

CLARK TO K & H

EXECUTIVE DEPARTMENT
City of San Diego, State of Calif.

Harry C. Clark, Mayor

January 30th, 1928.

Mr. T. H. King, and
Mr. C. Harritt, of the
La Mesa, Lemon Grove & Spring Valley Irrigation Dist.,
San Diego, Calif.

Gentlemen:-

Following out certain suggestions that have been made by our committee for the proposed basis for a settlement of the water rights between the City of San Diego and the La Mesa Irrigation District, we propose the following as a basis for discussion.

1. That the City of San Diego acquire from the La Mesa Irrigation District all of its rights, titles, interests and holdings in and to its properties on the San Diego River including Cuyamaca Lake, the Flume Line and Murray Reservoir, in fact, everything except the District's distribution System. That the City acquire these properties through option agreement or otherwise as may be later determined, and pay the District a yearly rental over a period of years so that at the end of said rental period the City will have paid the District an amount equal to what said district paid for said properties. That at the termination of said lease and the payment of said rentals provided for

Mesa No 3

the City shall become the owner of said system. The amount to be determined by accountants and a study of the books of the District or such other data as may be necessary to arrive at said costs.

2. That the City furnish to the District not to exceed 4 Million Gallons of water for any one day for the first year, not to exceed 5 Million Gallons for any one day for the second year and not to exceed 6 Million Gallons for any one day for the third year, the price to be paid by the district for said water^{to} be .04¢ per thousand gallons. The City to have the right to verify the claim of said district that the cost price of the water now, and for some time furnished by the District does not exceed .04¢ per thousand gallons, this cost to include overhead, interest on the valuation of the system and the creation of a sinking fund to pay off the indebtedness of the District, the water to be delivered through master meters to be located at convenient places to be later determined by engineers for the City and the District.

3. At the expiration of the three year period, the City to furnish water not to exceed 6 Million Gallons per day at the rate of .05¢ per thousand gallons, with a maximum amount not to exceed for any one day, ten million gallons. That the price of all water delivered in excess of 6 Million Gallons per day to be determined mutually between the City and the District, by the Railroad Commission

of the State of California, or by a board of three engineers, one to be selected by the City, one by the District and the third to be selected by the two thus chosen.

4. It to be further understood that the Directors of said District and their engineers will serve in consultation with the Engineers of the City of San Diego at any time, without pay, in matters relating to water development or construction of dams, except that when said engineers may be called upon to do field work that they shall be compensated at some reasonable rate.

5. That this agreement shall not be held to prevent the City of San Diego from furnishing more than the maximum amount of water here-in-before referred to should the needs of the district require same, nor to prevent the District from taking less than the maximum amount.

6. That in the event that portions of said District annex to the City of San Diego that the maximum amount of water agreed to be furnished shall be reduced by the average amount that was used by the annexed territory during the year prior to the annexation.

7. The City of San Diego to pledge itself to provide the amounts of water herebefore provided for except when it becomes impossible through an act of God,

the elements, the public enemy or drought.

8. That the suit now pending between the City and the District regarding the paramount rights to the waters of the San Diego River shall be carried through to a final determination and that the condemnation suit now pending shall be dismissed without costs taxed.

9. That the City pledge itself not to withdraw from Murray Reservoir enough water to imperil the reserve for said District until such time as the City would provide additional sources of supply on the San Diego River.

(Signed) Harry C. Clark,
Harry C. Clark, Mayor.

(Signed) L. C. Maire
Louis C. Maire, Councilman,
Members of Committee on
Compromise.

History

March 3rd, 1928.

Hon. Mayor Clark,
Councilman Maire,
T. H. King
C. Harritt,
Water Commission, Compromise
Settlement, San Diego River.

