



WATER-RIGHT DOCKET

Bryce Canyon National Park

Docket No: 4

RIGGS SPRING

Preliminary Docket Information

00-00-0000: water right record

WATER RIGHT RECORD

Park: BRCA

Docket Number:
Federal #4

IDENTIFICATION NO: BRCA S 3 3 3 8 0 4 B F 0 4

DITCH/WATER SYSTEM:

SOURCE OF SUPPLY: Riggs Spring

LOCATION: SE $\frac{1}{4}$ Sec. 33, T38S, R4W, SLB&M

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number:

Certificate Record Number:

Date of Priority:

Quantity of Water:

Purpose: Wildlife and Livestock Watering

Irrigated Land Description:

SUMMARY OF STATUS: This is a Federal water right consisting of a collection box, pipeline and a stock watering tank.

The area in which the spring is located was added to the park in 1930, from Powell National Forest. Usage is based upon a Memorandum of Understanding between the National Park Service and the United States Forest Service dated December 4, 1930. The water line from the spring to the watering tank outside of the park was constructed in either 1962 or 1963.

C
P
Y

December 4, 1930

MEMORANDUM OF UNDERSTANDING:

On the morning of December 4 National Park Superintendent E. T. Scoyen, Assistant National Park Engineer T. C. Parker, Regional Forester R. H. Rutledge, Forest Supervisor Riddle, and Assistant Regional Foresters Parkinson and Gery met in the office of the Regional Forester to discuss proposed additions to Bryce Canyon National Park.

As a result of this conference it was agreed to recommend to the Director of the National Park Service and to the Forester that certain additions outlined on the enclosed map be made to the Park with the understanding that additional legislation will be necessary for all the proposed additions which do not lie in TS. 37. and 38 S., R. 4 W.

The situation was discussed pretty much in detail and the following understanding had regarding the use of the areas which are here recommended for addition.

First: That the area lying to the East of the proposed addition in T. 33 S., R. 4 W., and now within the boundaries of the National Forest is used for grazing purposes and in order that this use may be continued it is understood that if any of the water which may be necessary for the use of the stock so grazed is included within the additions to the Park the Park Service will either permit the watering of stock at such places or pipe the water at the expense of the National Park Service to a point or points outside the National Park boundaries.

Second: That for many years stock have used Sheep Creek, located in T. 33 S., R. 4 W., and East Creek as a driveway and it is the understanding that the Park Service will permit the continued use of said driveway where it crosses National Park lands for such purposes without interference.

Third: That the road now crossing the area proposed for addition in T. 36 S., R. 3 W., is used for driveway purposes and as an outlet to the people of Tropic, etc. That the use of said road for such purposes is of vast importance to the people living east and south of the proposed addition and it is understood that any act providing for the addition in this township shall contain a provision that said use of said road for such purposes shall not be disturbed.

Fourth: That the Park Service will permit the Forest Service, for fire protection and administrative purposes, to connect with any road that may be constructed in the proposed additions and also use any such road for fire protection and administrative purposes.

Fifth: That it is understood that there is no other range available at the present time for stock now grazing on lands to be transferred to the National Park and that it will work serious hardship on local people to remove any of such stock from ranges now used by them. Therefore there will be no move towards cancellation of permits or drastic reductions of the numbers of stock allowed under such permits when such action will be harmful to interest of grazers.

In this connection it is further understood that in case sheep or other stock now ranging in the park under existing permits are removed from the range no new permits will be issued for grazing on the park.

It is also understood and agreed that the park area is so small in proportion to the total area over which permittees range under existing permits that correlation in handling the problem of grazing on the Park and Powell National Forest can only be obtained by having management under one head. Therefore, the National Park Service agrees to allow the Forest Service to issue permits covering this area as they have in the past, both on this proposed addition and the present park area, and that all fees collected will be deposited to the credit of the Forest Service. In return the Forest Supervisor will supervise the grazing of stock on the National Park area under such conditions as may be agreed upon by the Park Superintendent and Supervisor. Both services agree that the numbers of stock allowed on the Park should not be increased beyond present permits and that every effort should be made, consistent with the policies and regulations of the Forest Service, and the interests of all permittees affected, to bring about reductions of Park permits, and that under the conditions as outlined eventual elimination of grazing on the park is desirable.

