.00, which will include any further action respecting the pending application for right of way until same receives Departmental approval.

Hoping that this will meet with your entire approval, we remain,

Very truly yours,

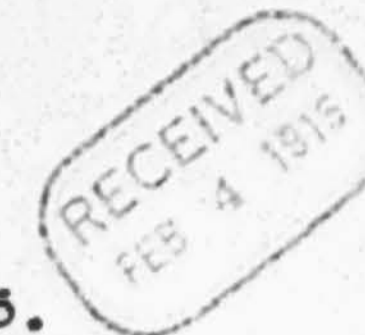
Britton & Gray.

Enc.

A. S. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"



F. W. C.

January 30, 1915.

The Cuyamaca Water Company,
Fletcher Building,
San Diego, Calif.

Gentlemen:-

Referring to your letter of December 21st last, asking us to submit a bill for services, will say that as you are advised, we have succeeded in having the conflicting application by Hamilton rejected, and the pending application for right of way by Murray and Fletcher in your interest advanced to possible final consideration.

As you will recall, the formal stipulation, submitted to you for approval, preliminary to the granting of the application for right of way, was found objectionable in many particulars, and we have secured a modification of this stipulation, the redraft having been, under date of January 28, 1915, forwarded to the Superintendent of the Pala School, to be forwarded to you for execution in duplicate.

It was not our intention to submit a bill until the pending application for right of way had received Departmental approval; however, we believe the matter now in such shape that it can soon receive final approval. We have given much time and attention to these matters, and believe that our efforts have met favorable results.

C.W.C. - #2.

We are enclosing a bill for \$2500.00, which will include any further action respecting the pending application for right of way until same receives Departmental approval.

Hoping that this will meet with your entire approval, we remain,

Very truly yours,

Britton & Gray

Enc.

Copy

COPY

Feb. 4, 1915.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Gentlemen:

Answering yours of January 30th, will say that both Messrs. Fletcher and Murray are out of town, but there must be some mistake in your bill, for I am sure neither Mr. Murray nor Mr. Fletcher had any idea of being compelled to pay such an amount for the service rendered. I am sure they will be dissatisfied with the bill. The matter will be called to their attention on their return.

Yours very truly,

CUYAMACA WATER COMPANY

Secretary.

Feb. 4, 1915.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Gentlemen:

Answering yours of January 30th, will say that both Messrs. Fletcher and Murray are out of town, but there must be some mistake in your bill, for I am sure neither Mr. Murray nor Mr. Fletcher had any idea of being compelled to pay such an amount for the service rendered. I am sure they will be dissatisfied with the bill. The matter will be called to their attention on their return.

Yours very truly,

CUYAMACA WATER COMPANY,

Secretary.

Copy

Copy

Feb. 10, 1915.

Britton & Gray,
1512 H St.,
Washington, D. C.

Gentlemen:

Answering yours of January 12th, will say that we have never received the stipulation, neither has any communication ever been sent to the City of San Diego, to our knowledge. Will you look this matter up, and see wherein lies the trouble, and wire me at my expense.

Yours very truly,

CUYAMACA WATER COMPANY.

Manager.

F-8

Feb. 10, 1915.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Gentlemen:

Answering yours of January 12th, will say that we have never received the stipulation, neither has any communication ever been sent to the City of San Diego, to our knowledge. Will you look this matter up, and see wherein lies the trouble, and wire me at my expense.

Yours very truly,

CUYAMACA WATER COMPANY.

Manager.

Copy

F-8

IN REPLY PLEASE REFER TO **F Los Angeles 024976 HMT**

1 Inc.

[Handwritten initials]

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

May 24, 1915.

R.M.W.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Carroll Reservoir
(Fletcher E. applicant). }

Advising of action.

Messrs. Britton and Gray,

Wilkins Building,

Washington, D. C.

My dear Sirs:

I enclose herewith copy of a letter to the register and receiver of even date in the matter of the Carroll Reservoir, Los Angeles 024976.

Very respectfully,

C. M. Bruce
Assistant Commissioner.

6-23 1915

IN REPLY PLEASE REFER TO

F Los Angeles 024976 RMT

1 ex. to B. and G.
1 ex. to R. and R.
6 Inc.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

May 24, 1915.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Carroll Reservoir)
(Fletcher E. applicant).) Requiring correction of errors on
map and in field notes, and compliance
with requirements of U. S. Geological
Survey.

Register and Receiver,
Los Angeles, California.

Sirs:

I am in receipt of your letter dated December 9, 1914, transmitting the application of Ed Fletcher for a reservoir easement under the provisions of the Act of March 3, 1891 (26 Stat., 1095), and Sec. 2 of the Act of May 11, 1898 (30 Stat., 404), situated in T. 13 S., R. 2 W., S. B. M., California. There are a number of errors upon the plat and in the field notes, to which pencil notations will direct attention. These errors must be eliminated.

In the report of the United States Geological Survey in letter dated April 6, 1915, is found the following:

Los Angeles 024976 F RMT

"In view of the magnitude of the reservoir involved in the application, it is recommended that the applicant be called upon to submit a complete engineering report, describing by legal subdivisions the lands to be irrigated and containing a statement in regard to the control of those lands in the interest of the project, together with full information in regard to water supply and water rights, including those adverse to the applicant, and detailed estimates of costs and returns indicating a feasible irrigation development. It is requested that such report be submitted in duplicate in order that one copy may be available for the Survey files."

It will be necessary for the applicant to comply with these requirements. The map and field notes in duplicate are returned herewith, and thirty days from receipt of notice hereof are hereby allowed the applicant in which to meet the requirements above set forth or to apply to this office for an extension of time in case the time allowed is not sufficient in which to meet the requirements, or to appeal to the Secretary of the Interior herefrom, and in default thereof the application hereby held for rejection will be rejected without further notice.

At the expiration of the time allowed, make prompt report.

Very respectfully,

Commissioner.

IN REPLY PLEASE REFER TO F Los Angeles 025259 RMT

1 Inc.

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

May 24, 1915.

R.M.S.
ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Carroll University Canal
(Fletcher E. applicant). } Advising of action.

Messrs. Britton and Gray,
Wilkins Building,
Washington, D. C.

My dear Sirs:

I enclose herewith copy of a letter to the register and receiver of even date in the matter of the Carroll University Canal, Los Angeles 025259.

Very respectfully,

C. M. Juice
Assistant Commissioner.

IN REPLY PLEASE REFER TO F Los Angeles 025259 RMT

1 ex. to R. and R.
1 " " B. " G.
4 Incs .

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

May 24, 1915.

R.M.S.
ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Carroll University Canal)
(Fletcher E. applicant).) Requiring correction of errors on map and in field notes, and compliance with requirements of U. S. Geological Survey.

Register and Receiver,
Los Angeles, California.