Gentlemen:

It is my understanding regarding this compromise that Mr. Stern and I are to sell all our right, title and interest to the water filings that we control on the San Diego River under the laws of California, also all lands that we own in Mission Gorge #3 that will be flooded as per our option to the District, and in addition thereto, I will recommend to Mr. Stern that we, without additional charge, transfer all our riparian rights to the waters of the San Diego River so far as it affects the building of a dam at that point on the San Diego River from Fletcher Dam-site on the east to and including Mission Gorge Dam-site #3 on the west. We will at no time interfere with the construction of said dams in relation thereto.

You need this extra precaution in case the paramount rights suit is decided adversely to the City.

It is understood, of course, that in selling Mission Gorge #3 under our option to the District, we are also selling our water filings made at Mission Gorge #3 and acquired from the State of California.

Yours very truly,

Ed Harritt

EF:GMF

History

June 1st, 1928.

Mayor H. C. Clark
San Diego, California.

Dear Mayor Clark:

I notice by the newspapers that Mayor Bacon stated before the University Club that the City is guaranteeing the bonds of the La Mesa Irrigation District and urging the return of Mr. Savage, and the building of Mission Gorge #3, etc. Either Mayor Bacon is woefully ignorant or he is deliberately misrepresenting facts.

The City is not guaranteeing the bonds of the District if a compromise is made. According to the City's own engineer's official report, all they are doing is buying an additional supply of water, approximately 3,000,000 gallons a day, and at cheaper cost than the city is at present paying for its own supply.

If this arrangement continues for thirty years, the District gives, without cost to the City, all its impounding facilities such as Cuyamaca Lake, 1100 acres of land, Fletcher Dam-site and reservoir site, diverting dam, thirty odd miles of rights-of-way, which would cost half a million just to grade today, to say nothing of a mile and half of tunnels, miles of concrete and steel syphons to carry 45 second feet of water thru the only pass at Grossmont that can give water by gravity to the high levels of the city, Murray Dam, El Capitan Dam-site, valued at \$600,000 by the jury; 400 acres of riparian lands in Mission Gorge reservoir site #2 and #3, together with all the riparian rights of the District. All these the City gets at the expiration of this thirty year contract.

The above properties could not be rebuilt or purchased with the improvements for three million dollars.

In addition to the above, the City gets control of the river to do with as it sees fit, and in case the paramount rights case goes against the City, as I certainly think it will, these properties could not be acquired, including the water rights, for five million dollars.

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The compromise will mean immediate opportunity on the part of the City to stop half a million to a million dollars worth of water going into the ocean each year, an almost criminal and what is now an economic loss.

It certainly is worth while to bring about a compromise that is fair and this compromise is the minimum that the irrigation District can make for it is under the jurisdiction of the State of California, and the State engineer can never approve any compromise that would not protect the water supply of the District and its bonds outstanding.

The Irrigation District is a creature of the State, was created with the written approval of the State engineer of California and State Bond Commission of California. Its bonds were, after a separate investigation by the State superintendent of banks, attorney general, and State engineer, approved for savings banks loans. These bonds sold the highest of any District bonds in California, first edition.

O'Melveny, Millikin & Tuller, after a thorough investigation as to the title to the water and the paramount rights claim of the City, formally approved of the District's right to the waters of the San Diego River.

All these things must be taken into consideration and the District can go only so far in a compromise.

Mr. Bacon's suggestion that Mission Gorge #2 Damsite be built is a joke, and if attempted, a ghastly one. The evaporation loss alone on the lake if built would be eleven million gallons daily. It would flood many miles of the San Diego & Arizona Railroad and our paved highway. It would wipe out entirely the town of Santee and part of Lakeside and would be the most costly error San Diego could possibly make.

The elevation is less than 400 feet. Dams should be built on the upper reaches where water will flow by gravity over the higher levels of the City. We are now paying \$60,000 to \$80,000 a year for pumping charges alone to lift the water 100 and 200 feet to pump it over to point Loma after it reaches the City as University Heights is only 375 feet above sea level, while a large portion of the town is from 400 to 500 feet above sea level. This economic waste would be completely remedied

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by bringing sufficient gravity water thru the Cuyamaca System with elevation at Grossmont 840 feet, Murray Dam 550 feet. By so doing in the winter time all of the City of San Diego could be supplied with gravity water.

