



WATER-RIGHT DOCKET

Bryce Canyon National Park

Docket No: 7

SHAKER SPRING.

State Water Rights Documentation

00-00-0000: court documents on general determination of rights to use of water

Form 114
25M 4-63

Federal Docket # 7
PC 86 263

IN THE SIXTH..... JUDICIAL DISTRICT COURT, IN AND FOR THE
COUNTY OF.....WAYNE..... STATE OF UTAH

IN THE MATTER OF THE GENERAL DETERMINATION
OF RIGHTS TO THE USE OF WATER, BOTH SURFACE AND
UNDERGROUND, WITHIN THE DRAINAGE AREA OF THE
COLORADO RIVER IN KANE, GARFIELD, WAYNE, PIUTE,
EMERY, SEVIER AND SANPETE COUNTIES, UTAH, AND
EXCLUSIVE OF THE GREEN RIVER AND VIRGIN RIVER
DRAINAGES. BEAS 16.374 AF1

STATEMENT OF WATER
USER'S CLAIM
CODE NO. SERIAL NO.
89 11
MAP NO.

NOTE: This blank is sent to you in accordance with Utah Law. The information called for herein will be used in connection with the adjudication of water rights on the above mentioned drainage area. All questions applicable to your claim must be answered fully, and one copy of this form must be filed with the Clerk of the District Court at
L.O.B., Utah, within sixty (60) days from date of service of the attached Notice. A copy shall be filed with the State Engineer, State Capitol, Salt Lake City. Failure to file the attached Statement of the Water User's Claim with the Clerk of the District Court within the time stated will forever bar and estop you from asserting any right to the use of water from said drainage area.

1. Name of Claimant United States of America, National Park Service
Bryce Canyon National Park Interest Claimed.....
2. Address Bryce Canyon, Utah 84717
3. Name of particular spring, spring area, stream, well, tunnel or drain from which water is diverted is
Shaker Spring in Garfield County.
4. Priority date claimed 1/2/1923 / 1/2/1923 Date when water was first used 1/2/1923 / 1/2/1923
Date when work on diverting system was first begun Date when diverting system was completed
Nature of work
5. Class of Right (Indicate by X):
(a).....Right to surface water initiated by beneficial use before 1903 Claim No.
(b).....Right to underground water initiated before 1935 Claim No.
(c).....Right decreed by court, cite title of case
(d).....Application filed, State Engineer's Office No. 2221 Cert. of App. No. 1332
(e).....Right acquired by adverse use prior to 1939
6. Nature (Indicate by X), Amount, and Annual Period of Use (by month & day):
(a).....Irrigation Sec. Ft. from to (both dates incl.)
(b).....Stockwatering Sec. Ft. from to (both dates incl.)
(c).....X Domestic Sec. Ft. 0.2 from January 1 to December 31 (both dates incl.)
(d).....Municipal Sec. Ft. from to (both dates incl.)
(e).....Sec. Ft. from to (both dates incl.)
7. Direct Flow Appropriation (must be described with reference to U. S. Government Survey Corner)
(a) Point of diversion from spring, spring area, stream, well, tunnel, drain
S28055'W. 15.230 ft. from SE corner Sec. 34, T36S, R4W, S18M
(b) Description of spring area
(c) Point of redirection or point of return to natural channel
(d) If flow is intermittently diverted, list by number or description, all rights involved
8. Where water is used for irrigation purposes:
(a) Area irrigated in legal subdivisions of land by 40-acre tract. (All sources of water for same land or lands must be described in each instance by name or claim number).....
.....
.....
(b) Do you get water under a ditch owned by several users.....NO..... If so, give names of all users and divisions of interest
9. Where water is used for Stockwatering:
(a) Number of each kind of stock watered
(b) All sources of water for same stock. (Describe by name or claim number)
10. Where water is used for Domestic:
(a) Number of families or their equivalent All sources of water for same use. (Describe by name or claim number)

L54(RMR)PN

December 9, 1974

Gerald Stoker
State Engineer
P.O. Box 506
Cedar City, Utah 84720

Dear Mr. Stoker:

Enclosed per your request are copies of the quitclaim deed and recording data transferring water rights from the Union Pacific Railroad Company to the Utah Parks Company. These rights were subsequently donated to the National Park Service.

If we can be of further assistance please do not hesitate to contact us.

Sincerely yours,

/s/ WILLIAM MEKEEL

William L. Mekeel
Legal Assistant
Rocky Mountain Region

Enclosures

bcc:

RMR-PN, Mr. Mekeel w/enc.

