File No. 85

Subject I.C. 3313

LEMON GROVE MUTUAL WATER CO.

RECORD OF MATERIALS REMOVED PAGE ____ OF ____

COLLECTION NAME ED FLETCHER

SERIES & FOLDER TITLE R.R. COMMISSION

Description of Material		Date Of Material	Re-Filed As: Series	Re-Filed As: Folder Title
LETTER	FROM OETRICK of RRC to EF & LEMON GROVE MUTUAL WTR CO COMPLAINT	16 APRIL 1914	OETRICK	
"	TO RRCom re "	APRIL 20 1914	"	
"	to CHAS. W.C. from PHILIP E. HARROUN	13 MAY 1914	HARROUN	
"	to HARROUN from FLETCHER	15 MAY 1914	"	
MEMO	to MATHEWS from FLETCHER	15 MAY 1914	MATHEWS	

I.C. No. 2946

Feby. 27th, 1914.

Railroad Commission State of California,

San Francisco, California.

Gentlemen:

Answering yours of February 24th, 1914 relative to informal complaint filed by J. W. Near and others from Lemon Grove, will say that I have read said complaint and have the following statement to make: The Southern Investment Co. were never authorized by us to sell water or make any representations for the sale of water by us at 8¢ per thousand gallons during the year 1911, or any other time. You will notice that this was at a time long before the matter had been presented to the Railroad Commission, and I do not remember that the Railroad Commission was even in existence. I told the owners of the Southern Investment Co. that water was short and I questioned very much whether there would be water to sell for irrigation purposes. The representations of the Southern Investment Co. were that the water was to be used primarily for homes and small tracts. I then wrote the officers of the Southern Investment Co. a letter informing them that as far as I personally was concerned, I was willing to sell them water at 8¢ a thousand gallons providing it was satisfactory to Mr. J. A. Murray, my partner, who owned at that time a five-sixths interest in the system, and as soon as Mr Murray

returned I would take the matter up with him. On Mr Murray's return a short time afterwards I explained the situation to him and tried to get him to give his consent to sell additional water. His answer was this: that at the present time the system was not in condition to take on additional consumers and he was opposed to it excepting for domestic purposes. I informed the Southern Investment Co. of this fact.

A little later on I applied to the Railroad Commission for a valuation of our system and equitable rates. The decision of the Railroad Commission was the same as Mr Murrays: that we were not to take on any new consumers for irrigating purposes and only to furnish domestic water. The Railroad Commission established a rate of 25¢ a thousand gallons and that rate I have lived up to, and I am pleased to inform you that we have entirely reconstructed our flume and put in a new pipe line since the 1st of July last year at an expense of nearly half a million dollars, and in leakage alone we are saving a million gallons a day. In a few weeks we shall apply to the Railroad Commission for a revaluation of our plant and equitable rates, both for irrigation and domestic purposes. I am satisfied that we are in a position now to furnish irrigating water, and by next summer I hope that the Railroad Commission of this State will allow us to sell irrigating water and at a rate that is equitable.

The land of the Southern Investment Company known as Lemon Grove Park, never had any water rights and was

raw land put on the market without any contract for water. These consumers desire to impress you with the fact that I have been making ridiculous statements to them and I wish you would immediately inform them that I have simply obeyed the order of the Commission. All my personal interests are in that section of the country and I am just as anxious as these individuals to give them irrigating water as I want irrigating water for my own raw lands, but until the water question is settled, I have refrained from disposing of any of my raw lands and Mr Murray and I have treated our own holdings the same as any other outside holdings in every particular.

A copy of this letter has been sent to each individual who has made this informal complaint.

Very truly yours,

BK

J. M. ESHLEMAN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
MAX THELEN, COMMISSIONER, ATTORNEY

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
638 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
W. C. EARLE, CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
P. A. SINSHEIMER, BOND EXPERT

TELEPHONE—BUTTER 3260

I.C.-3313

16 April 1914

Ed Fletcher, Manager
Cuyamaca Water Co.,
San Diego,

Dear Sir:

The Commission has received a communication from the Lemon Grove Mutual Water Co., through its President J.W.Fisher, requesting that the Commission intercede for them in their request that the connection with their system at the junction of Lookout and El Cajon avenues in La Mesa be made permanent.

It is alleged that this connection was established during August, 1912, and water was delivered at that point until the present time. Also that in January of this year negotiations were entered into looking to the permanent installation of connection and meter at the described point.

It is stated that this Company will be very decidedly inconvenienced should they be required to return to use a considerable length of wood pipe leading from Eucalyptus Dam; as this pipe has deteriorated greatly during the period of non-use and the change to the present point of delivery from your system was not at their request but entirely due to your choice in the matter. Incidentally they mention that several lengths of pipe at Eucalyptus Dam were removed by the Cuyamaca Water Co. and would have to be replaced at their expense.

Also it is claimed that should this water company be required to return to their former source of supply that the payment for water should be at the rate of $65 per inch year, instead of $70, as payment is now being made.

Will you please inform the Commission fully of your intentions in this matter and should you desire to change from the present to the former point of delivery to the Lemon Grove Mutual Water Company will you please give your reasons.

Respectfully,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

R.W.H/emc

By Chas R. Detrick
Secretary

April 20, 1914.

Railroad Commission State of California,
San Francisco, California.

Gentlemen:

Answering yours of April 16th, I.C.3313, Lemon Grove Mutual Water Company, will say that the matter has been misrepresented to you. The facts are as follows:

The Lemon Grove Mutual Water Co. put in their own pipe line to Eucalyptus reservoir and all the water was furnished at Eucalyptus reservoir. All the old water right contracts called for delivery at Eucalyptus reservoir. Their pipe line runs for a mile parallel to ours. During August, 1912, their pipe line was in such poor condition and such poor pressure that our Superintendent, Mr Hager, without the knowledge or consent of the owners of the property made a temporary tap at the request of the Lemon Grove Mutual Water Co. a mile west of Eucalyptus reservoir at the junction of Lookout and El Cajon Avenues as an accomodation to these people.

We have in the last sixty days laid a new pipe line from Eucalyptus reservoir to the city limits. That means that there are three pipe lines at the present time parallel to each other: our new pipe line, our old one, and the Lemon Grove Mutual Water Co's. We do not propose to assume the obligation without recompensation of hereafter perpetually delivering water at Lookout and El Cajon Avenues

a mile further west than the agreed point of delivery, and stand any loss or leakage of water from Eucalyptus reservoir to the junction of Lookout and El Cajon Avenues, as well as cost of maintenance.

We offered a short time ago to turn over to them our old pipe line thru which they have been getting water since August, 1912 and told them that if we could not agree on the value of the old pipe line, we would arbitrate its value. This they have refused to do and are taking advantage of the temporary permit which we granted them at the time as a favor and without consideration. Their wood pipe line which they put in ten or fifteen years ago is in rotten condition and they are simply trying to put off on to us the expense and maintenance of a mile of pipe line which they do not care to rebuild.

I am not aware that any lengths of pipe belonging to them at Eucalyptus dam have been removed; if such is the case, we will gladly replace same at our own expense.

Our interpretation of the order of the Commission is that all consumers from Eucalyptus reservoir and west, who are not on the main flume, pay us $70 a year per inch. The Lemon Grove people get the benefit of storage both from the Murray Hill reservoir and Eucalyptus reservoir which no one on the flume gets, and no one before has questioned our interpretation of the order. Unless there is a formal hearing and the order of the Commission otherwise, our position is this: that the Lemon Grove Mutual Water Co must pay us a reasonable price for the additional service in cash or purchase

our old pipe line along the lines that we suggested and the water be measured at Eucalyptus reservoir.

Very truly yours,

EK

JOHN M. ESHLEMAN, COMMISSIONER, PRESIDENT
H. D. COVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
MAX THELEN, COMMISSIONER, ATTORNEY

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
555 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
R. SACHSE, ACT. CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
P. A. SINSHEIMER, BOND EXPERT

TELEPHONE—SUTTER 3260

Case 631.

October, Fourteenth, 1914.

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

Gentlemen:

Your letter of October 1st in regard to service on the Granada Tract is hereby acknowledged. You ask in this letter that the Commission give you authority to make direct connection to the property of Mr. Oesting who resides in the Granada Tract and now receives his water in common with all others on this tract through the meter at the south east corner of Lot 29.

The Commission does not see its way clear to authorize such drastic action by your company through any provision of its rules and regulations now in effect, and unless there was some provision in the rules and regulations, it would certainly require formal procedure.

We do not feel that you have any right to inquire into the manner of irrigation use on this tract so long as you have at all times in the past taken no active part in the distribution of water to the individuals other than has been provided in your rules and regulations and in the decision of the Commission on Case 631 allowing you to make separate charges for domestic use on such tracts. If the total irrigation use on the tract is not in excess of that for which you are paid, we do not believe that we can at this time authorize you to consider the individual irrigation users on a sub-division such as this separately. We might suggest that you bring this matter up for consideration at the time of the hearing on your application 1231.

Respectfully,
RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Chas. R. Detrick
SEcretary.

RWH.MR

October 21, 1914.

Railroad Commission
of the State of California,
833 Market St.,
San Francisco, California.