Sirs:

I am in receipt of your letter dated December 9, 1914, transmitting the application of Ed Fletcher for a right of way for a canal, under the provisions of the Act of March 3, 1891 (26 Stat., 1095), and Sec. 2 of the Act of May 11, 1898 (30 Stat., 404), on surveyed and unsurveyed land situated in Ts. 13, 14, 15, and 16 S., Rs. 2 and 3 W., S. B. M., California. There are a number of errors upon the plat and in the field notes, to which pencil notations will direct attention. These errors must be eliminated.

In the report of the United States Geological Survey in letter dated April 20, 1915, is found the following:

Los Angeles 025259 F RMT

"The canal involved in this case constitutes the outlet canal for the Carroil reservoir, regarding which you were advised in my letter of April 6, 1915 (Los Angeles 024976), that owing to the magnitude of the proposed reservoir the applicant should be called upon to submit certain data relative to the proposed development. Inasmuch as the proposed canal and reservoir form essential parts of the same project, it is recommended that action in the present case be made consistent with the action taken on the application for easement for reservoir."

This report has reference to the report of the Geological Survey dated April 6, 1915, and included in serial No. 024976, from which the following is quoted:

"In view of the magnitude of the reservoir involved in the application, it is recommended that the applicant be called upon to submit a complete engineering report, describing by legal subdivisions the lands to be irrigated and containing a statement in regard to the control of those lands in the interest of the project, together with full information in regard to water supply and water rights, including those adverse to the applicant, and detailed estimates of costs and returns indicating a feasible irrigation development. It is requested that such report be submitted in duplicate in order that one copy may be available for the Survey files."

It will be necessary for the applicant to comply with these requirements. The map and filed notes in duplicate are returned herewith, and thirty days from receipt of notice hereof are hereby allowed the applicant in which to meet the requirements above set forth or to apply to this office for an extension of time in case the time allowed is not sufficient in which to meet the requirements, or to appeal to the Secretary of the Interior herefrom, and in default thereof the application hereby held for rejection will be rejected without further notice.

Los Angeles 025259 F RMT

At the expiration of the time allowed, make prompt report.

Very respectfully,

Commissioner.

May 31, 1915.

Mr. Post:

Enclosed find letter from Brittain & Gray, which is explanatory. Please read it over and see me immediately about it.

Ed Fletcher.

P-8

*Carroll Res.
Engin.*

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F. W. C.

May 25, 1915.

Mr. Ed Fletcher,

San Diego, Calif.

Dear Sir:

Enclosed please find tissue copy of letter from the Assistant Commissioner of the General Land Office addressed to the Register and Receiver at Los Angeles, California, making certain requirements for a showing in connection with your pending application for right of way for the Carroll Reservoir site.

We call particular attention to the fact that the letter merely allows thirty days from notice within which to comply with the requirements therein made, but specifically provides for an extension of time if necessary, on application.

We suggest that new application for an extension of time be filed early and not wait for the expiration of the time allowed, namely, thirty days. We also suggest that the information desired by the Survey be given as comprehensive as is possible.

Advise us of the filing of the showing hereunder, and as we note two copies of the showing are desired, we would suggest that we be also furnished with a copy of the showing and advised when filed, to the end, that we may take the matter up with the Geological Survey.

We are also enclosing copy of a letter from the Assistant Commissioner addressed to the Register and Receiver at Los Angeles

E.F. #2.

California, dated the 24th instant, making similar requirements respecting the Carroll University Canal constituting the outlet from the Carroll Reservoir.

Very truly yours,

Britton & Gray

Enc.

June 23, 1915.

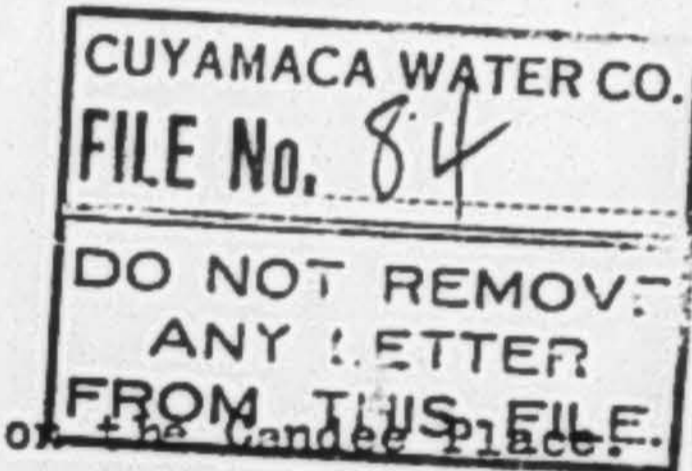
Mr. Mathews:

Make out a check for Britton & Gray for \$200.

Ed Fletcher.

F-S

Mr. Mathews: Find out who is using my water on the Candee place.



Ed Fletcher.

My Home G B transferred to Grossmont Park Co M.F. 2, a

Cuyamaca

SAN DIEGO, CALIFORNIA, June 23, 1915.

Britton & Gray,
Wilkins Bldg.,
1512 H. St.,
Washington, D. C.

Gentlemen:

We telegraphed you on the 21st, a copy of which is herewith enclosed, in relation to the Hamilton-Boone matter. Three members out of five of the City Council accepted as a gift, without any charge whatsoever, any claims that W. B. Hamilton might have on the San Diego River by virtue of his application through the Indian Department. The following are the facts, which we can prove:

1. That Hamilton took an option on 160 acres, on which the damsite is located, just below the Indian Reservation, paying nothing for the option. The option extended for three months, to buy at a certain price. Hamilton then made a water filing on this land. As a matter of fact, Hamilton is only a dummy, and this is all being handled by our former engineer, a man by the name of C. T. Sackett, whom we fired, as well as our former superintendent, Ben Hager. So Hager and Sackett conceived the idea, with others, of trying to cloud the title on our property, and making us trouble.

2. The option on this piece of land on which the water filing was made expired in three months, and a friend of mine bought it for spot cash, and the property now stands in our name.

3. Hamilton or his associates never did a day's work, which is necessary to be commenced within sixty days from date of filing,

B. & G.,

-2-

to comply with the California law. In addition, their water filing was on patented land, which they did not own, and which we now own.

4. On securing the property, we immediately commenced continuous work on the damsite, and have spent \$3000 or \$4000 on it, and have made a water filing there as well.

5. This man Sackett stole records and surveys from our office, and we are now trying to get hold of him, and have brought a suit in court against him. This transfer of Hamilton's water filing to the City of San Diego by Mr. Boone, his attorney, is simply a matter of spite-work.

I wish you would see the Secretary of the Interior, and if possible get him to uphold the action of his department in rejecting the Hamilton claims. It is just possible that the City of San Diego might intervene in behalf of Boone. We have lately had an election here, and the whole thing is a matter of politics.