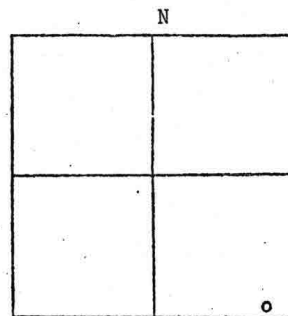
It is further understood that if the Park Service should desire to make any changes in this arrangement, or take over the supervision of grazing on the Park with their own organization it will give the Forest Service one year's notice.

(Sgd) E. T. Scoven
Superintendent, Zion and Bryce Canyon
National Parks

(Sgd) R. H. Rutledge
Regional Forester

WATER RESOURCES SURVEYDate: February 7, 1969

1. Park Bryce Canyon National Park
2. Name of Water Riggs Spring
3. Recorded on U.S.G.S. Topographical Map Yes
4. Location to Nearest $\frac{1}{4}$ Section S. E. $\frac{1}{4}$ Section 33
5. Township 38 S Range 4 W Elevation 7,500
6. Access by Foot, Horseback
7. Terrain Rolling to Steep
8. Ground Cover Pine, Juniper, Aspen, Oak,
Manzanita, Mahogany
9. Flow: High 5.00 gpm Low 2.00 gpm
10. Existing Development Concrete collection
box with necessary valves and 1 $\frac{1}{2}$ " plastic
pipeline to divert water approximately 1
mile outside park boundary for livestock
watering.
11. Present Use: Wildlife, Domestic, Irrigation, etc. Wildlife and Livestock
Watering.
12. Water Rights Owned By: None
13. Palatable Quality of Water: Poor, Fair, Good Good
14. Remarks:
Flow measurements estimated.



Prepared by: Raymond D. Pollock Title: Maintenance Superintendent

Other Supporting Information

A. Johns
Owen Williams
Stanley L. Pence

May 21, 1986

LS4 (479)

Riggs Spring

BZ BRCA WATER RIGHTS

Memorandum

To: Superintendent, Bryce Canyon National Park

From: Chief, Water Rights Branch

Subject: Water Rights in Vicinity of Riggs Spring

Attached please find the hydrologist's summary of the status of water rights in the vicinity of Riggs Spring.

From this analysis we conclude that the State does not recognize any valid existing rights for Riggs Spring.

If we can be of further assistance, please feel free to contact me or Owen Williams.

Stanley L. Pence

Stanley L. Pence

FNP:AJohns:cs:221-5341:5/20/86:20520joh.mml

A. Johns 5/24/86

Shirley L.

Hydrologist's Summary
Water Rights in the Vicinity of Riggs Spring

On May 16, 1986, I telephoned Robert Berger, Utah Water Rights Division in Salt Lake City to ascertain the existence of any valid water rights in the vicinity of Riggs Spring.

Documentation of all water rights occurring in Sections 31,32,33, and 34, T38S, R4W; and sections 3,4,5,9,10, T39S, R4W SLB&M, was requested.

According to Mr. Berger, there are no water rights arising in sections 4,5, and 10, T39S, R4W, and Sections 32 and 33, T38S, R4W. Water Rights which do occur in the vicinity are documented in Table 1 and Figure 1.

From this analysis, there do not appear to be any valid existing water rights for Riggs Spring which are recognized by the State of Utah.