Gentlemen:

We have received a copy of the application of D. G. Gordon for an investigation of the present condition of the Cuyamaca system. The representations made by D.Mr. Gordon are false in several particulars:

Article 6. Mr. Gordon says that no water was supplied to consumers from October 1, 1913 to March 1, 1914. This is a deliberate misrepresentations of the facts. There was plenty of water in the flume to give water to anyone who wanted it from early in January to March 1st. There were bountiful rains during all these months and the farmers did not want water for irrigation purposes. We were anxious to fill La Mesa Dam, so as to be sure to have a supply of water for the coming summer, and we took the matter up with both the Railroad Commission of the State and with the consumers, and by mutual agreement no water was turned into the flume for irrigating purposes until March 1st. Instead all the water went into La Mesa Lake for use during the dry summer months, and it was filled to within two feet of the top.

No one but the Cuyamaca Water Company were losers by this arrangement, and we did it simply for the best interests of the consumers, so as to furnish water when needed during the summer. Mr. Gordon and the other consumers were the only ones who benefitted

by this arrangement, for they did not need the water during January and February, and were relieved of paying the monthly water charges on that account.

Mr. Gordon also makes a misrepresentation of facts and is not fair to this company when he refers to 160,000,000 gallons of water delivered to the City of San Diego, water which he says should have been delivered to the consumers. La Mesa Dam was full, and if we had not furnished water to the City of San Diego the water would have gone to waste in the ocean. As it was, we were able to sell the flood waters, and by so doing increase our revenue, which was much needed. The more revenue we collect from outsiders for furnishing flood waters, the less, naturally, will be the rates to the consumers.

The only time when irrigation is needed is from April 1 to December 1 of each year.

In June, before the hot weather came on, we shut off the water for nearly three weeks, in order to complete the new lining of our flume, with the result that we have saved 95% of the leakage on our system. A personal examination of the orchards will show that there has been no shortage of water for irrigation suuply this summer, and the orchards themselves are the best evidence.

In this connection, I wish to say that this company offered to pay D. G. Gordon, The Boston Ranch, Mr. Springstead and other ranchers who have wells and pumping plants the cost of the operation of their pumping plants and relieve them of any charge for water as well if they would operate their pumping plants instead of demanding water from the Cuyamaca system. This offer every one of them refused.

The reason is that they get water from the Cuyamaca system for 1½¢ a thousand gallons, while to pump water costs them three or four cents per thousand gallons, and that they should refuse our offer to pay the expenses of pumping demonstrates very clearly that we have a bunch of water hogs in El Cajon Valley who have no conception of what is fair as between man and man.

Practically every farmer in the El Cajon Valley whom Mr. Gordon represents have large wells and pumping plants, and every one of them, with hardly no expense, can develop all the water they want on their own ranches, but so long as they can get water for 1½¢ a thousand gallons, in other words for nothing, they will continue to make us all the trouble they can.

Mr. Gordon continues to harp on the question of those old water right contracts, when as a matter of fact the decision of the Commission is that 257 miners' inches constitute a full supply, and this has been materially reduced during the last two years.

We have had two pumping plants going all summer pumping from the San Diego River, and a few weeks ago we started another pumping plant, and have done everything that human beings could do to furnish a full supply of water to satisfy these consumers during a period of great drouth. By examining the San Diego system, the Sweetwater system and the Escondido system, you will find that the Cuyamaca has done better than any other system in the county toward furnishing a full supply.

We have been working under very trying conditions the last three years, and with abnormally low rainfall - as low as 30% below normal last year.

We have not since we bought the system four years ago, nor are we now, taking in enough income to pay the expenses of operation, and yet the last three years we have put in fully $300,000 in development work.

To be absolutely frank, the owners of the Cuyamaca Water Company are discouraged over the outlook. It is utterly impossible to sell bonds and get money to develop our system under existing conditions, and at the present rates for water. Every drop of water that we develop costs us from seven to eight cents a thousand gallons, and we are compelled to sell it today for one and one-half cents a thousand gallons for irrigation.

In the matter of the riparian owners trying to stop us from operating pumping plants, will say that we beat them out on injunction proceedings, last January, and although it has been nearly ten months since then no steps have been taken by them to force the suit to trial. It will be a long time before the case will ever be tried, in my opinion.

As far as the question of providing for additional storage is concerned, the facts are the best evidence, and we will be glad to present them at the formal hearing of the Commission.

We are making arrangements to furnish the City of San Diego with flood waters that cannot be stored and that would otherwise run to the ocean. Any revenue that we collect will make a better showing, and materially lower any rates that the consumers have to pay.

As far as the two years' supply in La Mesa Reservoir

is concerned, it is a fact that the La Mesa Reservoir holds a two year's supply for the gravity pipe line, but where we are compelled to pump back water from the La Mesa Dam to furnish the towns of La Mesa and Lemon Grove, then it means a supply for approximately on year instead of two.

The Railroad Commission on its valuation of June 1, 1912 stated that we were entitled to $66,000 a year income, but through an error the rates that you established, even though we furnished a full supply the year round, our revenue would be approximately only $40,000. We took our medicine and have put in $200,000 or $300,000 since then in the development of this system.

In 1912, the Railroad Commission of this state allowed us to make an additional charge for pumped water. Since then they have refused to to allow us to make an additional charge, although we have had to pump water for over a year, and have put $30,000 or $40,000 into pumping plants, as well.

It is utterly impossible to sell bonds to develop our system, with the present rates established, and it is only justice and equity that the Railroad Commission of this state immediately have a formal hearing and establish rates that will justify us in proceeding with the future development of our system. Without these increased rates, we can do nothing.

We respectfully petition Your Honorable Body to ignore the application of Mr. D. G. Gordon, and let these matters be taken up at the regular hearing on November 17, 1914.

Yours very truly,

CUYAMACA WATER COMPANY,

Manager.

Revised copy.

F-8

JOHN M. ESHLEMAN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
MAX THELEN, COMMISSIONER, ATTORNEY

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
R. SACHSE, ACT. CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
F. A. SINSHEIMER, BOND EXPERT

TELEPHONE—SUTTER 3260

TENTH FLOOR, COMMERCIAL BUILDING
838 MARKET STREET
SAN FRANCISCO

App. No. 1231

October 29, 1914.

Mr. Ed Fletcher,
Manager, Cuyamaca Water Company,
916 Eighth Street,
San Diego, Cal.

Dear Sir:

We desire to acknowledge receipt of yours of the 21st instant, in which you refer to application of D.G. Gordon for investigation into the service of the Cuyamaca Water Company. In reply will state that we have advised Mr. Gordon that any complaint which he has against the service of your Company should be made in the form of a formal complaint. If this is done the matter can be heard at the time of the Commission's investigation into the rates.

Very truly yours,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

DB:ELH

Dec. 26, 1914.

State Railroad Commission,
83[illegible] Market Street,
San Francisco, Cal.

I C 5084.

Gentlemen:-

We are in receipt of your letter of December 22nd in re the above informal complaint, that of the owners of Lots 9, 10, 11, 12, 15 and 16, DeWitt Tract. Circumstances of this complaint are similar to those in the case of William Finley. In this case Commissioner Gordon at the time of the hearing in Case #633 verbally stated that Finley's property was to be considered as one tract, but we received no formal notification of this ruling. We don't concede that the property in question is using water for irrigation purposes but in order to remove discrimination and pending the application of a more logical method of determining water uses than the half acre basis, we shall apply the acreage rate as suggested by your letter of December 22nd. In doing this we do not hope to establish a precedent nor to admit that in such cases the water is being used for irrigation purposes. Will you kindly notify us if such decision is satisfactory to you.

Yours very truly,

Cuyamaca Water Company.

By _____

Manager.

BK

JOHN M. ESHLEMAN, COMMISSIONER, PRESIDENT
H. [illegible]OVELAND, COMMISSIONER
ALE[illegible] GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
MAX THELEN, COMMISSIONER, Attorney

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
[illegible] MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
RICHARD SACHSE, ACT. CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
P. A. SINSHEIMER, BOND EXPERT

TELEPHONE—SUTTER [illegible]

I. C. 5084.

December
Twenty-second,
1 9 1 4.

Cuyamaca Water Co.,

Fletcher Bldg.,

San Diego, Calif.

Gentlemen:

The Commission has received information that the owner of Lots 9, 10, 11, 12, 15 and 16 Dewitt Tract, on Williams Boulevard, El Cajon Avenue and San Diego Street, west of La Mesa, had since October, 1912 until one month ago paid for water at the established irrigation rate and is now required to pay domestic rates.

It is alleged that your reason for making this change in rate is that there has been established an alley dividing the tract. It is our understanding, that this is an instance exactly in line with that of William Finley whose property was likewise divided by an alley and in which case it was agreed, at the hearing in Case 633, the property should be considered one tract.

Unless there is some other reason for making the change in rate, we believe that the irrigation rate should still apply until a more logical method than by acreage for defining classes of use be established. May we request that you revert to the former rate in this instance? The complainant is Charles A. Willis, Box 25, La Mesa.

Please report your action immediately to the Commission.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Chas. R. Detrick
Secretary.

RWH.MR.

Railroad Commission,

of the

State of California.

San Francisco, Cal.

I. C. 5084.

December
Twenty-second,
1 9 1 4.

Cuyamaca Water Co.,

Fletcher Bldg.,

San Diego, Calif.

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Unless there is some other reason for making the change in rate, we believe that the irrigation rate should still apply until a more logical method than by acreage for defining classes of use be established. May we request that you revert to the former rate in this instance? The complainant is Charles A. Willis, Box 25, La Mesa.

Please report your action immediately to the Commission.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

(Signed) BY Chas. R. Detrick,
Secretary.

RWH.MR.

