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October Fourth

LETTER FROM THE COUNTY ENGINEER TO THE CHIEF OF DIVISION OF SECONDARY EDUCATION

Mr. Walter Hepner
Chief of Division of Secondary Education
Sacramento, California

My dear Walter:

Regarding the future Fallbrook possibilities and the development of water. I have been interested in that section, not by the ownership of any land but for the benefit of the county and city and without ulterior motive for many years. They invited me up there for advice. I laid out a plan, secured options on land on the Temecula River, got Mr. Jerome O'Neill to put 2500 acres in an irrigation district and allow the Fallbrook people water for 2500 acres. The plan was approved by the State Engineer, Mr. McClure, and everything was ready to shoot when they got too ambitious, wanted a larger district, was erroneously informed as to the real facts and hired J. B. Lippencott to prepare plans for an irrigation district and build a dam on the Santa Margarita River in direct violation of the riparian law with a pumping lift of 500 or 600 feet.

Many thousands of dollars have been spent. My prediction has come true and the entire plan of building the dam on the Santa Margarita River has completely failed. By a modest plan which I originally outlined it was planned to have the water flow by gravity from Temecula to Fallbrook, a side reservoir to be filled in winter. There is always a normal flow there and any extra water needed would only have a small pumping lift of 25 feet so that it would have been an inexpensive project and once they got a toe-hold on the river by mutual agreement it is always easy to enlarge.

Now they are leaning to the San Luis Rey River but I can describe to you their position. Under the English common law and the law of the United States as well as the laws of California, water cannot be diverted from one watershed into another without the consent of the riparian owners below. That is the reason, before we diverted the water from Henshaw Dam to Escondido, I bought up every piece of land from Henshaw Dam for 56 miles to the ocean or in lieu thereof got a written agreement giving consent to build Henshaw Dam and divert all water that originated east of the dam for water is a private right the same as real estate.

The Santa Margarita Ranch owns all the riparian lands below and it would cost millions to condemn their water rights so that it is how they were killed in the development of water from the Santa Margarita

and just so in attempting to even pump from the San Luis Rey because all the riparian owners below would have to be bought out or their consent secured at tremendous cost.

Fallbrook has no water rights except that they have wells and that means the building of many small wells and get half to an inch of water which is very expensive and even at that I believe they will tell you up there that they have almost reached their development without getting an outside source of water supply.

The future development of the Fallbrook section is definitely limited to its water supply from shallow wells unless they buy water from Lake Henshaw Dam which is very expensive. To bring the water direct from Henshaw to Fallbrook will cost a million to a million and a half dollars and if they take it from Vista in addition to paying a high price for the water it will cost them from \$500,000 to \$700,000 to deliver it to Fallbrook with another additional pumping lift of roughly 200 feet.

If I were the Fallbrook crowd and if they could sell their bonds I would attempt to steal the water out of the underground gravels of the San Luis Rey by putting down wells and going ahead and litigating until a compromise was affected. A perfect water right is one where you are in undisturbed possession for five years and use the water but your right is only to the extent of your use.

Fallbrook is mostly on a high ridge, wonderful soil, practically frostless and possibilities are wonderful if only a supply of water could be obtained by them but they have ruined themselves by following false leads and at a time when they could have secured water for practically nothing they were too ambitious and killed the goose that laid the golden egg with the result that if they ever do get water there it will be at a very high cost, the most expensive water in San Diego county for irrigation purposes.

Escondido is entirely different. There is plenty of underground water in the valley that can be pumped by the individual rancher or by the Escondido Mutual Water Company. Further, there is a considerable surplus of water as yet unsold in Henshaw and that can undoubtedly be acquired by purchase at a reasonable rate. Practically all the water for irrigation on the hillsides comes from Henshaw and Wohlford dams by gravity while there is a large surplus of underground water in the valley below. Fifty percent of all the water that is used in the hillsides seeps down into the valley below to be used again for alfalfa or pumped back again.

There is absolutely nothing as far as water is concerned that stands in the way of a big development at Escondido. The Escondido Mutual Water Company has practically no indebtedness according to my recollection but that can be easily determined by writing the Escondido Mutual Water Company and asking for their last financial statement.

There is twice as much land today around Escondido undeveloped as there is developed, within a radius of 5 miles of town.

Vista. There is a contract from the Henshaw Dam for all the water they can use within the boundaries of the district. I understand there is approximately 19,000 acres in the district. Less than one-third of that is at the present time developed and it has wonderful future possibilities. However, the cost of water is around 6 to 7¢ a hundred cubic feet as against the San Dieguito and Santa Fe District 3¢, La Mesa 6¢. The Vista district is bonded for approximately \$120 an acre but recently, we have thru the RFC refinanced the district on the basis of 55¢ on the dollar for the bonds and the rate of interest is reduced from 6 to 4% so 50%, you might say, of its obligations, have been wiped out. The government allows 33 years to retire the bonds.

The Vista Irrigation District has been 40 and 50% delinquent on its taxes but now that the government is refinancing it should be completed within six months. There is every reason to believe that with the return to normal times Vista will be on its feet again in splendid shape.