We offered to sell our system to the city, and they refused to even consider it on any terms. We then sold it to the La Mesa Irrigation District, subject to a valuation to be placed on it by the State Railroad Commission. The City of San Diego then intervened at the hearing before the State Railroad Commission for the purpose of placing a sale value on the system, and have done everything they could to take it away from the district, seeing that they have made a mistake in not having purchased it. But we desire to live up in good faith to our contract with the district, and the taking over of this Hamilton-Boone application by the city is

B. & G.,

-3-

simply another attempt to cloud the title and make us all trouble.

Enclosed find check for \$200.

If you can, please get the Secretary of the Interior to make us an early and favorable decision. If you can't then have a date set for hearing, so that we can introduce the evidence as outlined in my letter, or it can all be sent forward on affidavit, I hope, so as to save expense. I don't know what the procedure is.

Kindly let me hear from you.

Yours very truly,

CUYAMACA WATER COMPANY.

Per

Manager.

F-S

Copy

Britton & Gray
Wilkins Bldg., 1512 H St.,
Washington, D. C.

F. W. O.

June 30, 1915.

Mr. Ed Fletcher,

Fletcher Building,

San Diego, Calif.

Dear Sir:

We have to acknowledge receipt of your letter of the 23rd instant in the matter of the pending application for right of way for the reservoir site by William B. Hamilton within the Los Angeles land district, California.

As we have heretofore advised you, the Department has affirmed the decision of the Commissioner rejecting this application. A motion for rehearing was filed which is under immediate consideration, and we believe this motion will be denied. In the present state of the record therefore, we do not believe it advisable to take any action by intervention or otherwise, awaiting the decision upon Hamilton's motion for rehearing. Should the department on this motion reconsider its previous decision adverse to Hamilton, it would then be well to seek intervention with a view of a hearing or development of a record along the lines suggested in your letter.

We are keeping in close touch with this matter and will keep you advised of everything done.

With your letter of the 23rd instant you enclosed a check for \$200, for which we thank you and have credited your account accordingly.

Very truly yours,

Britton & Gray

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

CABLE ADDRESS "BRIGRAY"

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

F. W. C.

June 30, 1915.

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

Dear Sir:

We have to acknowledge receipt of your letter of the 23rd instant in the matter of the pending application for right of way for the reservoir site by William B. Hamilton within the Los Angeles land district, California.

As we have heretofore advised you, the Department has affirmed the decision of the Commissioner ^{rejecting} this application. A motion for rehearing was filed which is under immediate consideration, and we believe this motion will be denied. In the present state of the record therefore, we do not believe it advisable to take any action by intervention or otherwise, awaiting the decision upon Hamilton's motion for rehearing. Should the department on this motion reconsider its previous decision adverse to Hamilton, it would then be well to seek intervention with a view of a hearing or development of a record along the lines suggested in your letter.

We are keeping in close touch with this matter and will keep you advised of everything done.

With your letter of the 23rd instant you enclosed a check for \$200, for which we thank you and have credited your account accordingly.

Very truly yours,

Britton & Gray

C. W. C.
Eng. El Capitan

July 1, 1915.

Britton & Gray,
1512 H St., Wilkens Bldg.,
Washington, D. C.

Gentlemen:-

In reference to the Hamilton filing, I note at Mr. Fletcher's suggestion the following point.

The Cuyamaca Water Co. is the owner and has been of the dam site of the proposed Hamilton Reservoir and is the owner of the land on which the water filing was made. In condemnation proceedings begun in Superior Court of San Diego County the City of San Diego is now asking for the condemnation of the Cuyamaca Water Co. including this dam site lands and site of Hamilton filings.

The price to be paid is, under the State Law, fixed by the State Railroad Commission. The City of San Diego of course were thoroughly aware of this situation and in asking for a rehearing further action on the Hamilton application which has been presented to the City without consideration, it would appear that the object in pressing for rehearing as a municipality is in order to harass the Cuyamaca Water Co. to accepting a low price for their property in view of the possibility of litigation over this alleged water right of Hamilton.

The decision of the Railroad Commission has been published within the last day or two and the figure is so low as to become satisfactory in the opinion of the owners of the Cuyamaca Water Co., and in all probability they will be obliged to appeal the Decision of the Commission. It is in the light of these facts that the Company feel that the pressure being made at Washington, which is understood to be considerable, is not genuinely directed to pressing the Hamilton filing because all that there was ever to it will be transferred in the course of the transfer for condemnation proceedings. That is the lands of the dam site.

It would seem that the proper method for the City to pursue is to await condemnation and to have a right to appropriate water at this site and thereupon make a genuine application to the Department in the name of the municipality

Britton & Gray. #2

for the dispossession of the Indian lands. It may be proper to so suggest to the Department. The other form of proceeding works as already indicated to make use of the Interior Department to harass this Company in an entirely different proceeding, namely, condemnation now pending.

Yours very truly,

WSP
Engineer,
Cuyamaca Water Co.

WSP-BK

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F. W. C.

July 7, 1915.

Ed Fletcher, Esq.,

Fletcher Building,

San Diego, California.

Dear Sir:-

We learn that following the assignment by Hamilton of all rights under his filing to the city, the Mayor telegraphed Secretary Lane, who promised to bring the matter to the attention of Secretary Jones, which he did, and the latter has suspended all action under the pending motion for rehearing of the departmental decision adverse to Hamilton, until August 1st, in order to permit the city to take such action as desirable.

Under these circumstances, we think that the Cuyamaca Water Company should intervene in the case, through a formal protest against the approval of the pending Hamilton application. This protest should be on as broad ground as possible, setting up all possible objections, not only the adverse rights of the Water Company in the premises, in the matter of the dam site and lands to be flooded, and its possible effect upon other rights of the Water Company, but the treachery of its previous officers, in order that the full scheme, evidently devised by Boone and carried on through Hamilton may be disclosed. In support of this protest a showing should be filed based upon such documents as may be in possession of the company, and such affidavits as may be available to support the same.

84

020

We advise that the formal protest be prepared immediately and be forwarded to us for filing without awaiting the collection of the data in support of it, which should be filed however as soon as obtainable.

This is in answer to your letter of the 1st instant.

Yours very truly,

Britton & Gray

WESTERN UNION - DAY LETTER

COPY

July 7 - 1915

Guyana Water Co.

San Diego Cal

Hamilton application covers eleven hundred acres capacity seventy thousand acre feet geological survey questioned application because of size and doubted feasibility indian service objected to application because no arrangement made for damages October eleventh nineteen thirteen commissioner called on Hamilton for showing respecting objections by survey January tenth nineteen fourteen showing filing consisting of report by C T Sacket Civil Engineer Answer to call by L L Boone report by H A Whitney Hydraulic Engineer San Diego photographs of stream near proposed damsite report by L B Harris Civil Engineer showing covers many pages on submission to survey objection modified and matter again submitted to survey June twenty seventh nineteen fourteen June twentieth nineteen fourteen commission indian affairs submitted report superintendent Indian School in charge of Capitan Grande Indian Reservation Also report superintendent irrigation adverse to application and reports that application would flood larger part of reservation and cease removal of indians no definite action taken on any of these objections or on protest by Miller and Fletcher what copies desired.