JOHN M. ESHLEMAN, COMMISSIONER, PRESIDENT
H. D. COVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
EDWIN O. EDGERTON, COMMISSIONER
MAX THELEN, COMMISSIONER, ATTORNEY

ADDRESS ALL COMMUNICATIONS TO
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Railroad Commission
of the
State of California

TENTH FLOOR, COMMERCIAL BUILDING
555 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
RICHARD SACHSE, ACT. CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
F. A. SINSHEIMER, BOND EXPERT

TELEPHONE—SUTTER 3260

I. C. 5084.

December,
Thirtieth,
1 9 1 4.

Mathews

Ed Fletcher, Esq.,

Mgr. Cuyamaca Water Co.,

Fletcher Bldg.,

San Diego, Calif.

Dear Sir:

We hereby acknowledge receipt of your letter dated December 26th in regard to the complaint of Chas. A. Willis.

It is entirely satisfactory that you apply the irrigation rate pending later decision, and note that you do not concede the use to be for irrigation purposes.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

BY Chas. R. Detrick
Secretary.

RWH.MR.

37

Railroad Commission of the State of California

January 26, 1915.

App. No.118.

RECEIVED JAN 27 1915

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

Gentlemen:-

We enclose herewith copy of letter dated January 21,1915, which we have just received from Lemon Grove Mutual Water Company, and await a statement of your side of the matter.

Respectfully,

RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

By Charles R. Detrick
Secretary.

MT/E

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

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

CHARLES R. DETRICK, SECRETARY
H. H. SANBORN, RATE EXPERT
RICHARD SACHSE, CHIEF ENGINEER
L. R. REYNOLDS, AUDITOR
P. A. SINGHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 2260

TENTH FLOOR, COMMERCIAL BUILDING
698 MARKET STREET
SAN FRANCISCO

I. C. 5885.

April,
Twenty-third,
1 9 1 5.

RECEIVED APR 26 1915

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen:

The Commission has received complaint through Patterson Sprigg, alleging injustice in that you refuse to turn on water at any property where water was used and bills unpaid, although the person using the water has vacated and the incoming tenant or purchaser of the property is entirely innocent.

The owner cannot be held liable excepting when there has been a definite agreement between the utility and owner or where the owner has signed the application.

It is also alleged that you have required payment of $15 for meter installed for Lot 10, Block 63, Normal Heights. The particular instance recites payment made February 17th, 1913.

The Commission's decision in that regard was issued March 28th, 1913, and you, therefore, are not required to make recompense.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR.

May 5/15
L. H. Bullock
Now owner of
property - $2.40
allowed for opin
water bills from
R. R. Com letter
April 23/15

November 12, 1915.

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

Gentlemen:-

We desire to call your attention to two so-called irrigators on the Magruder tract in the City of La Mesa.

M. P. Gould, the owner of Lots 3, 4, 5, and 6 of Block 2, has 1.03 acres to which is attached .137 M.I. of water for which our monthly charge is 80¢. No water is being used on this land for anything except purely domestic purposes, no attempt being made at irrigation of any sort.

Mr. I. Barney, the owner of Lots 7, 8, 9 and 10 in Block 2, containing .64 of an acre, and having .085 M.I. of water, for which our monthly charge is 50¢, is making no attempt at irrigation and is using water entirely for domestic purposes and for sprinkling a very few ornamental trees, etc.

In both these cases it is the belief of this Company that the domestic rate should apply and we therefore ask you to allow us to charge 15¢ per thousand gallons for all water furnished these two consumers with a monthly minimum of 75¢. Both these consumers are served through privately owned pipe lines. This tract is well built up with houses and is located very close to the center of the City of La Mesa.

We attach a plat of the Magruder Tract.

Yours very truly,

Assistant Manager.

FMF:K

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

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Railroad Commission of the State of California

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L. R. REYNOLDS, AUDITOR
F. A. SINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 3360

Case No. 602

November 16, 1915.

Cuyamaca Water Company,
San Diego, California.

Gentlemen:

We desire to acknowledge receipt of yours of the 10th inst., in the matter of the Granada tract situation, and to say that this matter is being referred to our hydraulic department, which will take up the matter with you directly.

Yours truly,
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA
by Charles R. Detrick
Secretary.

MT-D

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

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RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

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

TELEPHONE—SUTTER 8860

File 602.

November,
Twentieth,
1 9 1 5.

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

Gentlemen:

We hereby acknowledge receipt of your letters of November 10th, requesting that an investigation be made into the rates charged consumers on the Granada Tract, and determination of the proper classification of the use of water by a number of consumers in other districts.

We have not had sufficient time to examine into these specific cases fully. However, the proper interpretation of the rules and regulations of the Cuyamaca Water Co. in its application to a number of the cases brought in your letters to the attention of the Commission has been discussed with President Thelen, and he tentatively holds that the gross acreage owned in one tract by the consumer upon which there is any considerable irrigation of crops for commercial purposes should be the measure whereby determination should be made between domestic and irrigation rate.

The information with which we have been provided has been, in many instance, of such a nature as to be inconclusive, particularly where there is contention between yourselves and the consumer in regard to the nature of the use of water. We note your letter regarding use by Mrs. H. F. Fitzgerald in Waverly Tract where you state that the use is for purely domestic purposes. If this is a fact beyond contest, the domestic rate is, under your rules, the proper rate to charge.

Basing on your statements that there is no irrigation use, we can hardly give you outright approval of the change of rate in that or any other of the cases cited. You may take whatever course you see fit in this instance, referring, if you wish to make explanation to the consumer, to your rules and regulations now in effect.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR.

November 26, 1915

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

Gentlemen:-

R R Commission File 602

We have your letter of November 20th regarding rates charged consumers on the Granada Tract and other tracts in the vicinity of La Mesa.

We trust that you can send a representative down to examine into the character of water use of these so-called irrigation consumers as we are certain that such an examination will convince you that many, if not all these consumers should be charged the domestic rate instead of the irrigation rate.

Very truly yours,

Assistant Manager.

FMF-K

January 21, 1916.

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

Gentlemen:-

Mr. J. H. Halley, Secretary of the Lemon Grove Mutual Water Company, has requested that this Company extend irrigation rates to a tract of land known as Lemon Grove Park.

Lemon Grove Park contains approximately 270 acres divided into 90 lots ranging in area from 9/10 of an acre to about 39 acres each. The majority of lots have an area of less than 5 acres.

There has never been any water right contract covering this land, but as soon as lots have been sold, the owners have commenced to take water at domestic rates through the pipe system of the Lemon Grove Mutual Water Company at 15 cents per thousand gallons with a monthly minimum of 75 cents. Irrigation rates have never been extended to consumers in Lemon Grove Park and in fact this Company has never given any one irrigation rates unless there has been a water right contract covering the land. This action has been based on orders of the Railroad Commission in Decision No. 536 which was to the effect that no additional water was to be sold for irrigation purposes except on orders of the Commission.

Since the Commission's Decision No. 536 was rendered, a few parties in Lemon Grove who had never had water right contracts, but were taking water at domestic rates, have made a direct appeal to the Commission with the result that the Commission has ordered this Company to supply them with water at regular irrigation rates. Among these parties was Mr. Miles E. Baker, the owner of four lots containing about 7/10 of an acre who, on August 11, 1914, wrote the Commission protesting against being compelled to pay domestic rates and asking that the irrigation rate be made to apply to his case. The Commission, in a letter dated October 2, 1914, ordered this Company to apply the irrigation rate in Mr. Baker's case.

The letters referred to would be probably found in your file of Case No. 631.

As no direct orders have ever been received by this Company permitting it to extend its irrigation service, this letter is being written to the Commission with the request that the Commission indicate what action should be taken regarding this demand for irrigation service from the residents

in Lemon Grove Park.

If the irrigation rates are extended to cover this tract, the requirements based upon the present acreage occupied and 1 Miners Inch of water to 10 acres will be approximately 5-3/4 Miners Inches. This requirement will, of course, be exceeded if any of the owners not now supplied with water desire to take advantage of the irrigation rates.

Very truly yours,

Manager.

F-K

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

ADDRESS ALL COMMUNICATIONS TO
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Railroad Commission of the State of California

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L. R. REYNOLDS, AUDITOR
P. A. SINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 3260

TENTH FLOOR, COMMERCIAL BUILDING
555 MARKET STREET
SAN FRANCISCO

I. C. 8213

March,
Tenth,
1 9 1 6.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen:

We are informed by Lawrence Jensen of Lakeside, California, that he and some ten other water users in the vicinity of Lakeside are unable to obtain adequate service from your system.

It is explained that a flume line, built several years ago, is in such condition that it should be extensively repaired at this time and that you have informed water users that you consider it their duty to operate and maintain the line. It is claimed that the flume was built by the predecessor of the Cuyamaca Water Company.

Will you please report upon this matter, providing us with a rough estimate of the probable cost of putting this lateral flume in proper condition. Please also inform us whether or no it was built by the concern that owned the Cuyamaca Water Company's system, and under what contractual arrangements you believe it to have become the duty of the various users to maintain.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

This on Hoover Pipe Line
1" water in Name of Mrs. Marin C. Jensen

-RWH.MR

204 mf 185 mf
257 " 186 "
301 "
193 "
382 "
191 "
226 "

MAX THELEN, COMMISSIONER, PRESIDENT
H. D. LOVELAND, COMMISSIONER
ALEX GORDON, COMMISSIONER
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TENTH FLOOR, COMMERCIAL BUILDING
555 MARKET STREET
SAN FRANCISCO

App. 1231.

March,
Tenth,
1 9 1 6.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen:

We have been provided, by E. W. Moyer, with a copy of your circular letter of February 9th and your letter to him personally of February 15th.

As we believe the Commission has already informed you, there is no objection to your refunding to the consumers a rebate on bills for irrigation water proportionate to the time that water has not been available on account of flood damage, etc.