Alice Johns
Hydrologist

PNP:AJohns:cs:5/20/86:221-5341:20520joh.sum

TABLE 1. WATER RIGHTS NEAR RIGGS SPRING, BRCA

FILE NO. CERT. NO.	PRIORITY DATE	RECORD HOLDER	LOCATION	SOURCE	USE	AMOUNT
89-210 NO CERT. *	1864	USA FOREST SERVICE	POINT WHERE STREAM ENTERS LOT 7, SEC. 3, T39S, R4W TO WHERE STREAM LEAVES SEC. 1/4 NE 1/4 SEC. 10, T39S, R4W	LOWER PODUNK CK.	STOCK- WATERING (APPURT. W DIR. ON STRM OTHER RTS)	1.4 ACRE-FT (APPURT. W OTHER RTS)
89-208 NO CERT. *	1864	USA FOREST SERVICE	NW 1/4 SW 1/4 SEC. 9, T39S, R4W	GRAVEL SPG	STOCK- WATERING	.011 CFS 1.4 ACRE-FT (APPURT. W OTHER RTS)
89-209 NO CERT. *	1864	USA FOREST SERVICE	POINT OF STREAM'S ISSUANCE IN NE 1/4 NW 1/4 SEC. 9, T39S, R4W, TO POINT OF STREAM'S CONFLUENCE WITH LOWER PODUNK CREEK IN LOT 7, SEC. 3, T39S, R4W	HORSE HOL- LOW STREAM	STOCK- WATERING (APPURT. W DIR. ON STRM OTHER RTS)	1.4 ACRE-FT (APPURT. W OTHER RTS)
89-1203 NO CERT. *	1864	USA BUREAU OF LAND MANAGEMENT	POINT WHERE STREAM ENTERS THE SW 1/4 SW 1/4 SEC. 9, T39S, R4W, TO POINT IT LEAVES SW 1/4 SW 1/4 SEC. 9, T39S, R4W	GRAVEL CANYON CREEK	STOCK- WATERING (APPURT. W DIR. ON STRM OTHER RTS)	.83 ACRE-FEE (APPURT. W OTHER RTS)
61-111 CERT. 6608	10/19/1948	USA NATIONAL PARK SERVICE	N 49 degrees 7 min. 8 sec W 7205.58 FT FROM THE NE CORNER SEC. 4, T39S, R4W	YOVU/PA SPRINGS	DOMESTIC AND FIRE PROTECTION	.0343 CFS
89-211	1864	USA FOREST SERVICE	POINT STREAM ENTERS NE 1/4 NW 1/4 SEC. 34, T39S, R4W, TO POINT IT LEAVES SW 1/4 SE 1/4 SEC. 34, T39S, R4W	BULL RUSH CANYON CK	STOCK- WATERING DIR. ON STRM	.84 ACRE-FT

* USES ESTABLISHED PRIOR TO 1903 ARE REFERRED TO AS DILIGENCE RIGHTS. THERE ARE NO CERTIFICATES FOR THESE RIGHTS. THEY ARE, HOWEVER, VALID WATER RIGHTS.

updated 5/19/1986



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
P.O. Box 506
622 North Main
Cedar City, Utah 84720
July 2, 1970

**DIVISION OF
WATER RIGHTS**
HUBERT C. LAMBERT
State Engineer
GERALD W. STOKER
Area Engineer

United States National Park Service
250 Golden Gate Avenue, Box 36025
San Francisco, California 94102

Attention: Gerard S. Witucki
Chief, Water Resources Section
Office of Land Acquisition and
Water Resources

RECEIVED		
WATER		
JUL 6 1970		
ACT. INFO.	INITIALS	DATE
WITUCKI, G.		
CHAVEZ, D.	<i>DC</i>	
FILE		
REMARKS		

RE: L54(WSC)LWW
BRCA

Dear Sir:

Your letter to the Utah State Engineer, dated June 16, 1970 has been forwarded to this office for reply.

We have researched our records and there are no water filings in the SE $\frac{1}{4}$ Sec. 33, T38S, R4W, SLB&M.

If this spring was used prior to 1903, and a diligence use established, you may be able to file a Statement of Water User's Claim to Diligence Rights on this source of water. We are enclosing the forms for this purpose. The filing fee on a diligence claim is \$5.00.

Sincerely yours,

Gerald W. Stoker
Gerald W. Stoker
AREA ENGINEER

sm

Enc.

CHAVEZ
WITUCKI

L54(WSC)LWW
BRCA

June 16, 1970

AIRMAIL

Utah State Engineer
Department of Natural Resources
422 State Capitol
Salt Lake City, Utah 84114

Dear Sir:

This is to request any information your office may have concerning any water right filings which may exist on a spring in Bryce Canyon National Park. The spring is known as Riggs Spring and is located in the unsurveyed SE-1/4, Section 33, Township 38S, Range 4W. In the event that there are no filings on this spring, any indication you can give us as to the possibility of unrecorded diligence rights would be most helpful.