Britton and Gray

84

84

Cuyamaca 84
Form 1359

WESTERN UNION DAY LETTER

GEORGE W. E. ATKINS, VICE-PRESIDENT NEWCOMB CARLTON, PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S NO.	TIME FILED	CHECK
----------------	------------	-------

SEND the following Day Letter, subject to the terms on back hereof, which are hereby agreed to

San Diego, Calif.; July 26, 1915.

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Britton & Gray,
Wilkins Bldg.,
1512 H. St.,
Washington, D. C.

We are mailing formal protest to you today. Please notify Department of the Interior to this effect. Were unavoidably delayed forwarding same on account of sickness.

Cuyamaca Water Company.

Charge Cuyamaca Water Co.
F-S

Form 1364 84

WESTERN UNION TELEGRAM

GEORGE W. E. ATKINS, VICE-PRESIDENT NEWCOMB CARLTON, PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVED AT

C20GSBX 11 COLLECT /D

SM WASHINGTON DC 1135AM JULY 27 1915

CUYAMACA WATER CO

SAN DIEGO CAL

PROCEEDINGS STAYED UNTIL PROTEST ARRIVES COPY CITYS MOTION FORWARDED TODAY

BRITTON AND GRAY

916AM

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Cuyamaca 84

August 19, 1915.

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Britton & Gray,
1512 H. St.,
Wilkins Bldg.,
Washington, D. C.

Gentlemen:

Regarding the protests which have been sent, please go the limit to see that this Hamilton filing is turned down without a hearing.

On re-reading the protest, I find that our attorneys here have asked for a date set for the hearing, but as Hamilton's filing has been turned down by every other department, I hope you will go the limit to see that the Secretary of the Interior turns down the application for good, rather than putting us to endless expense and trouble.

Please use your best efforts in this matter.

Yours very truly,

F-S

84

August 24, 1915.

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Britton & Gray,
1512 H. St.,
Wilkins Bldg.,
Washington, D. C.

Gentlemen:

Enclosed herewith find answer to the protest of the City of San Diego, of date August 20th, 1915, which kindly file with the Department of the Interior. Go the limit to have them deny the Hamilton application.

Yours very truly,

Manager.

F-8

Copy

0

September 1, 1915.

Messrs. Britton & Gray,
Wilkins Bldg - 1512 "H" Street,
Washington, D. C.

Gentlemen:

Answering your favor of August 26th, will say that I hope to come East, in a short time, and get in touch with you personally on some other matters. The services that you have rendered have been for the Cuyamaca Water Company, and any claim you have against the Cuyamaca Water Company is good - as you can find out from Mr. Lawler.

I own a one-twelfth interest, Mr. William G. Henshaw, Oakland, owns a one-twelfth interest and Mr. James A. Murray, of Butte, Montana, who is worth between twenty and thirty millions dollars, owns ten-twelfths interest in this property. We have been hard up for ready money, for one thing, and we feel that your bill of \$2500.00 was exceedingly high. Mr. Murray has been away and I did not care to take the responsibility of paying this bill without his consent. Our property is not mortgaged for a cent, and you need have no cause of worry of not being paid what is right for your services. The Cuyamaca Water Company is not a corporation but a co-partnership consisting of the three of us.

I wrote that last brief myself for the reason that Mr. Stearns, our attorney, was busy in court, also for the reason that he said there was no need of filing any further briefs in regard to this matter - I did not agree with him. You can use your own judgment in the matter of filing the brief. If you think it will strengthen our case file it, if not you can withdraw it.

Yours very truly,

CUYAMACA WATER COMPANY

EF:B

By _____
Manager.

September 1, 1915.

Messrs Britton & Gray,
Wilkins Bldg - 1512 "H" Street,
Washington, D. C.

Gentlemen:

Answering your favor of August 26th, will say that I hope to come East, in a short time, and get in touch with you personally on some other matters. The services that you have rendered have been for the Cuyamaca Water Company, and any claim you have against the Cuyamaca Water Company is good - as you can find out from Mr. Lawler.

I own a one-twelfth interest, Mr. William G. Henshaw, Oakland, owns a one-twelfth interest and Mr. James A. Murray, of Butte, Montana, who is worth between twenty and thirty millions dollars, owns ten-twelfths interest in this property. We have been hard up for ready money, for one thing, and we feel that your bill of \$2500.00 was exceedingly high. Mr. Murray has been away and I did not care to take the responsibility of paying this bill without his consent. Our property is not mortgaged for a cent, and you need have no cause of worry of not being paid what is right for your services. The Cuyamaca Water Company is not a corporation but a co-partnership consisting of the three of us.

I wrote that last brief myself for the reason that Mr. Stearns, our attorney, was busy in court, also for the reason that he said there was no need of filing any further briefs in regard to this matter - I did not agree with him.

Copy

Cuyamaca 84

WESTERN UNION
NIGHT LETTER

Form 2259

GEORGE W. E. ATKINS, VICE-PRESIDENT NEWCOMB CARLTON, PRESIDENT BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVER'S No.	TIME FILED	CHECK
----------------	------------	-------

SEND the following Night Letter, subject to the terms on back hereof, which are hereby agreed to

August 25, 1915.

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

Britton & Gray,
1512 H. St.,
Wilkins Bldg.,
Washington, D. C.

Am mailing todaya answer to dity's
brief of August twentieth. Please notify Department.
Ed Fletcher.

F-S
Charge Cuyamaca Water Co.,
Night Letter

-Copy-

Messrs Britton & Gray

You can use your own judgement in the matter of filing the brief. If you think it will strengthen our case file it, if not you can withdraw it.