In this case, it seems a particularly proper adjustment. We understand that Mr. Moyer has paid to you the entire January bill, and presume that you will rebate to him such portion as is determined proper. He also complains that water was off on the 24th and 25th of February, and believes that he is entitled to a rebate for this period as well.

Will you please report the conditions under which service was discontinued at this later date, and inform us whether, in the period immediately preceeding and following these dates, the amount supplied was sufficient to make up the deficiency of that time.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR

Mr. Fauda

Mr. Fauda
Note re Pt. 7 Mg
Ed

March 14, 1916.

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

Gentlemen:-

I. C. 8019. [re: MILES RANCH] esm

We have your letter of March 11th regarding Informal Complaint in the matter of a charge of $300 per year for pumping water from our flume into a reservoir on the Miles Ranch near Grossmont.

This matter is being investigated and we will write you further in a short time.

Yours very truly,

[FMOE] esm

Assistant Manager.

FMF-K

March 14, 1916.

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

I. C. 8213

Gentlemen:-

We have your letter of March 10th regarding Informal Complaint of Lawrence Jonsen of Lakeside. This matter is being investigated and we will write you further as soon as we have the required information.

Yours very truly,

Assistant Manager.

FMF:K

March 21, 1916.

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

Gentlemen:-

I. C. 8213.

In response to your letter of March 10th, we have made an investigation of the ownership of the so-called Hoover pipe line through which Lawrence Jensen of Lakeside gets his water.

Our own records contain no information regarding the ownership of this line and an inquiry made to Mr. Healion, the former President of the San Diego Flume Company has resulted in the following letter:

"March 15, 1916.

Mr. F.M.Faude,
Asst. Manager Cuyamaca Water Co.
916 - 8th Street,
City.
Dear Sir:

In re HOOVER PIPE LINE

I regret that I am unable to reply definitely to your inquiry of yesterday. The Flume Company records of such details were destroyed when preparing to remove from our former to our present office as seemingly there would be no further use for them, and many of the general records have since been destroyed.

The location of the so-called "Hoover Pipe Line" is somewhat vague to me now, but I can say quite positively that subsequent to December 1898 it was not constructed or re-constructed by the Flume Co. If constructed prior to that time I fear that we will be unable to supply you with any reliable data, we will however make a search and will gladly advise you of the result.

Yours truly,
M. C. Healion"

Mr. L.V.Hoover who apparently built this line is at the present time in the Imperial Valley and we have received no reply from him to our letters regarding the ownership of this line. The old so-called water right contracts covering the supply of water in this vicinity expressly state that the water is to be supplied at the main flume of the San Diego Flume Co. and apparently this line was built by Mr. Hoover alone or by himself and some of the other consumers.

The Hoover pipe line has always been maintained by the consumers since this Company has owned the water system and also during the time that Mr. Healion was President of the San Diego Flume Company.

Your request for a rough estimate of the probable cost of putting this line in condition has been noted, but so far we have been unable to make any inspection of the line owing to the fact that almost our entire engineering force has been busy on the work of repairing the flume. We believe that the consumers on the line can supply you with this information. From all accounts the damage to this Hoover pipe line was occasioned by the floods during the month of January and we do not believe that it is up to this Company to make repairs on the line.

Yours very truly,

Assistant Manager.

FMF:X

CC to Ed Fletcher.

Railroad Commission of the State of California

I. C. 8104

March,
Twenty-third,
1 9 1 6.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen:

It is reported by Felix Barron that he has received no water for irrigation since February 4, 1916 and that, in fact, he has not received sufficient water for ordinary domestic purposes.

Will you please endeavor to provide service to this consumer and report fully your reasons for failing to do so in the past.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

139

RWH.MR

Mr. Faude: Give me a report on this.
Ed Fletcher.

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

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DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 3260

TENTH FLOOR, COMMERCIAL BUILDING
633 MARKET STREET
SAN FRANCISCO

Application 1231

March,
Twenty-fourth,
1 9 16.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen:

The matter of rebate on irrigation water bills, accruing during the period when you were unable to give service, has been referred to in several communications. We also have been provided with copies of your circular letters to consumers along the flume line, some of which were dated February 9th and informing consumers that a rebate would be made provided the Railroad Commission gave authorization.

A Commission letter proceeded to you, giving authorization, insofar as the Commission's authority might be called for.

The Commission's letter of March 10th in the case of E. W. Moyer covered that matter as well as requested a report regarding later deficiency of supply. Will you please report in that matter, and inform us whether you are returning the proposed reduction of bills to the various consumers effected.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR

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

TELEPHONE—SUTTER 8860

I. C. 8017

March,
Twenty-seventh,
1 9 1 6.

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

Gentlemen:

✓ H. W. Rowland is one of your consumers who have written us regarding reduction of bills for the year 1913 on account of your having no supply available during part of February and March.

Will you please clear the matter up with Mr. Rowland and let us know what modification of the charges, if any, you have made.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,
By Charles R. Detrick
Secretary.

RWH.MR

March 27, 1916.

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

Gentlemen:-

We have your letter of March 10th regarding complaint of E. W. Moyer that this Company has attempted to collect full charges for water which was not furnished.

About the middle of January this Company's flume was badly damaged by the extreme floods which prevailed in this section at that time and for one week no water was furnished consumers on the flume line during the repair period. Bills for the month of January were sent out to consumers for a full month's water and payment was generally made for the full amount although in some cases this was done under protest.

On the 27th of January this Company's flume line was so badly damaged by a second flood that service on the flume was again interrupted for a period slightly in excess of three weeks. Repairs were started immediately after the water subsided sufficiently to get to the damaged sections. As the road up the San Diego River Valley was completely washed out above Lakeside, it was necessary to build a construction road 4 miles in length down Chocolate Creek. Numbrous repairs to other roads were required, making a total length of 11½ miles of road construction. All of this work was required in order to get in materials before the real work of repairs could be commenced.

The flume was broken in over 200 places by landslides. Our pumping plants were badly damaged, but at the present time the full extent of injury has not been determined, some idea may, however, be gathered from the fact that the main channel of the San Diego River now flows directly over the former location of our Chocolate Pumping Plant.

A temporary flume 1200 feet long was constructed in Forrester Canyon above El Cajon as a side feeder, and a temporary pumping plant was installed at Los Coches Trestle. From these two installations a part supply for all flume consumers was furnished on or about February 16th. On or about February 20th we commenced a full supply of water to all consumers on the flume. The total time which consumers were without water or were only partially supplied was very close to 30 days, although in some instances, owing to the fact that

every available man was employed on repairs leaving us short of flume patrolmen, there were shortages of water for a day or so longer.

We call your attention to the fact that this water system is the only one in San Diego County which was able to supply any water after these floods. our supply of water to consumers, except on the flume line, suffered no interruptions. In addition to the foregoing our reservoirs are now intact while the reservoirs on both the City and Sweetwater systems suffered very serious damage, including the complete destruction of Lower Otay Reservoir.

The total cost of all repairs to our system has not yet been fully determined. During the month of February there was expended for this purpose fully $15,000. We now estimate the total cost of all repairs at about $30,000, which may be exceeded but will not be less.

Bills for the month of February were sent out to consumers as usual. In fully two-thirds of all cases these bills were paid. Many consumers, however, have refused to make payment on the ground that we were unable to supply water for fully one month during January and February.

In view of the fact that these floods were in the nature of calamities, could not be foreseen, and no adequate preparation could possibly have been made to prevent the widespread damage occasioned by them, this Company asks the Commission that permission be given to make collections for the entire amounts of the January and February bills for service on the flume line. As service on the remainder of the system suffered practically no interruption, there is no occasion for any adjustment or argument with the consumers. This request is made in order that the Company's revenue may be unimpaired and that it may be used for reimbursement of the expense of repairs. The total amount involved in these flume line bills will be approximately $2,000.

Since ~~February~~ 3rd this Company has furnished water to the City of San Diego and the total sales, to and including March 25th, will amount to approximately $25,000 in revenue. These sales to the City can not long continue as the City has installed pumps and has within the past week ordered the supply furnished by this Company cut down to one million gallons daily, the previous supply having been approximately 5 million gallons daily. In addition repairs on the City's Otay-San Diego pipe

line and Dulzura Conduit are being rushed so that within a short time water will be brought into the City from Morena and Upper Otay Reservoirs.

If it is later found that the income from the supply to the City is sufficient to reimburse this Company for the cost of repairs to its system, a rebate can then be ordered by the Commission or the question can be settled at a hearing.

We respectfully refer the matter to you for a decision.

Very truly yours,

CUYAMACA WATER COMPANY,

By_____

Manager.

F:K

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

Copy for Mr. Faude.

CUYAMACA WATER CO.
FILE No. 139
DO NOT REMOVE ANY LETTER FROM THIS FILE.

March 30, 1916.

Railroad Commission
of the State of California,
833 Market St.,
San Francisco, Calif.

I. C. 8104.

Gentlemen:

Answering yours of March 23d, will say that, owing to our recent flood damage, we have been having great difficulty in getting sufficient pressure to our consumers near the top of El Cerritos Hill, and Mr. Felix Barron has suffered with the rest of them. All possible combinations for providing these people with sufficient pressure have been tried out, and we believe that at last we have solved the difficulty, and that from now on these people will get good service.

We have been making repairs on our flume, and have been short of men who are experienced in handling the valves which control the supply to people on the high ground.