Thank you for your efforts in this matter.

Sincerely yours,

(Sgd)

Gerard S. Witucki
Chief, Water Resources Section
Office of Land Acquisition and
Water Resources

cc:
Director, Southwest Region
Superintendent, Bryce Canyon
MW-WASO

DCHAVEZ:mlk



IN REPLY REFER TO:

154-MW

BRCA

Memorandum

To: Director, Western Service Center
Attention: Mr. Witucki

From: Chief, Division of Water Resources

Subject: Bryce Canyon Wilderness: Riggs Spring Development and
Waterline, Bryce Canyon

Enclosed for your information and files are self-explanatory copies of correspondence and pictures on the above subject. We understand that the area around the spring and pipeline has been deleted from the proposed wilderness area.

Although there is no urgency to the matter, we should document the water use and water rights, and prepare a docket for the files. The area in which Riggs Spring is located was added to the park in 1930, from Powell National Forest, so the agreement of 1930 may have been to provide water for cattle grazing on national forest lands that formerly had access to the spring. However, our water resources files do not go back to 1930 and no reference to Riggs Spring or the agreement was found. Other sources here in the Washington Office have been checked for a copy of the agreement without success, but we are checking further.

The key to the problem seems to be the 1930 agreement. Please search your files for any reference. Meanwhile Mr. Hensen of the Southwest Region is checking with the Forest Service. Your office should contact the State Engineer of Utah, by correspondence, to determine whether any filings have been made and keep us informed by copy. Of course, there still could be unrecorded diligence rights.

When the facts concerning the use of water are known, we can decide what further action is necessary.