Interest on million and half to two million dollars could be saved by getting gravity water, annual pumping cost and all surplus water from the San Diego River can be put into Otay Dam by gravity as well as relieving the city from any necessity of drawing on its storage water during the winter months. The reason for this is the large natural stream flow of the San Diego River as it comes from the rocky canyons and before it gets a chance to sink in the sands below.

Mr. Savage's recommendation years ago to build Site #2 was the most colossal blunder that he ever made. Any ordinary citizen can see the absolute necessity of keeping for taxable purposes the rich valley lands between Lakeside and Santee, including the thriving townsite of Santee, to say nothing of the tremendous values of underground waters that the City and private individuals can pump from this land that would be flooded by building Mission Gorge #2 during the summer months to increase our water supply and the increased values thereby. The citizens of San Diego realized this when they voted, two to one, and snomed under Mr. Savage's recommendation for the construction of a site at Mission Gorge Dam #2.

A dam costing less than one half the investment, either multiple arch or radial cone, approved by all the State authorities, can be built at Mission Gorge #3, eliminating any flooding of the valley lands below Santee to an appreciable extent, have less than half the evaporation losses, and at cheaper cost per 1000 gallons of any water in the County. The dam at this site can catch the flood waters that are not empounded on the upper reaches of the river and take care by gravity of all the lower levels of the city.

My objection to Mr. Savage is for the following reasons: It is a matter of official record in the City Hall of San Diego that Mr. Savage recommended the construction of a dam at Barrett, the total estimated cost being approximately \$860,000. It is a matter of official record that a multiple arch type of dam, the same height, could have been built and bond put up guaranteeing completion at Barrett for \$665,000, plans and all approved by the State authorities.

Mr. Savage insisted upon a gravity arch type, the City Council authorized him to build it by day labor, having

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by a three to two vote, rejected the multiple arch type of dam.

The bankers of San Diego agreed to build the dam for a million dollars and were turned down, yet when Barrett Dam was completed by Mr. Savage by day labor, according to his own official report, the dam cost \$1,680,000, with the free use of Otay equipment and the dam was not built within 10 feet as high as the plans called for and estimates made. A reasonable estimate of the raising of the dam another 10 feet being \$350,000 more. A multiple arch dam, approved by State authorities at Otay could have been built for \$400,000, all as per plans submitted, yet Mr. Savage fought this plan and Otay dam cost us in excess of a million.

It is a matter of common knowledge that Mr. Savage literally threw hundreds of thousands of dollars away on Sweetwater Dam. This can be verified by the records and testimony of previous hydraulic engineers of the State Railroad Commission, who made thorough investigations on the authority of the Railroad Commission itself.

If you wish any further data on this subject, will say Franklin K. Lane, Secretary of the Interior, and the head of the U. S. Reclamation Service, told me personally that Mr. Savage was so incompetent that he had to discharge him. He gave him the opportunity to resign, but Mr. Savage refused to take the hint and Mr. Lane formally discharged Mr. Savage. A member of our former city water commission, Mr. Julius Wangenheim, wrote to Mr. Lane to confirm these facts above stated and received a letter from Mr. Lane to the effect that Mr. Savage was too expensive even for the United States Government, or words to that effect.

The water situation is in competent hands when you follow the judgment of Quinton, Code and Hill, probably the most responsible engineering firm in the West.

I urge that you do not employ Mr. Savage, and believe your present policy, Mr. Mayor, should be to complete Sutherland Dam, compromise with the District, bring the water from Sutherland Dam thru the Guyamaca System to the City, build an inexpensive dam at the head of the Guyamaca System to hold back the flood rushes; some day building El Capitan, San Vicente, Mission Gorge #3.

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It is foolish to bring Sutherland water down to San Vicente Dam, let it come by gravity to University Heights reservoir and then pump it up hill again.

Yours very truly,

EF:GMF

Ed Fletcher Papers

1870-1955

MSS.81

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General Correspondence - Clark, Harry C.



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