We wish to call your attention, also, to the fact that Mr. Barron pays for water at irrigation rates, 1-1/2¢ per thousand gallons, and he can hardly expect to be given first-class domestic service at all times. Irrigation consumers whould provide themselves with tanks to make provision against possible shortage of water during possible times of emergency.

Yours very truly,

CUYAMACA WATER COMPANY,

F-8

Manager.

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

ADDRESS ALL COMMUNICATIONS TO
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Railroad Commission
of the
State of California

TENTH FLOOR, COMMERCIAL BUILDING
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SAN FRANCISCO

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P. A. SINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 3260

I. C. 8017

April,
Seventh,
1 9 1 6.

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

Gentlemen:

We are in receipt of your letter of March 31st inre the above informal complaint. Our letter of March 27th was in error in stating the year to be 1913. It should have been 1916.

This complaint is in line with I. C. 8403, and we desire a definite statement from your company in regard to this complaint.

Respectfully,

RAILROAD COMMISSION OF THE STATE
OF CALIFORNIA,

By Charles R. Detrick
Secretary.

JA. MR

141

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

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DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 2260

I. C. 8403

April,
Seventh,
1 9 1 6.

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

Gentlemen:

E. W. S. Delacour has made complaint to this Commission that he was charged for a full water supply in both January and February, but that irrigation service ceased in the middle of January and did not begin again until about the middle of February.

There are quite a few complaints against your company of a similar nature, and we desire to be informed as to your attitude concerning them. We were under the impression, from letters and telegrams sent to this Commission in the early part of this year, that some reduction would be made on account of a discontinuance of supply. We would like a clear and final answer from your company on this matter.

Respectfully,
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA,
By Charles R. Detrick
Secretary.

138

JA.MR

April 14, 1916

State Railroad Commission,
Attention Charles R. Detrick,
833 Market St.,
San Francisco, Cal.

My dear Mr. Detrick:-

Referring to I. C. 8403, under date of April 7th, will say that we consider the flood an act of God for which we are in no way responsible, that the consumers who have made the complaints had no use whatsoever for the water and would not have used it if they had been able to get it, and they are simply taking advantage of our misfortune in demanding a rebate and it is all the more aggravating because we have not for the last five years taken even enough money to pay operating expenses and to be deprived of this revenue under the circumstances is unjust to the Company. Our desire is that we wish the State Railroad Commission to order us to make this rebate before we will do so. In the meantime we are allowing our consumers to pay under protest or letting the account stand uncollected until such time as the State Railroad Commission at its next hearing may determine this question; and to those who have paid as ordered to do so by the Railroad Commission, we will refund. But we do not intend voluntarily to make any refund.

Yours very truly,

EF:K

Manager.

April 15, 1916.

Railroad Commission
of the State of California,
833 Market St.,
San Francisco, Calif.

Gentlemen:

The attached copy of letter to Mr. E. W. S. Delacour of El Cajon, is explanatory, and for your information.

Yours very truly,

CUYAMACA WATER COMPANY,

_____
Manager.

F-S

March 29, 1916.

Railroad Commission
of the State of California,
833 Market St.,
San Francisco, Calif.

Gentlemen:

Answering yours of March 11th, I.C. 8019, I make the following explanation:

Before Mr. Murray and I bought the San Diego Flume Co., I sold to the F. & W. Thum Co. the Park property of approximately 800 acres, and became the F. & W. Thum Co's. agent.

I then sold to Frank A. Seiberling and Chas. W. Seiberling, trustees for Harriet S. Miles, a certain portion of this land, as per contract herewith attached. This land is all above the flume, the highest point being approximately 100 to 125 feet above the flume, but the property runs to the flume at one point. In selling the same, all our negotiations were with Mr. Miles, the husband of Harriett S. Miles, and Mr. Miles insisted upon having a piece of property running to the flume, it being his intention to put in a pumping plant and reservoir of his own within two or three years, and I got the F. & W. Thum Co. to make a contract with Frank Seiberling, as per contract attached, whereby, for a period of three years Mr. Miles could use our pumping plant and reservoir on the top of the hill, until the termination of the agreement, by paying his

pro rata of the pumping charges, or until such time as Miles should install his own pumping plant and distributing system.

Later, I sold to James A. Murray, personally, the property of the F. & W. Thum Co., Mr. Murray personally assuming this obligation of allowing Miles, by paying his pro rata, to use the pumping plant, distributing system and reservoir which belonged to Mr. Murray personally. Mr. Miles never saw fit to install his own pumping plant and distributing system, so from time to time Mr. Miles continued to pay his proportion of the cost of the pumping until his death. I then took the matter up with his widow, Harriett S. Miles, and she turned the matter over to her brother, Mr. F. A. Seiberling, of Akron, Ohio, to whom I wrote a letter, under date of July 2, 1914, a copy of which is herewith attached.

Also, enclosed herewith find copy of letter from said F. A. Seiberling, under date of July 20, 1914, wherein he accepts the new arrangements.

Also enclosed find copy of my letter of July 27, 1914, to Mr. Seiberling.

These people are in arrears in the amount of $450. Enclosed herewith find notice to F. A. Seiberling and Chas. W. Seiberling, copy of which letter has been sent to Mrs. Miles, which is explanatory, and for your information.

The Cuyamaca Water Co. does not feel it is under any obligation

to pay for the cost of pumping this water, or that they have any rights whatsoever to use Mr. Murray's reservoirs or distributing system -- something that was not acquired from the San Diego Flume Co., but was purchased by Mr. Murray personally -- and it is only a subterfuge on the part of the Miles Ranch people to avoid paying a just debt.

Yours very truly,

CUYAMACA WATER COMPANY,

_____
Manager.

F-S

P. S. The enclosed copy of letter of this date to Mr. Mr. F. A. Seiberling is explanatory, and for your information.

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

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RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
555 MARKET STREET
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P. A. SINSHEIMER, BOND EXPERT
DOUGLAS BROOKMAN, ATTORNEY

TELEPHONE—SUTTER 3260

Seiberling

I. C. 8019

April,
Nineteenth,
1 9 1 6.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen: Attention Ed Fletcher

We have received your letter of March 29th with attached copies of correspondence between yourself and F. A. Seiberling as agent for Mrs. Miles and of agreement executed in June 1909. We note your letter of March 29th to Mr. F. A. Seiberling particularly, and we wish to inform you that you are in error in your statement therein contained that Mr. Seiberling made complaint against the $300 charged for pumping. The letter of the Commission of March 11th, which brought this matter to your attention, made no statement of any complaint. Our informant was Mr. M. W. Hockaday of Grossmont, who, presumably, as superintendent in charge of the Miles Ranch, desired information which possibly he should have obtained rather from Mr. Seiberling or yourself.

As nearly as we can determine, the matter is one apart from the general operation of the Cuyamaca Water Co. and is rather between Murray, owner formerly if not now of the pumping plant and distribution system, with yourself as his agent, and the Miles Estate, than in any way including the Cuyamaca Water Company as a party. If this is the case, we, of course, do not desire to interfere in any manner. If the payment of $300 per year has been made to or is claimed by the Cuyamaca Water Company, it might be proper for you to file a statement of that charge as a special rate or a deviation from ordinary rates. It was very evident, under any conditions, that this charge was to run for only a limited period with the distinct understanding that the Miles Estate might, for that period, be required to install its own pumping facilities and operate them separately. In these premises, we have no intention to in any way interfere with the arrangement made. If we are incorrect in our understanding, please set us right.

Respectfully,
RAILROAD COMMISSION OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR

April 20, 1916

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

Gentlemen:-

We have your letter of April 7th regarding Informal Complaint No. 8017. Mr. Fletcher wrote you under date of April 14th regarding Informal Complaint No. 8403 which is along the same lines as No. 8017 and has to do with the question of rebate for approximately one month during January and February when our flume was out of commission owing to damage by floods.

Yours very truly,

Assistant Manager.

FMF:K

April 25, 1916.

Railroad Commission
of the State of California.

San Francisco, Calif. I. C. 8019

Attention Chas. R. Detrick:

Gentlemen:

I am in receipt of your letter of April nineteenth and contents noted. I took it for granted that Mrs Miles had made a complaint without consulting me, but I find out since that Mrs Miles has discussed the matter with Mr. Hockaday who had taken the matter up with you. This is another case of a woman not understanding or doing business in a business way. You are right in your analysis of the situation. Mr. Murray was the owner of this pumping plant, land, distributing system and acquired this interest before he ever bought the Cuyamaca Water Company's system. I have just received word from Mr. Seiberling that Mr. Hockaday had taken up this matter on his own authority.

I have treated Mrs Miles as I would a sister, have shown her every consideration and it was certainly a distressing jolt to me to have a complaint of this nature come up. Mrs Miles has written that she will see me in a few days and straighten the matter up. I thank you for your full explanation of April nineteenth.

Will you please send me a copy of Mr. Hockaday's original complaint - I. C. 8019, and oblige,

Yours very truly,
CUYAMACA WATER COMPANY

Manager

FMF:R

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

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

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

TELEPHONE—SUTTER 3260

I. C. 8019

May,
Third,
1 9 1 6.

Cuyamaca Water Co.,

916 Eighth St.,

San Diego, Calif.

Gentlemen: Attention Ed Fletcher

We have your letter of April 25th inre informal complaint 8019. We are pleased to note that Mrs. Miles anticipates taking this matter up with you and request that you inform us of any change in present arrangements that may be decided upon.

The letter bringing this matter to our attention, written by Mr. Hockaday, refers to a number of other matters and we prefer not to provide a copy. It refers to the matter of charge for pumping only in general terms.