Manuel Morris

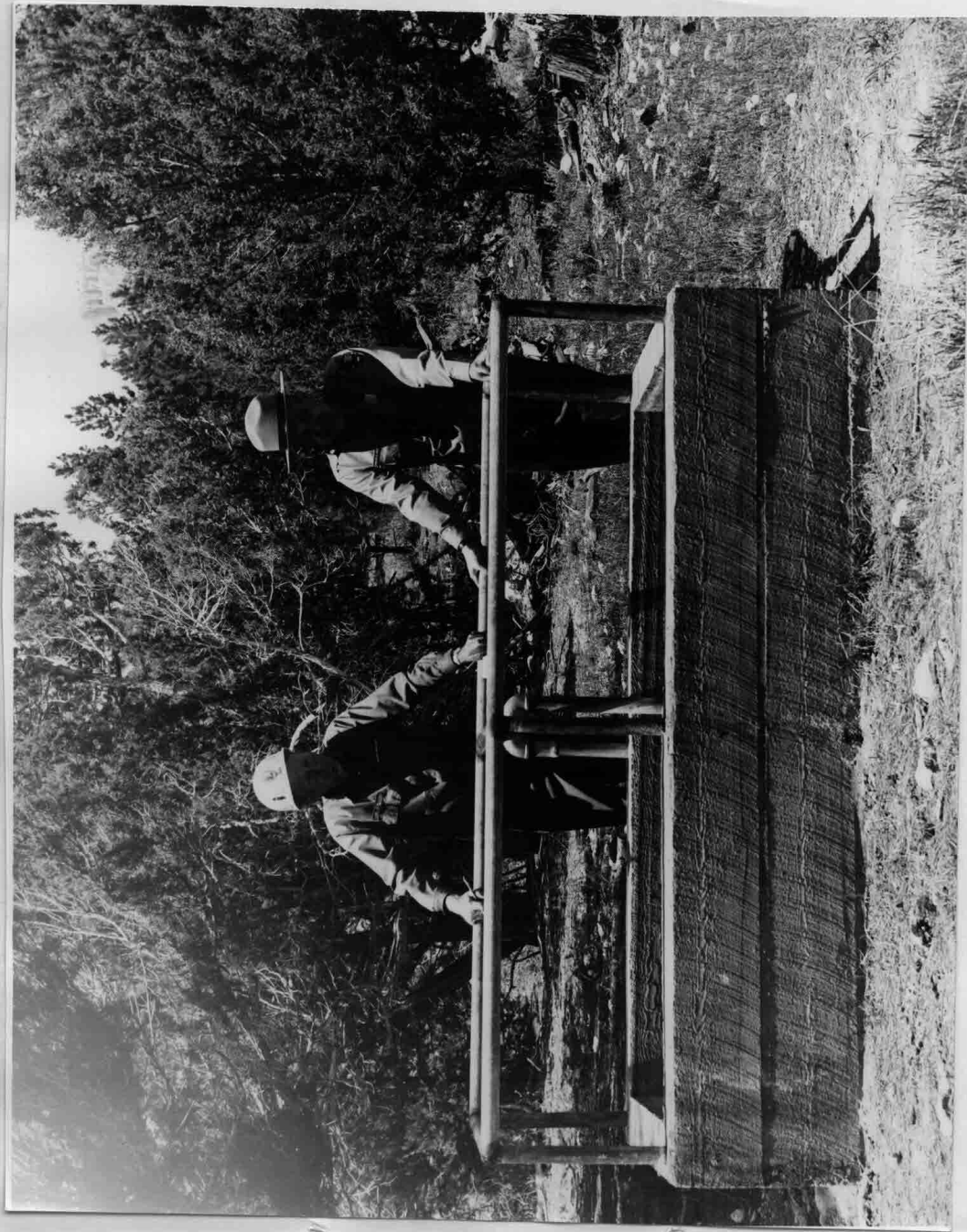
Enclosure

cc:
Director, Southwest Region (2)
Mr. William Mekeel, Rocky Mountain N.P., w/c enc.



JUN 5 1970





Collection box at Riggs Spring.

Date of Photograph 5/12/70

Photograph by Ronald V. Trussell



Stock watering tank, located on U. S. Forest
Service land 38 S just off park boundary.
Section 3, T 39 S, R 4 W.

Date of Photograph 5/12/70

Photograph by Ronald V. Trussell



Fenced in Riggs Spring collection box
with historic watering troughs in
foreground.

Date of Photograph 5/12/70

Photograph by Ronald V. Trussell



Witness tree at NE corner, Section 4
and NW corner Section 3, T 39 S,
R 4 W.

Date of Photograph 5/12/70

Photograph by Ronald V. Trussell



UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Bryce Canyon National Park
Bryce Canyon, Utah 84717

IN REPLY REFER TO:

L48

May 14, 1970

Memorandum

To: General Superintendent, Southern Utah Group
From: Superintendent, Bryce Canyon
Subject: Riggs Spring Development and Waterline

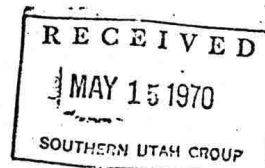
It has recently come to our attention that the Riggs Spring development and waterline was overlooked and not taken into consideration in preparing the Wilderness Proposal for Bryce Canyon National Park. The spring is well within the proposed boundaries of the proposed wilderness, as it is now defined.

The spring is located in the unsurveyed SE¹₄, Section 33, Township 38S, Range 4 W. There is a concrete collection box located at the spring. A valve box is located 346' from the spring. This valve box is just about set on the township line. A corner stone and witness tree inscribed

" 39S
RLW
SL3

was found by the Superintendent, Supervisory Park Ranger Trussell and Foreman II-M&R Ott on the 12th of May. This corner is located 600' from the spring.

The waterline is a black plastic pipe 1½" in diameter. It is buried just beneath the surface, but is exposed at one or two points. It parallels the south side of the stream bed, which is dry, and the trail as shown on the map for the most part. It leaves the park at a point approximately 20' south of a locked gate in the boundary fence, and runs 381' to a stock watering tank.



Corner stone located 600 feet from spring.
NE corner of Section 4, NW corner of
Section 3, T 39 S, R 4 W.