Yours very truly,

CUYAMACA WATER COMPANY

By _____ Manager

RF:B

ALL NIGHT LETTERS TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

The Western Union Telegraph Company will receive not later than midnight NIGHT LETTERS, to be transmitted only for delivery on the morning of the next ensuing business day, at rates not lower than its standard night telegram rates, as follows: The standard day rates for ten words shall be charged for the transmission of fifty words or less, and one-fifth of such standard day rate for ten words shall be charged for each additional ten words or less. To guard against mistakes or delays, the sender of a night letter should order it REPEATED, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeat night letter rate is charged in addition. Unless otherwise indicated on its face, THIS IS AN UNREPEATED NIGHT LETTER AND PAID FOR AS SUCH, in consideration whereof it is agreed between the sender of the night letter and this Company as follows: 1. The Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any UNREPEATED night letter, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any REPEATED night letter, beyond fifty times the sum received for sending the same, unless specially stated; nor in any case for delays arising from unavoidable interruption in the working of its lines; nor for errors in obscure night letters. 2. In any event the Company shall not be liable for damages for any mistake or delay in the transmission or delivery, or for the non-delivery, of this night letter, whether caused by the negligence of its servants or otherwise, beyond the sum of FIFTY DOLLARS, at which amount this night letter is hereby valued, unless a greater value is stated in writing hereon at the time the night letter is offered to the Company for transmission, and an additional sum paid or agreed to be paid based on such value equal to one-tenth of one per cent. thereof. 3. The Company is hereby made the agent of the sender, without liability, to forward this night letter over the lines of any other Company when necessary to reach its destination. 4. Night letters will be delivered free within one-half mile of the Company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the Company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price. 5. No responsibility attaches to this Company concerning night letters until the same are accepted at one of its transmitting offices, and if a night letter is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender. 6. The Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the night letter is filed with the Company for transmission. In further consideration of the reduced rate for this special "NIGHT LETTER" service, the following special terms are hereby agreed to: A. NIGHT LETTERS may at the option of the Telegraph Company be mailed at destination to the addressee, and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such NIGHT LETTERS at destination, postage prepaid. B. NIGHT LETTERS shall be written in plain English. Code language is not permissible. 7. No employee of the Company is authorized to vary the foregoing.

THE WESTERN UNION TELEGRAPH COMPANY INCORPORATED NEWCOMB CARLTON, PRESIDENT

CLASSES OF SERVICE

TELEGRAMS

A full-rate expedited service.

NIGHT TELEGRAMS

Accepted up to 2.00 A.M. at reduced rates to be sent during the night and delivered not earlier than the morning of the next ensuing business day.

DAY LETTERS

A deferred day service at rates lower than the standard telegram rates as follows: One and one-half times the standard night letter rate for the transmission of 50 words or less and one-fifth of the initial rate for each additional 10 words or less. Subordinate to the priority of transmission and delivery of regular telegrams. Must be written in plain English. Code language not permissible.

Telephonic delivery permissible. Day Letters received subject to errors, understanding that the Company only undertakes delivery of the same on the day of their date subject to condition that sufficient time remains for such transmission and delivery during regular office hours, subject to priority of the transmission of regular telegrams.

NIGHT LETTERS

Accepted up to midnight for delivery on the morning of the next ensuing business day, at rates still lower than standard night telegram rates, as follows: The standard day rate for 10 words shall be charged for the transmission of 50 words or less, and one-fifth of such standard day rate for 10 words shall be charged for each additional 10 words or less. Must be written in plain English. Code language not permissible. Mail delivery, postage prepaid, permissible.

Sept. 21, 1915.

Britton & Gray,
1512 H. St.,
Wilkins Bldg.,
Washington, D. C.

Gentlemen:

Will you kindly notify me by telegraph as
soon as Secretary Land makes his final decision?

Yours very truly,

CUYAHACA WATER COMPANY.

Manager.

F-S

Sept. 30, 1915.

Britton & Gray,
1512 H. St.,
Wilkins Bldg.,
Washington, D. C.

Gentlemen:

What action, if any, has been taken by the Secretary
of the Interior on the Hamilton-Boone matter?

Yours very truly,

CUYAHACA WATER COMPANY.

Manager.

F-S

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F. W. C.

Jan. 20, 1916.

Ed Fletcher, Esq.,
Fletcher Building,
San Diego, Calif.

Dear Sir:

We find after considerable inquiry that Congressman Kettner has submitted to the Secretary of the Interior, a bill drawn by the City of San Diego proposing to grant it rights upon the Capitan Reservation.

We have not been able as yet to secure a copy of the proposed bill, and the report as drafted has not as yet received the approval of the Secretary of the Interior. We learn informally however, that the report is an adverse one on the ground that it makes no provision for the compensating of Indians for the property which would be taken.

Any later information we may get in the matter we will communicate at once.

Very truly yours,

Britton & Gray

Letter F Dec 30-1915 to R+R. of Dec 30, 1914

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F. W. C.

Oct. 28, 1915.

Ed Fletcher, Esq.,
Fletcher Building,
San Diego, Calif.

Dear Sir:

Confirming our telegram of today:

"Secretary orders hearing on your protest against Hamilton application. City required to elect act upon which it will base claim to right of way. Indian Office notified that it may present interest of Indians. Letter follows."

You will recall that when protesting against the granting of the motion for rehearing filed by the City of San Diego in the matter of the Hamilton right of way application, request was made for hearing. Thereafter, you suggested to us that it was your desire to defeat the Hamilton application if possible, without the necessity for a hearing.

We have pressed the matter hoping to secure this end, but feared to press it too hard for fear the department might come to the conclusion that we were afraid of a hearing, and this would of course prejudice the case.

It would perhaps be well for you to get in touch with the representatives of the Government who will present the claim of the Indians. However, in this connection, it would be well to remember that you have pending applications for right of way else

84

B.P. #8.

where, rights under which should not be complicated by any showing in this case.

You must understand the department has, and will, naturally give greater consideration to the matter at the instance of the City of San Diego, urging a desire to protect its water supply, than if it rested alone upon the application of an individual seeking personal rights, as was the case when it stood alone upon Hamilton's application.

We would suggest that you take up the matter at once with the person or persons who will represent your interest at this hearing, and not wait the notice which will be given you in the future so that your side of the case may be made as full and complete as is possible.

We think we have accomplished considerable in securing this opportunity for you not only to make your own case, but also to question the claim as asserted by Hamilton, as well as that now made by the City, with opportunity to cross examine any witnesses that may be offered in that behalf.

Keep us advised of the matter as it progresses and instruct those having charge of the hearing in your behalf to feel free to call upon us for any advice or such aid as is within our power.

We enclose a copy of the departmental order to the Commissioner of the General Land Office directing the hearing.

Enc.

Very truly yours,

Britton & Gray

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F.W.O.

Jan. 5, 1916.

Cuyamaca Water Co.,
San Diego, Calif.

Dear Sirs:

Acting upon your telegram, we have requested of the Commissioner of Indian Affairs that he furnish us with certified copies of (A) - Letter signed by Second Assistant Commissioner C. R. Hauke addressed to the Secretary of the Interior, dated Sept. 12, 1913, and (B) - Letter signed by Second Assistant Commissioner Hauke addressed to the Cuyamaca Water Company, dated Sept. 25, 1913.

The cost of these copies is \$1.30, which we have paid, and would be pleased to have you voucher this amount in our favor.

As soon as the copies can be secured, we will forward them as requested in your telegram, to Mr. O. R. W. Robinson, Merchants National Bank Building, Los Angeles, Calif.