We note that you signed your letter of April 25th as manager of the Cuyamaca Water Co. If, in fact, this is a service being rendered by that company, will you kindly provide us with a statement of the cost of this service. In that case, also, it appears that you should have obtained the permission of this Commission for the establishment of the charge two years ago.

Respectfully,

RAILROAD COMMISSION OF THE STATE
OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR

May 5, 1916.

Railroad Commission,
State of California,
833 Market St.,
San Francisco, Calif.

Attention Mr. Chas. R. Detrick
I.C. 8019.

Gentlemen:

Answering yours of May 3d, will say that if I signed the letter of April 25th as manager of the Cuyamaca Water Co., it was through error, in the matter of answering the complaint of Mrs. Miles. I have three stenographers, and get mixed up sometimes.

I have James A. Murray's power of attorney to handle all of his business pertaining to 500 or 600 acres of land which was bought prior to the purchase of the Cuyamaca Water Co. This is the land that surrounds Mrs. Miles, and the pumping plant referred to is the pumping plant that came with the property. This property together with the pumping plant in question has no relation whatsoever to the Cuyamaca Co's. system purchased by Mr. Murray and I later. We had a reservoir of our own entirely independent of the Cuyamaca system. When the time came to sign up a contract with the La Mesa Irrigation District for the sale of the Cuyamaca system the district wanted or were willing, and we were willing also to sell this reservoir and pumping plant to the District, so it was included in the sale. The contract, however, was violated by the La Mesa Irrigation District, and the sale of our system to the District was not con-

summated. The property was inventoried and is a matter of record on our books today, although the property never has been deeded to the Cuyamaca Water Co.

Any further information I shall be glad to furnish.

Yours very truly,

F-S

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
838 MARKET STREET
SAN FRANCISCO

File 024-255

July,
Twenty-third,
1 9 1 7.

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

Gentlemen:

We have your letter of July 16th inre complaint of E. S. Paul.

Our suggestion to you regarding this bill is in line with the accepted practice of water companies generally where they are operating under a block system of rates. We have recently straightened out a complaint against the Spring Valley Water Co. involving the same question in which that company agreed with the Commission and admitted error in having charged for the full amount of the allowable block of use at higher rates when the use was for a partial month.

There is no more justice in charging the full 2000 cubic feet provided for in your rates when use has covered half a month than there is in charging a domestic consumer who has used under the minimum the full minimum charge under like circumstances.

We have written the complainant that you state he is satisfied with the charge and if he authorizes us, we will turn over to you the full amount of the deposit. Otherwise, we still believe that you are correct and that the bill should be reduced to $9 for water use and $2 turnon charge.

Respectfully,

RAILROAD COMMISSION OF THE STATE
OF CALIFORNIA,
By Charles R. Detrick
Secretary.

RWH.MR

RECORD OF MATERIALS REMOVED PAGE ___ OF ___

COLLECTION NAME ED FLETCHER

SERIES & FOLDER TITLE OLYA WTR CO: GORDON OSKPLANT

Description of Material		Date Of Material	Re-Filed As: Series	Re-Filed As: Folder Title
other	GORDON CORRESPONDENCE RE THIS COMPLAINT		GORDON - CORRES	

81

Dup

July 19th., 1917.

Railroad Commission
Of The State Of California,
San Francisco, Calif..

Gentlemen-

We beg to enclose copy of letter received from Dr G. Gordon, also our reply to same.

Cuyamaca Water Company,

By_____
Manager

81

July 21st., 1917.

Railroad Commission
State of California,
San Francisco, Calif..

Gentlemen-

We are enclosing copy letter to us from D. G. Gordon, and our reply to same.

Yours very truly,

Cuyamaca Water Company,

By_____
Manager

2-Enc.

Form 1204

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Day Message	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT 223GSC 31 BLUE

AC SAN FRANCISCO CALIF 1185 SEPT 22 1917

RECEIVED SEP 22 1917

CUYAMACA WATER CO

404

916 EIGHT ST SAN DIEGO CALIF

GORDON AT BOSTONIA HAVING DEPOSITED AMOUNT DUE WITH COMMISSION IS ENTITLED TO HAVE IRRIGATION WATER TURNED ON AT ONCE HE REPORTS YOUR FAILURE REQUEST YOU TURN ON WATER AND NOTIFY US

RAILROAD COMMISSION OF CALIFORNIA

145 P

September 25th., 1917.

Railroad Commission
of the State of California,
San Francisco, Calif.. Application 1231.

Gentlemen:-

In reply to your letter of September 22nd. in re. various complaints of Mr. D. G. Gordon, we furnish youthe following information as requested:

(1) Mr. Winn is in charge of the Hawley Pipe Line for this Company, we understand that he owns about four acres of land, situated about a quarter of a mile from the lower end of the Hawley Pipe Line, he has a small pumping plant on his land and buys no water from the Cuyamaca Water Company, as Mr. Gordon is not satisfied with ~~the~~ our choice of employees we will state that this man was hired by us under the following arrangement, he lives close to the line, has worked in it for a long time for the Hawley Pipe Line Company, is capable of doing the work required, and we thought that by employing a man who was well acquainted with all the consumers, and was on friendly terms with them, it might tend to promote friendly sentiment among consumers on the Hawley Pipe Line toward this Compan y.

(2) We are unable to supply you a list of persons on the Hawley Pipe Line receiving water during April and May, for the following reasons: the manager and board of directors of the Hawley

Pipe Line refuse to give us this information on the grounds that they kept no track of this matter and could therefore not supply the information to us, further they refused permission for our representative to go over the line and see who was using water, these two months the water was turned in at the head of the Hawley Pipe Line, the Commission refusing to permit this Company to turn the water off during the time negotiation were under way for the lease of this line by the Cuyamaca Water Company, Mr. Gordon however ordered by telephone direct from the Company that two inches of water be turned in for him on May 18th, this was done and Mr. Gordon was billed for water under the new rates. In order to try and get in some money for the water delivered during April and May, a bill was sent to every consumer on the Hawley Pipe Line, at the new rates, for the quantity of water he would have used under his old contract, together with a circular letter stating that our record of water actually delivered was incomplete and that if the bill sent them was incorrect we would be glad to make a correction, in other words we had to take the consumers word for the amount of water he received and we charged him for that amount at the new rate, Mr. Gordon refusing us any information as to the amount of water used during May we charged him for the amount of water actually ordered and turned in for him.

Mr. Gordon has not requested this Company to furnish him water twelve hours daily, but has asked us if any arrangement has been made to have water turned on or off upon request of consumers on the Hawley Pipe Line, to which we have replied

on September 11th., as follows: "An employee of this Company examines the upper pipe line daily, he is employed solely by this Company and has instructions to turn the water on or off any consumer, excepting those whose water is shut off for non-payment of bills, upon request, and within reason."

It is impossible to grant his request for a twelve hour run, we will be glad to comply with any reasonable request he may make with regard the regulation of his water.

We have received notification from the Railroad Commission of deposit of amount due from Mr. Gordon and have turned his water on, as requested, as the Commission have recently forwarded to us amounts previously deposited by Mr. Gordon, we would request, unless Mr. Gordon has raised some new points to be considered, that the Commission forward us the amount now on deposit.

Very truly yours,

Cuyamaca Water Company,

By_____
Superintendent

CH:K

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
838 MARKET STREET
SAN FRANCISCO

TELEPHONE—BUTTER 2260
ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

File 024-267

August,
Twenty-seventh,
1 9 1 7.

Cuyamaca Water Co.,
916 Eighth Street,
San Diego, California.

Gentlemen:

We are enclosing herewith our check for $29.75, this being the amount received by us from D. G. Gordon on July 29th as a deposit covering your demand for water used during May and June. In making this deposit, Mr. Gordon complained regarding the initial charge for water used in each month; that he is not a member of the Hawley Pipe Line Company; you should pay him directly some amount as rental for his interest, and he alleges that the measurement upon which you base your charges is not just to himself.

We, in conformity with the determination in other like cases, must hold that you are entitled to this sum on all but the last count. As regards measurement of the water, it appears that Mr. Gordon cannot prove that he has received a less amount of water than that for which he is charged, although we have every reason to believe that there was a very considerable fluctuation during the time of delivery. We request that you make every effort to minimize or eliminate the present diurnal fluctuation which we understand to be due largely to deliveries of water along the flume for day time use only.

Mr. Gordon asked that he be provided with a recording meter which he states can be placed on the pipe line serving him so that it will have a head of 8 feet. We still consider the Cuyamaca Water Co. to be under obligation in this matter of measurement of water, and expect that recording devices of one sort of another will be installed as soon as it is physically possible to do so wherever this can be done. We trust that where this is not done you will require absolute daily report in such form that it would become a part of your office records. If you have been keeping such record of the deliveries of water to Gordon, that is both the size of opening and the head above it, kindly send us the results.

We are sending a copy of this letter to Mr. Gordon.

Respectfully,

RAILROAD COMMISSION OF CALIFORNIA,
By Charles R. Detrick
Secretary.

Encl.
RWH.MR

August 30th., 1917.

Railroad Commission
of the State of California,
San Francisco, Calif.. File 024-267

Gentlemen-

We are in receipt of your letter enclosing check for $29.75, this being the amount received by you from D. G. Gordon on July 29th. as a deposit covering water used during May and June.

We will say that we are keeping a daily record of the pressure at Mr. Gordon's measuring box, we deliver the water to him through an opening 1" by 2", under a 4" head, our records show that during the month of July there were 13 days when the pressure was normal, in Mr. Gordon's box, 1 day pressure 1/8" low, 17 days the pressure 1/8" to 1¼" high.