There are some lands in the Vista District that are not so good but I consider 85% of the land in the Vista District good and conditions rosey when normal times come back agin.

Re the Oceanside-Carlsbad section. I made the first survey and made the arrangements for the first installation of pumping plants in the San Luis Rey for the Carlsbad section. They are now using practically all their supply. Their supply was limited to 250 inches under an agreement with the South Coast Land Company. They get the water from the San Luis Rey River by pumping.

I now represent the Spaulding Estate who control nearly all the water bearing gravels from the Old Mission to the ocean and am negotiating now with the City of Oceanside and with the Oceanside Mutual Water Company to furnish them an additional amount of water for their needs. They also can get a small amount of water from the Henshaw Dam if they want it.

The mesa lands, a half mile to a mile from the ocean around Oceanside and Carlsbad constitute good soil and when times come back to normal again they will be able to get an additional supply of water to take care of their needs around that section. All of their water today comes from pumping from the San Luis Rey.

The Oceanside-Carlsbad people have practically no bond indebtedness. I think the City of Oceanside only has about \$150,000 of bonds and the Oceanside Mutual Water Company nothing. This can be verified by writing the Oceanside Mutual Water Company at Carlsbad.

Regarding the San Dieguito District they are in a most fortunate situation. They get their water from Lake Hodges on a contract of 5¢ a hundred cubic feet and made a contract with the San Dieguito Mutual Water Company when I was president. They went into court and the court has determined that they have a first right. The City of San Diego later

acquired the San Dieguito Mutual Water Company so the Santa Fe and the San Dieguito Districts both of whom get their water from Lake Hodges at 8¢ their rights really come first and the City of San Diego second but their demand is so small compared to the whole and whereas there is a state law which gives the city the right to take the water by paying damages if the city must have it for domestic purposes and can show that necessity the city at all times having the paramount right but I see nothing ahead in the next 20 years that could even use that right and if the city took the water for domestic purposes they would have to stop all irrigation in the city first so it is very important.

The building of El Capitan adds enough water for another 90,000 people and the city is now negotiating to build another dam and basin development safeguards the supply for the San Dieguito and Santa Fe Districts.

The RFC are refinancing both the Santa Fe and San Dieguito Districts also. Their tax delinquencies have been from 30 to 40% in each district. The Mattoon Act is responsible for part of this. That is rapidly being straightened out.

The Del Mar section has a contract for water also from Lake Hodges when the demand comes for it and those three districts are in better shape, have cheaper water and have a better future than any section furnished by gravity impounded water in the county. The only people that have cheaper water are Oceanside and Carlsbad but their water is pumped and there is always the danger of bad quality unless they go farther up the river.

However, when you add the cost of pumping, the cost of water in the Carlsbad section is about equal to the San Dieguito-Santa Fe.

The Santa Fe District was bonded for \$80 an acre and the San Dieguito \$110. Thru the RFC refinancing this bond issue is cut in two. It is now practically completed and the rate of interest is reduced from 6 to 4% so that no section of the county has a better future.

There are only two Mattoon acts in the San Dieguito District and one in the Santa Fe. There is no question but what the national and state legislation that has been enacted will force a compromise in the near future.

In the San Dieguito District there is not 10% so-called waste land. In the Santa Fe District the state report shows about 20%.

Sincerely yours,

EF:ASK

San Diego State College

San Diego, California

May 16, 1941

Senator Ed. Fletcher,
California State Senate,
Sacramento, California.

Dear Senator Ed:

We certainly appreciate the good work which you are doing in the Legislature. We are rejoicing in the possession of the additional land which you did so much to get for us, especially in the Senate.

I received your little note concerning the newspaper "squib", but I think the one that came to your attention was rather misleading, because we got a much better coverage in the Sunday morning Union. I am enclosing a copy of this item. I think you know that none of us can control publicity and that many times things we would like to get in the papers simply do not appear. We are planning to bring out a further statement in our own school paper in an effort to establish lines of credit.

Your statement concerning the probable fate of the Kellems-Robertson Bill in the Senate encourages me. We certainly shall depend upon you to kill that Bill. I understand that it is to be heard next Thursday before the Senate Education Committee. At this time it does not appear that I shall be able to be present but I know that some of the men from the Department of Education and from the other colleges will be present. Dr. Osborn, chairman of our local faculty association will represent out interests.

With all good wishes.

Cordially yours,

Walter R. Hepner
WALTER R. HEPNER, President.

San Diego State College

San Diego, California

June 7, 1941

Senator Ed Fletcher
California Legislature
Sacramento, California

Dear Colonel Ed:

Thank you for your recent letters, especially the one in which you showed that the line had been held for the San Diego State College budget.

You have done a marvelous job, congratulations!

Very cordially yours,

Walter

Walter R. Hepner, President

WRH:CK

Ed Fletcher Papers

1870-1955

MSS.81

Box: 12 Folder: 3

General Correspondence - Hepner, Walter R.



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