Very truly yours,

Britton & Gray

1300

BRITTON & GRAY

The undersigned is a member of the Board of Directors of the
 Bank of California, and in connection with the business of said
 bank, has been authorized to execute the following certificate
 to the effect that the same is a true and correct copy of the
 original as the same appears in the records of said bank.
 In testimony whereof, I have hereunto set my hand and the
 seal of said bank, at San Francisco, California, this 15th day
 of January, 1913.

1300

James C. [unclear]
James C. [unclear]

CABLE ADDRESS: BRITTON & GRAY

BRITTON & GRAY
 ATTORNEYS AT LAW
 100 CALIFORNIA STREET
 SAN FRANCISCO, CALIF.

1300

Jan. 15, 1913

Overland Water Co.,
 San Diego, Calif.

Dear Sirs:

Acting upon your telegram, we have requested of
 the Commissioner of Indian Affairs that he furnish us with
 certified copies of A. - Letter signed by Second Assistant
 Commissioner C. R. Hanks addressed to the Secretary of the
 Interior, dated Sept. 12, 1912, and B. - Letter signed by
 Second Assistant Commissioner Hanks addressed to the Overland
 Water Company, dated Sept. 25, 1912.
 The cost of these copies is \$1.30, which we have
 paid, and would be pleased to have you voucher this amount
 in our favor.

As soon as the copies can be secured, we will for-
 ward them as requested in your telegram, to Mr. O. R. Robinson,
 Merchants National Bank Building, Los Angeles, Calif.

Very truly yours,

James C. [unclear]
James C. [unclear]

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

F.W.C.

Jan. 13, 1916.

Ed Fletcher, Esq.,
c/o Cuyamaca Water Co.,
San Diego, Calif.

Dear Sir:

As requested in your telegram of the 6th instant,
we have secured and forwarded to Mr. O. R. W. Robinson the certi-
fied copies desired, the cost of which as before advised you, is
\$1.30.

Very truly yours,

Britton & Gray

WESTERN UNION

Form 200

RECEIVERS' NO. TIME FILED CHECK

TELEGRAM

THEO. N. VAIL, PRESIDENT

SEND the following Telegram, subject to the terms
on back hereof, which are hereby agreed to

January 12, 1916.

Britton & Gray,
Wilkins Bldg., 1512 H St.,
Washington, D. C.

Please secure and mail to O. R. W. Robinson, International Bank
Building, Los Angeles, California, certified copies of all papers
reference to permits for change of location Cuyamaca Water Company's
flume at South Fork and Sand Creek Syphons. South Fork papers
probably dated Nineteen Eleven and Nineteen Twelve. Sand Creek
papers dated Nineteen Thirteen.

Cuyamaca Water Company

(Chg Cuyamaca Water Co.)

CUYAMACA WATER CO.

FILE No. 84

DO NOT REMOVE
ANY LETTER
FROM THIS FILE

NIGHT LETTER

Form 2230 K

THE WESTERN UNION TELEGRAPH COMPANY

25,000 OFFICES IN AMERICA INCORPORATED CABLE SERVICE TO ALL THE WORLD

This Company TRANSMITS and DELIVERS messages only on conditions limiting its liability, which have been amended to by the sender of the following Night Letter.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in
transmission or delivery of Unrepeated Night Letters, sent at reduced rates, beyond a sum equal to ten times the amount paid for transmission; nor in any case beyond the sum
of Fifty Dollars, at which, unless otherwise stated below, this message has been valued by the sender thereof, nor in any case where the claim is not presented in writing within
sixty days after the message is filed with the Company for transmission.
This is an UNREPEATED NIGHT LETTER, and is delivered by request of the sender, under the conditions named above.

THEO. N. VAIL, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

RECEIVED AT
A4368J 87 COLLECT NL

180

SM WASHINGTON DC JAN 14 1916

RECEIVED
JAN 15 1916

CUYAMACA WATER CO

78

SANDIEGO CAL

CUYAMACA WATER CO
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE

PAPERS IN INDIAN OFFICE SUBJECT TELEGRAM TWELFTH INSTANT QUITE VOLUMINOUS
HAVE SELECTED COMPANIES LETTER TO SUPERINTENDENT VIRTUE DECEMBER TWENTY
THREE TEN INDIAN OFFICE LETTER GRANTING TEMPORARY PERMIT JANUARY SIX ELEVEN
INDIAN OFFICE LETTER GRANTING PERMIT JUNE THIRTIETH ELEVEN AND MAP
SHOWING CHANGE IN LOCATION AND LETTER INDIAN OFFICE GRANTING PERMIT
JUNE TWENTY FOUR THIRTEEN WILL THESE BE SUFFICIENT LEARN THAT
MEMBER OF CONGRESS ON REQUEST OF COUNSEL FOR CITY SANDIEGO
PROPOSES INTRODUCTION OF BILL GRANTING CITY RIGHT TO CONDEMN LANDS
CAPITAN RESERVATION IN COMPANY'S PERMITS

BRITTON & GRAY

355A JAN 15

A. B. BROWN
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"
CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

F.W.C.

Ed Fletcher, Esq.,

c/o Cuyamaca Water Co.,

San Diego, Calif.

Dear Sir:

We are today telegraphing you as follows:

Papers in Indian Office subject telegram twelfth instant quite voluminous. Have selected company's letter to Superintendent Virtue December twenty-three, ten. Indian Office letter granting temporary permit January six, eleven. Indian Office letter granting permit June thirtieth eleven and map showing change in location and letter Indian Office granting permit June twenty-four, thirteen. Will these be sufficient. Learn that member of Congress on request of counsel for City San Diego proposes introduction of bill granting city right to condemn lands Capitan Reservation included in company's permits."

On receipt of your telegram of the 12th instant, we examined the records of the Indian Office bearing upon the subject of said telegram, and found the record quite voluminous. We assume that the papers named in the above telegram are the material parts of the file desired by you.

It would be well of course, for you to take up this matter with Mr. Robinson who is handling the case, and advise us if further copies are desired.

We have just learned that on the petition of counsel for the City of San Diego, there is proposed to be introduced a bill granting the City of San Diego the right to condemn property on the Capitan Reservation, included in the company's outstanding

Ed. Fletcher #2.

permits. The proposed bill has been referred to the Indian Office for report, and we will, if possible, secure a copy of said bill as well as the report thereon and furnish them to you if they can be had.

Very truly yours,

Britton & Gray

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

COPY

Cable address "Brigay"

A. B. Brown
Alex. Britton
Evans Browne
F. W. Clements

BRITTON AND GRAY
Attorneys and Counsellors at Law.
Wilkins Building, 1512 H Street
Washington, D. C.

F.W.C.

Jan 14, 1916.

Ed Fletcher, Esq.,
c/o Cuyamaca Water Co.,
San Diego, Calif.