Very truly yours,

Cuyamaca Water Company,

By_____
Superintendent

CH/X

Form 52—C. R. C.—2000

(Notification to utility of deposits made)

RECEIVED SEP 19 1917

Deposit No. 024-267

RAILROAD COMMISSION OF CALIFORNIA
833 Market Street

San Francisco, Cal.

9-17 1917

Cuyamaca Water Co.
Name of Utility

San Diego Calif.
Address

Gentlemen:

This is to notify you that D. G. Gordon
Name of depositor

Bostonia
Address

a consumer of your company, has deposited the sum of $ 60 00 with this office in accordance with Rule 6, Decision No. 2879 of this Commission, covering bill for water service rendered to him by you for the period ——, 191— to ——, 191—.

This deposit precludes the discontinuance of service account non-payment of bill for the period above mentioned, pending the adjustment of the complaint by this Commission.

Acknowledgement of this notification is not necessary.

RAILROAD COMMISSION OF CALIFORNIA,

By Charles R. Detrick
Secretary

MAX THELEN, Commissioner, President
H. D. LOVELAND, Commissioner
ALEX GORDON, Commissioner
EDWIN O. EDGERTON, Commissioner
FRANK R. DEVLIN, Commissioner
PHILIP BANCROFT, Examiner
HARRY A. ENGELL, Examiner
MYRON WESTOVER, Examiner

Railroad Commission
of the
State of California

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, Secretary
W. P. GEARY, Rate Expert
RICHARD SACHSE, Chief Engineer
L. R. REYNOLDS, Auditor
W. C. FANKHAUSER, Bond Expert
DOUGLAS BROOKMAN, Attorney

TELEPHONE—BUTTER 2260

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

Application 1231

September,
Twenty-Second,
1 9 1 7.

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

Gentlemen:

Further in the matter of various complaints and queries made by Mr. D. G. Gordon, he has stated to us, as he has to you, his understanding that for the months of April and May water payments were distributed on a lower basis to others on Hawley Pipe Line than to himself.

We request the following information:

(1) The name of the one who is in charge of this line for you, and whether or not he owns or irrigates land, and if so, where it is located.

(2) A list of persons receiving water during the months of April and May, the amounts that you claim were delivered monthly and the amount of bills rendered.

Mr. Gordon has reported to us his request that you deliver water for twelve hours daily, allowing him to use his pump the remaining twelve hours. We have stated to him that if you find it reasonable to grant deliveries in that manner that you will undoubtedly do so, but that due to the difficulty that would arise should any considerable number of your consumers ask such service, we cannot logically support his demand, as granting him that privilege would set a precedent and refusal to others would become discrimination.

Respectfully,

RAILROAD COMMISSION OF CALIFORNIA,

By Charles R. Detrick
Secretary.

RWH.MR

Railroad Commission
of the
State of California

RECEIVED OCT 11 1917

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

TELEPHONE—SUTTER 3260

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

File 024-267. October 1st, 1917.

Cuyamaca Water Company,
San Diego, California.

Gentlemen:-

Further in conformity with our action in the case of deposits previously placed with us by D. G. Gordon to cover payment for irrigation service, we are sending you herewith our check for $60.50, this being the amount deposited by Mr. Gordon to cover irrigation water bills for July and August, 1917.

We understand from Mr. Gordon that his grounds for depositing the amount demanded under the claim that you are not entitled to full payment was the same as in the previous instances.

Assurance has been given Mr. Gordon that should there be a further hearing of the Commission in the matter of rates, his complaint that the rates result unjustly, will be given consideration. This will be true whether or not he makes deposit with this Commission.

We are sending a copy of this letter to Mr. Gordon.

Respectfully,

THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

By Charles R. Detrick R.H.P.
Secretary.

RWH:W
Encl.

Form 52—C. R. C.—2000.

(Notification to utility of deposits made)

Deposit No. 024-267-2

RAILROAD COMMISSION OF CALIFORNIA
833 Market Street
San Francisco, Cal.

RECEIVED OCT 11 1917

10-8 1917

Cuyamaca Water Co.
Name of Utility

San Diego
Address

Gentlemen:

This is to notify you that D. G. Gordon
Name of depositor

Bostonia
Address
a consumer of your company, has deposited the sum of $17.00 with this office in accordance with Rule 6, Decision No. 2879 of this Commission, covering bill for Water service rendered to him by you for the period Sept, 1917. ~~to~~ _____, ~~191~~.

This deposit precludes the discontinuance of service account non-payment of bill for the period above mentioned, pending the adjustment of the complaint by this Commission.

Acknowledgement of this notification is not necessary.

RAILROAD COMMISSION OF CALIFORNIA,

By Charles R. Detrick
Secretary

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
833 MARKET STREET
SAN FRANCISCO

TELEPHONE—SUTTER 2880

ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

File 024-267-2

October,
Tenth,
1 9 1 7.

Cuyamaca Water Co.,
916 Eighth Street,
San Diego, California.

Gentlemen:

We have at hand a letter from D. G. Gordon and have received from him a deposit of $17.20 to cover payment demanded for water use during September. Mr. Gordon's particular complaint is that water was shut off on September 8th after only one-half hour notice and without reason being given and that he received no water from that time until September 24th. Mr. Gordon believes that the company should, for this reason if no other, be denied full payment that is demanded.

Mr. Gordon corrects our impression that he proposed the removal of your Mr. Winn, and if we gave you the impression that such was Mr. Gordon's desire, we suggest that you note his present denial of such intention.

Mr. Gordon reports having conferred with your Mr. Winn and being told that 25 to 29 inches is being used on the Hawley Distributary and that one-quarter inch only is added to cover losses in transit. We presume that this must be a misconception, as in our belief the losses in transit on this line would be much greater and we desire that you look into this matter and report to us, giving the measurements of water at the head of the flume for a certain period and the amounts of water that are reported to have been delivered during the same period.

Finally, it is stated that you were notified in writing by Mr. Gordon of the date when he bagin to take water during May and June and when he stopped taking water, and that during this period he used 2 inches. Kindly look in your files and determine whether you have this notification and if so adjust your bills for that period accordingly. We have a letter from yourselves stating that Mr. Gordon did not notify you in these particulars and that you, therefore, have not the same basis for adjusting charges that you had from his neighbors.

Awaiting your report on these matters, we remain

Respectfully,

RAILROAD COMMISSION OF CALIFORNIA,

by Charles R. Detrick
Secretary

RWH.MR /

81

October 11, 1917

Railroad Commission
of the State of California,
833 Market St.,
San Francisco, Calif.

Attention Mr. Chas. R. Detrick, Secy.

Dear Sirs:

We beg to acknowledge receipt of your letter dated October 1, 1917, enclosing check for $60.50, being amount deposited by Mr. D. G. Gordon for water furnished to him during the months of July and August, 1917.

We have sent Mr. Gordon a receipt for the above amount.

Yours very truly,

CUYAMACA WATER COMPANY,

Secretary.

M-S

October 15,1917.

Railroad Commission
of the State of California,
San Francisco, Calif..

Attention Mr. R. W. Hawley

Gentlemen:-

In answer to yours of the 10th inst File 024-267-2, in regard to your letter concerning Mr. D. G. Gordon, will say that we pay little attention to the amount of water entering the head of the Hawley Pipe Line other than to see that there is sufficient to give over pressure to every consumer taking water through this line. Regarding Mr. Gordon's various other complaints would suggest that we go into the matter the next time you are down, this will work no hardship on Mr. Gordon as he has ordered his water off, presumably for this season.

Yours very truly,

Cuyamaca Water Company,

By _____
Superintendent

CH:K

November 19, 1917.

Railroad Commission
of the State of California,
San Francisco, Calif..

File 024-267-2

Dear Sir:-

In reply to your letter of recent date, and also your letter of October 10th in regard to various complaints of D. G. Gordon, we reply as follows, that we notified Mr. Gordon on August 7th., 1917, that his water rental was in arrears, and that we would be obliged to shut him off if payment were not made, having received no remittance from him the water was shut off on September the 8th, on September 22th this Company received a telegram from the Commission that the amount claimed to be due had been deposited with them by Mr. Gordon, whereupon his water was turned on on September 24th, we submit that Mr. Gordon was in error when he states that he received only one half hours notice.

Our Mr. Winn denies that he told Mr. Gordon that only ½ inch of water was turned in at the head of the Hawley Pipe Line to make up transmission losses, the measuring device at the head of the Hawley Pipe Line is crude at best, and it is impossible to make any correct estimate of the losses on this line, our practise being to keep sufficient water running into it to supply the consumers taking water with a little over-pressure on their boxes, we might add that we have received no complaints from anyone on the Hawley Pipe Line,with the exception of Mr. Gordon, that the full amount of water paid for was not being turned in to them.

Regarding the charges made for water, to Mr. Gordon, for May and June, would say that we have the record of water delivered to him in June, and we believe that you refer to the water delivered to him in April and May, we have already answered this question under date of Sept. 25th as follows- "these two months (April and May) the water was turned in at the head of the Hawley Pipe Line, the Commission refusing to permit this Company to turn the water off during the time negotiation were under way for the lease of this line by the Cuyamaca Water Company, Mr. Gordon however ordered by telephone direct from the Company that two inches of water be turned in for him on May 18th, this was done and Mr. Gordon was billed for water under the new rates. In order to try and get in some money for the water delivered during April and May, a bill was sent to every consumer on the Hawley Pipe Line, at the new rates, for the quantity of water he would have used under his old contract, together with a circular letter stating that our record of water actually delivered was incomplete and that if the bill sent them was incorrect we would be glad to make a correction, in other words we had to take the consumers word for the amount of water he received and we charged him for that amount at the new rates, Mr. Gordon refusing us any information as to the amount of water used during May we charged him for the amount of water actually ordered and turned in for him."