Date of Photograph 5/12/70

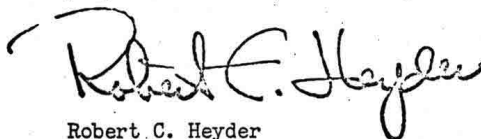
Photograph by Ronald V. Trussell

All measurements were taken by a measuring wheel, except where approximations are mentioned. We are enclosing the following items which may be of value:

1. Rainbow Point, Utah Quadrangle with pipeline drawn in.
2. Drawing of waterline with appropriate measurements.
3. Water Resources Survey sheet for Riggs Spring.
4. Photographs of the following items, as they pertain to Riggs Spring:
 - a. Collection box at Riggs Spring
 - b. Corner stone located 600 ft. from spring
 - c. Witness tree at NE corner, Sec. 4 and NW corner Sec. 3, T39S, R4W
 - d. Stock watering tank located on U. S. Forest Service land just off park boundary
 - e. Fenced in Riggs Spring collection box with historic watering troughs in foreground

We have searched our files and could not find a copy of the Memorandum of Agreement of December 4, 1930, between the USFS and NPS signed by the Forest Supervisor, name unknown, and Superintendent Scoyen concerning the use of Riggs Spring water. A copy of this memorandum is located in the Southwest Regional Office.

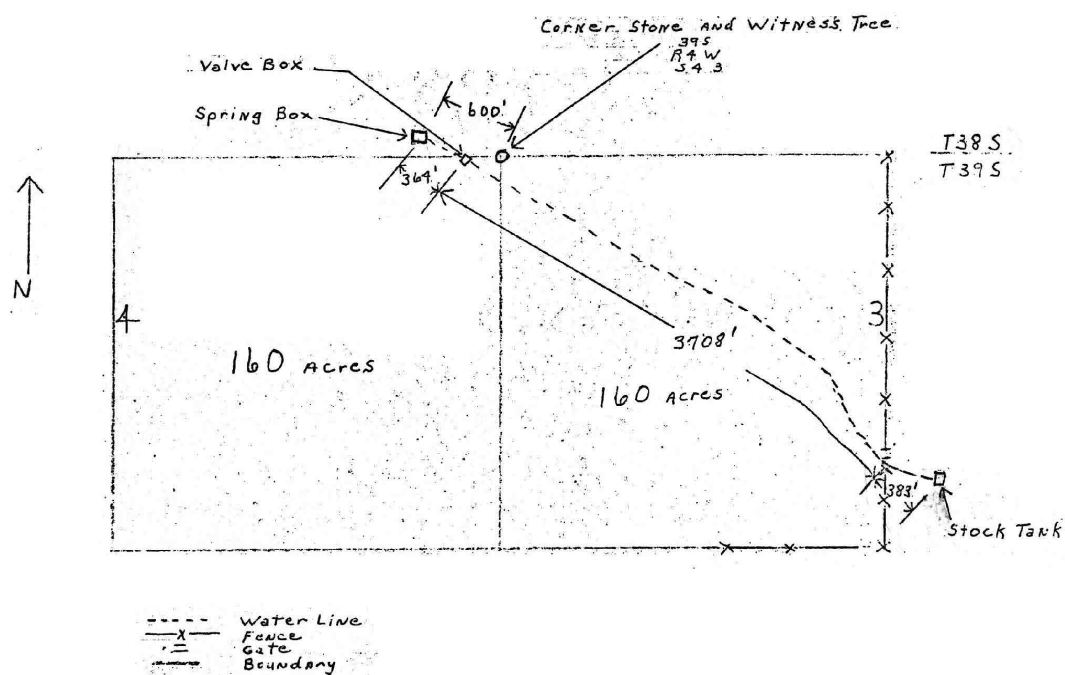
The waterline from the spring to the watering tank outside of the park was constructed in either 1962 or 63 -- evidently our records concerning this project are now in the Federal Records Center, at least we have not found any reference here as yet, but if we do, we shall pass the information on.



Robert C. Heyder

Enclosures

Maps and Miscellaneous Information



Docket Information

Number of Documents in Docket 23

Documents Dated from 12/4/1930 to 5/21/1986

Docket Compiled: 2/8/2011