Dear Sir:

We are today telegraphing you as follows:

Papers in Indian Office subject telegram twelfth instant quite voluminous. Have selected company's letter to Superintendent Virtue December twenty-three, ten. Indian Office letter granting temporary permit January six, eleven. Indian Office letter granting permit June thirtieth eleven and map showing change in location and letter Indian Office granting permit June twenty-four, thirteen. Will these be sufficient. Learn that member of Congress on request of counsel for City San Diego proposes introduction of bill granting city right to condemn lands Capitan Reservation included in company's permits."

On receipt of your telegram of the 12th instant, we examined the records of the Indian Office bearing upon the subject of said telegram, and found the record quite voluminous. We assume that the papers named in the above telegram are the material parts of the file desired by you.

It would be well of course, for you to take up this matter with Mr. Robinson who is handling the case, and advise us if further copies are desired.

We have just learned that on the petition of counsel for the City of San Diego, there is proposed to be introduced a bill granting the City of San Diego the right to condemn property on the Capitan Reservation, included in the company's outstanding permits. The proposed bill has been referred to the Indian Office for report, and he will, if possible, secure a copy of said bill as well as the report thereon and furnish them to you if they can be had.

Yours very truly,
(Signed) Britton & Gray

CUYAMACA WATER CO.
FILE No. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

CABLE ADDRESS "BRIGRAY"

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

F.W.C.

Jan. 26, 1916.

RECEIVED
FEB 2 1916

Ed Fletcher, Esq.,

C/o Cuyamaca Water Co.,
San Diego, Calif.

Dear Sir:

We are today forwarding to Mr. O. R. W. Robinson certified copies of certain papers on file in the Indian Office relative to permission granted the Cuyamaca Water Company involving lands within the Capitan Grande Indian Reservation, Calif.

The cost of these copies is \$4.00 which we have paid, and would be pleased to have you voucher in our favor.

Very truly yours,

Britton & Gray

CUYAMACA WATER CO.
FILE NO. 84
DO NOT REMOVE
ANY LETTER
FROM THIS FILE.

February 3, 1916.

Britton & Gray,
Wilkins Bldg., 1512 H St.,
Washington, D. C.

Dear Sirs:

Replying to your letter of January 26, 1916, we enclose herewith our check for \$4.00, to cover expenses in securing certified copies of papers on file in the Indian Office, and which have been forwarded to Mr. O. R. W. Robinson, of Los Angeles, Calif.

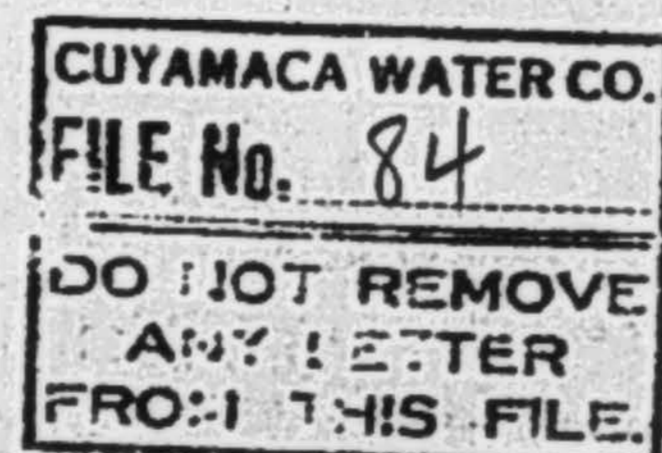
Kindly receipt the enclosed voucher, and return same at your convenience, and oblige,

Yours very truly,

CUYAMACA WATER COMPANY.

Secretary

M-S



CABLE ADDRESS "BRIGRAY"

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
ROSWELL W. SNOW
E. O. SCHREIBER, JR.

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

Alex. B.

Feb. 10, 1916.

Cuyamaca Water Co.,
San Diego, Calif.

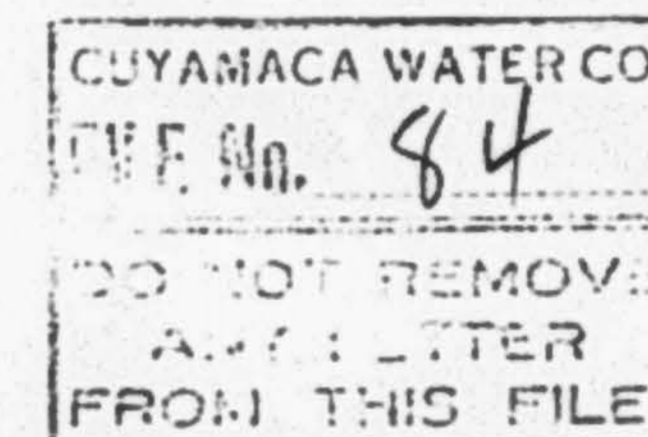
Gentlemen:

We have your favor of Feb. 3rd with enclosed check for \$4.00 to cover expense of certified copies heretofore sent Mr. O. R. W. Robinson, and in returning receipt herewith, beg to thank you for the prompt remittance.

Very truly yours,

Arthur L. Gray

Enc.



Feb. 17, 1916.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Gentlemen:

Enclosed find check for \$250, for services, in answer to your letter of February 2nd.

Mr. Murray and I hope to be in Washington within a very short time, and will take up the question of retainer and services with you personally.

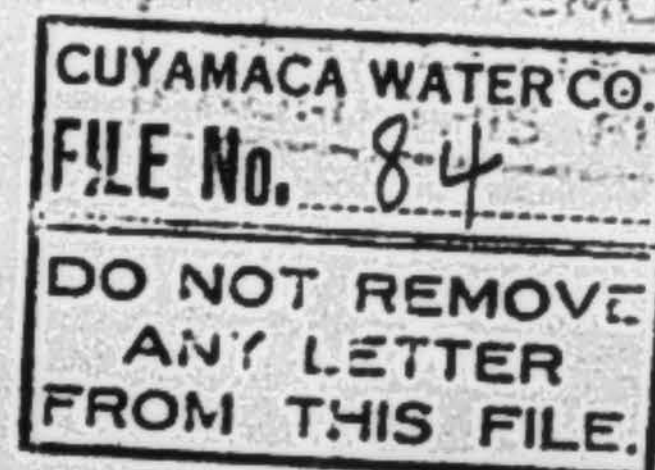
Yours very truly,

CUYAMACA WATER COMPANY.

Manager.

F-S

P.S. Kindly sign and return the enclosed voucher.



June 29, 1916.

Britton & Gray,
1512 H. St.,
Washington, D. C.

Attention Mr. F. W. Clements

Dear Sir:

Enclosed find check for \$500, in full of account, as per my agreement with you. Enclosed also find copy of letter that I sent to Mr. Lawler today, which is explanatory.