We might add to the above that Mr. Gordon is the only consumer on the Hawley Pipe Line who ordered his water direct from this Company during the months in question, and that we billed Mr. Gordon only with the amount ordered by him, the only information we have received from Mr. Gordon as to the quantity he used being that he did not know how much water he received.

We believe that we have fully answered your questions in this letter, and that there is no reason why the Commission should with-hold

from us the amount deposited by Mr. Gordon.

Very truly yours,

Cuyamaca Water Company,

By_____
Superintendent

CH:K

RECEIVED
NOV 19 1917

Mr. Mathews: I don't know what this refers to. Give me all the information on the subject, and if necessary turn it over to Harritt. I want to read all the correspondence.

Ed Fletcher.

F-S

11/19/17

November 14th, 1917.

Railroad Commission of California,
833- Market Street,
SAN FRANCISCO, California.

Dear Sirs:-

ATTENTION MR. CHAS. R. DETRICK, Secy.

Deposit No.024- 267- 2.

Referring to your letter dated October 8th, 1917, stating that Mr. D. G. Gordon one of our irrigation consumers at Bostonia had deposited with the Commission $17.20 for water furnished to him during the month of September 1917. Inasmuch as Mr. Gordon on November 6th, 1917 paid to us his check for water used in October 1917, we would respectfully request that the above deposit be turned over to this Company at this time, and would thank you for your check.

We are also enclosing herewith $1.00 currency for twenty copies of Decision No.4058, which please mail to us at your convenience, also as soon as volume 12 of Decisions is published kindly forward same, and oblige,

Yours very truly,-

CUYAMACA WATER COMPANY,

_____

Secretary.

LBM/P.
Encl.

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
838 MARKET STREET
SAN FRANCISCO

File 024-267

RECEIVED NOV 19 1917

November,
Seventeenth,
1 9 1 7.

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

Gentlemen:

We have your letter of November 14th requesting that we send you a deposit of $17.20 placed with us by Mr. D. G. Gordon. We wrote you in regard to this deposit on October 10th.

Your reply of October 15th does not seem to us to quite cover the matter fully, and we wish that you would again refer to that letter.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,
By Charles R. Detrick
Secretary.

✓
RWH.MR

MAX THELEN, Commissioner, President
H. D. LOVELAND, Commissioner
ALEX GORDON, Commissioner
EDWIN O. EDGERTON, Commissioner
FRANK R. DEVLIN, Commissioner
PHILIP BANCROFT, Examiner
HARRY A. ENCELL, Examiner
MYRON WESTOVER, Examiner

Railroad Commission of the State of California

TENTH FLOOR, COMMERCIAL BUILDING
838 MARKET STREET
SAN FRANCISCO

CHARLES R. DETRICK, Secretary
W. P. GEARY, Rate Expert
RICHARD SACHSE, Chief Engineer
L. R. REYNOLDS, Auditor
W. C. FANKHAUSER, Bond Expert
DOUGLAS BROOKMAN, Attorney
TELEPHONE—SUTTER 3260
ADDRESS ALL COMMUNICATIONS TO
RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

File 024-267

December,
Eighteenth,
1 9 1 7.

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

Gentlemen:

The statement made by Mr. D. G. Gordon regarding use of water during the months of April and May, 1917 do not conform with your understanding of agreement with Mr. Gordon upon this point.

Kindly provide us with a list of water users on the Hawley Pipe Line, and amounts charged for water during each of these months.

If we understand you correctly, the charges for water in that period were as indicated by statements to you from the various water users.

Respectfully,

RAILROAD COMMISSION OF THE
STATE OF CALIFORNIA,
By Charles R. Detrick
Secretary.

✓
RWH.MR

December 21st., 1917.

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Railroad Commission
of the State of California,
San Francisco, Calif..

File 024 - 267

Gentlemen:-

In reply to your letter of December 18th re complaint of D. G. Gordon, We enclose herewith a state ent, see Exhibit #1, showing names of consumers on the Hawley Pipe Line, bills rendered them for April and May, and amount paid on these bills.

We also enclose statement marked Exhibit #3, showing the amount of water delivered to the Hawley Pipe Line, and the amount billed them for the same, the Hawley Pipe Line Company repudiated this indebtedness, on the grounds that during these two months they were not operating under the Agency Plan, as provided by the Commission's Decision No.4058.

In an endeavor to collect some portion of the $742.65 due us for 2,942,660 cu ft of water actually delivered into the Hawley Pipe Line, we mailed a bill to every consumer thereon, as shown in Exhibit #1, together with an explanatory letter, copy of which is herewith enclosed marked Exhibit #2, we have received up to this time, as shown by Exhibit #1, $197.40 for approximately 3,000,000 cu ft of water, the settlement of these bills being made on the statement of the consumer as to the amount of water they received, with the exception, of $15.30 paid by D.G.Gordon, in reply to our circular letter, see Exhibit #2, Mr. Gordon wrote us that he did not know how much water he had used.

As stated to you in our letter of November 19th., Mr. Gordon ordered by telephone direct from the Company, that 2 inches be turned in to him on May 16th.,

this was done and Mr. Gordon was sent a corrected bill for this amount of water, amounting to $15.30.

As further stated in our letter of November 19th., Mr. Gordon was the only consumer on the Hawley Pipe Line who ordered his water direct from this Company, and of whose use we have any record.

If the Commission would furnish us with a copy of the statement made by Mr. Gordon, regarding the use of water by him during April and May, it might be of material assistance to us in closing this controversy.

Yours very truly,

Cuyamaca Water Company,

By_____
Superintendent

CH:K

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Exhibit #1

STATEMENT

of Hawley Pipe Line

For the Months of April and May 1917

Name	BILLED April	BILLED May	Total	Amount Paid	Date Paid
Henry Carstens	22.70	23.45	46.15	18.90	July 9, 1917
Bess G. Carter	12.95	13.40	26.35		
T. E. Christler	12.95	13.40	26.35	4.00	July 9, 1917
H.& R. Culbertsen	38.90	40.15	79.05		
J. W. Dougherty	21.60	22.30	43.90	8.00	July 9, 1917
D. G. Gordon	25.90	26.80	52.70	15.30	Aug 30,1917(by R.R.Com)
C.O.Graves	34.35	35.50	69.85	41.30	July 10,1917
W.F.Graves	64.80	66.95	131.75		
J.L.Cutler	1.30	1.35	2.65	1.10	June 25, 1917
Kath. Bates	3.25	3.35	6.60		
F. H. Harman	6.50	6.70	13.20	8.00	June 19,1917
Mrs.M.E.Slaten	12.95	13.40	26.35		
Wm M.Kilpatrick	12.95	13.40	26.35	26.35	Dec 18,1917
N. Lemberger	12.95	13.40	26.35	26.35	July 3, 1917
I.& E.Liscoe	9.70	10.05	19.75	13.70	June 23, 1917
R.W.Martin	25.90	26.80	52.70		
J.W.Mate	6.50	6.70	13.20		
A.C.Noyess	6.50	6.70	13.20		
E.W.Moyer	12.95	13.40	26.35	3.45	June 28,1917
F.M.Patterson	25.90	26.80	52.70		
H.W.Patterson	25.90	26.80	52.70		
W.H.Gafford	3.25	3.35	6.60	2.70	July 9,1917
S.G.Roberts	12.95	13.40	26.35	16.20	June 23,1917
R.T.Robinson	25.90	26.80	52.70		
Mrs.C.S.Roether	25.90	26.80	52.70		
B.J.Ryan	12.95	13.40	26.35		
E.P.Shields	19.45	20.05	39.50		
Shields & Bacon	32.40	33.50	65.90		
Annie Colby	12.95	13.40	26.35		
E.S.Sommers	3.25	3.35	6.60	5.55	July 24,1917
Mrs.M.G.Lea	12.95	13.40	26.35		
Carrie D. Walker	3.25	3.25	6.50	6.50	July 6, 1917
	562.60	581.50	1144.10	197.40	

Exhibit #2

COPY

San Diego, Calif.
June 15th., 1917.

Dear Sir:-

We enclose bill for water used during April and May 1917.

On our main flume we have found that such consumers as used water during these months, used approximately the same amount as under the old rates, and in sending you this bill we are assuming that the consumers on the Hawley Pipe Line did likewise.

As neither the Hawley Pipe Line nor ourselves have any very accurate record of individual deliveries of water on the Hawley Pipe Line for April or May, we may be in error in charging you for this amount, if so return this bill with statement of correct amount received and correction will be cheerfully made.

As we did not operate the Hawley Pipe Line during the Months of April and May we are waiving the initial charge of $4.00 for the first 2000 cu. ft. used.

Yours very truly,

Cuyamaca Water Company,

By_____
Superintendent

CH/K

Exhibit #3.

COPY

Hawley Pipe Line Co.
E. W. Moyer, Manager,

Dr. To Cuyamaca Water Company

a/c Month of April 1917

1000 cu ft @ .25 per 100	2.50		
1000 " " .15 " "	1.50		
1483380 " " .02½ " "	370.85		
		374.85	

a/c Month of May 1917

1000 cu ft @ .25 per 100	2.50		
1000 " " .15 " "	1.50		
1455280 " " .02½ " "	363.80		
		367.80	
		742.65	

Ed Fletcher Papers

1870-1955

MSS.81

Box: 4 Folder: 13

General Correspondence - California State. Railroad Commission - General