I am expecting Mr. Murray from Montana in a few days, and as soon as I can take the matter up with him personally I will notify you of his decision about retaining you. The probabilities are that if I wire him he would not retain you, while a personal explanation by me will have more influence with him, I believe. In the meantime, my understanding is that you will do all you can to see that this case is delayed in the office of the Secretary of the Interior, unless we can get a decision favorable to us.

Just as soon as I can see Mr. Murray personally I will wire you the result.

Yours very truly,

CUYAMACA WATER COMPANY.

Manager.

F-S

Kindly send receipt for enclosed check, and oblige.

IN REPLY PLEASE REFER TO Los Angeles 024976 and 025259 "P" RMT

DRA

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON, August 31, 1916

R.M.T.

ADDRESS ONLY THE
COMMISSIONER OF THE GENERAL LAND OFFICE

Carroll Canal and Reservoir : Advising of action taken.

Messrs. Britton & Gray,

Wilkins Building,

Washington, D. C.

My dear Sir:

You are advised that by letter dated August 29, 1916, the maps representing the applications for the Carroll Canal and Reservoir, Los Angeles 024976 and 025259, have been forwarded to the Secretary of the Interior with the recommendation that the same be approved.

Very respectfully,

*36 in pipe line from Carroll
Res in 18-135-22-20 San C. M. Jones
Diego to Rancho in 22-135-32
4 1/2 miles.*
Assistant Commissioner.

8-28 OB

A. B. BROWNE
ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS

CABLE ADDRESS "BRIGRAY"

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

Alex. B.

Sept. 2nd, 1916.

Mr. Fletcher, Esq.,

Organic Water Co.,

San Diego, Calif.

Dear Sir:

We enclose communication from the Commissioner of the General Land Office dated August 31st, stating submission to the Secretary with recommendation for approval of Los Angeles applications 024976 and 025259 for the Carroll Canal and Reservoir.

We will endeavor to secure the Secretary's prompt approval of these applications.

Very truly yours,

Enc.

Frederick H. Gray

Mr. Matthews File away

In reply please refer to -- Los Angeles 024976 "F" RMT

1 x R and R

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON.

September 13, 1916.

Carrol Reservoir (Fletcher, E.) : Transmitting copy of ap-
: proved map and field notes.

Register and Receiver,
Los Angeles, California.

Sirs:-

On September 5, 1916, the First Assistant Secretary of the Interior approved the map filed by Ed Fletcher in connection with his application for reservoir easement under the provisions of the act of March 3, 1891 (26 Stat., 1095), and Sec. 2, of the act of May 11, 1898 (30 Stat., 404), situated in the surveyed and unsurveyed portions of Sec. 18, T. 13 S., R. 2 W., also in Sections 5, 6, 7, 8 and 17 of said township and range, also in Rancho San Bernardo.

I transmit herewith a copy of the approved map and field notes. Make the appropriate notations on the records of your office and notify the applicant, transmitting therewith, the enclosed copy of this letter.

Very respectfully,

Assistant Commissioner.

9-9 HAR

BRITTON & GRAY,
Attorneys and Counsellors at Law
Wilkins Bldg., 1512 H. St.,
Washington, D. C.

F.W.C.

Sept. 16, 1916.

Ed Fletcher, Esq.,
Fletcher Building,
San Diego, Calif.

Dear Sir:-

We have to advise you that the Secretary has approved your application under the provisions of the Acts of March 3, 1891 and May 11, 1898 for the Carroll Canal, through the surveyed and unsurveyed portions of Section 5, 6, 7, 8, 17 and 18, and also through the Rancho San Bernardo in T. 13 S., R. 2 W. Also beginning at a point in Section 18 of T. 13 S., R. 2 W., thence across unsurveyed Section 18 and surveyed Sections 13, 14, 22 and 23 of T. 13 S., R. 3 W., terminating at the eastern boundary of San Dieguito Rancho.

Very truly yours,
BRITTON & GRAY.

Copy

Sept. 26, 16.

Messrs. Britton & Gray,
Wilkins Bldg.,
1512 H St.,
Washington, D. C.

Gentlemen:-

Referring to your letter of September 16th, I wish to procure a certified copy of the letter of the Secretary of the Interior, granting this application.

This is for the purpose of presenting the maps and proofs of these rights to the Title Insurance Company for the issuance of a certificate.

I presume the maps will remain on file at the local land office, so that we do not need certified copies from Washington.

Very Sincerely Yours,

To be sent by ST-

ALEX. BRITTON
EVANS BROWNE
F. W. CLEMENTS
LAWRENCE H. CAKE
CHESTER R. SMITH
NOTARY PUBLIC

BRITTON & GRAY
Attorneys and Counsellors at Law
WILKINS BUILDING, 1512 H STREET
Washington, D. C.

CABLE ADDRESS "BRIGRAY"

Alex. B.

November 14, 1919.

Ed Fletcher, Esq.,

Fletcher Building,

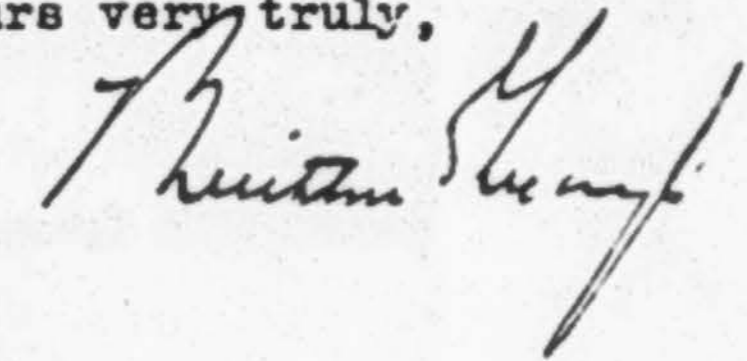
San Diego, California.

Dear Sir:-

We enclose communication from the Commissioner, dated November 12, stating submission to the Department with favorable recommendation of the application of J.A. Murray and Ed Fletcher for the Conejos Reservoir and Canal Reservoir and canal in the Los Angeles district.

We do not understand that we have any further interest in this matter, and unless otherwise advised will give the same no further attention.

Yours very truly,



Enc.

Ed Fletcher Papers

1870-1955

MSS.81

Box: 2 Folder: 33

General Correspondence - Britton and Gray



Copyright: UC Regents

Use: This work is available from the UC San Diego Libraries. This digital copy of the work is intended to support research, teaching, and private study.

Constraints: This work is protected by the U.S. Copyright Law (Title 17, U.S.C.). Use of this work beyond that allowed by "fair use" requires written permission of the UC Regents. Permission may be obtained from the UC San Diego Libraries department having custody of the work (<http://libraries.ucsd.edu/collections/mscl/>). Responsibility for obtaining permissions and any use and distribution of this work rests exclusively with the user and not the UC San Diego Libraries.