WLMekeel:sg 12/9/74

UNION PACIFIC RAILROAD COMPANY

LAW DEPARTMENT

1416 DODGE STREET

OMAHA, NEBR. 68179

C-32482-31



C. BARRY SCHAEFER
Vice President and Western General Counsel
H. F. CORAY
Senior General Solicitor
WILLIAM P. HIGGINS
General Commerce Counsel
EDWARD A. DONAHOE
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General Attorneys

JOHN J. CONNOR
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VINCENT F. POWERS
D. SCOTT RAILSBACK
VALERIE W. SCOTT
Asst. General Attorneys

JOSEPH D. ANTHOFER
DANIEL P. MORISSEAU
Attorneys

October 2, 1974

Mr. William L. Mekeel
Legal Assistant
Rocky Mountain Regional Office
U.S. Department of the Interior
National Park Service
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

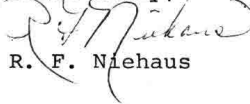
Dear Mr. Mekeel:

This supplements my letter to you of August 6 in connection with quitclaim deed from Los Angeles & Salt Lake Railroad Company, and its lessee, Union Pacific Railroad Company, to Utah Parks Company, covering all of the formers' right, title and interest, if any, in and to certain water rights in Washington, Garfield and Iron Counties, Utah, and in Coconino County, Arizona.

For your information, the recording data for the above-mentioned deed is as follows:

County	Date	Inst.No.	Book	Pages
Washington County, Utah	9-23-74	163128	159	361-362
Garfield County, Utah	8-30-74	133968	186	483-484
Iron County, Utah	8-26-74	174464	198	547-548
Coconino County, Ariz.	8-29-74	10050	518	601-602

Yours truly,


R. F. Niehaus

UNION PACIFIC RAILROAD COMPANY

Wm
8/9/74

LAW DEPARTMENT

1416 DODGE STREET



OMAHA, NEBR. 68179

C-32482-31

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Attorneys

JOSEPH D. ANTHOFER
DANIEL P. MORISSEAU
Attorneys

August 6, 1974

Mr. William L. Mekeel
Legal Assistant
Rocky Mountain Regional Office
United States Department of the Interior
National Park Service
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

Dear Mr. Mekeel:

Pursuant to your letter of July 18, I am enclosing copy of executed quitclaim deed from Los Angeles & Salt Lake Railroad Company, and its lessee, Union Pacific Railroad Company, to Utah Parks Company, covering all of the formers' right, title and interest, if any, in and to certain water rights in Washington, Garfield and Iron Counties, Utah, and in Coconino County, Arizona.

I will furnish you the recording data following receipt of such information.

Yours truly,

R. F. Niehaus

Director	
Deputy Director	
NPS Mgmt.	
Administration	
Professional Svcs	
Coop. Activities	
Operations Eval.	
Public Affairs	
EEO	
Action Taken	

C. D. No. 32482-31

QUITCLAIM DEED

LOS ANGELES & SALT LAKE RAILROAD COMPANY, and its lessee, UNION PACIFIC RAILROAD COMPANY, corporations of the State of Utah, Grantors, hereby QUITCLAIM to UTAH PARKS COMPANY, a corporation of the State of Utah, Grantee, for One Dollar (\$1.00), all their right, title and interest, if any, in and to the water rights, waters of all springs and water wells arising or located outside the boundaries of Zion, Bryce and Grand Canyon (North Rim) National Parks and Cedar Breaks National Monument, but used in conjunction with the Grantee's facilities located in said Parks and Monument, in Washington County, Utah, Garfield County, Utah, Coconino County, Arizona, and Iron County, Utah; and in and to water rights and waters of all springs located within said Parks and Monument, including specifically the water rights from an unnamed spring located North 10° 54' West, 1,941 feet, from the Southwest corner of Section 11, Township 37 South, Range 9 West, SLBM, Iron County, Utah.

IN WITNESS WHEREOF, the Grantors have caused these presents to be executed on their behalf by their officers thereunto duly authorized as of the 31st day of December, 1971.

In Presence of:

D. E. Whitten

LOS ANGELES & SALT LAKE
RAILROAD COMPANY
UNION PACIFIC RAILROAD COMPANY,

By J. C. McEachern President

Attest:

Assistant Secretary (Seal)

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 1st day of August, 1974,
before me, T. E. MIKKELSEN, a Notary Public in and
for said County and State, personally appeared J. C. KENEFICK,
known to me to be the President, and A. O. Mercer, known to
me to be the Assistant Secretary of LOS ANGELES & SALT LAKE
RAILROAD COMPANY and UNION PACIFIC RAILROAD COMPANY, the cor-
porations that executed the within instrument, and known to me
to be the persons who executed the within instrument on behalf
of the corporations herein named, and acknowledged to me that
such corporations executed the same pursuant to their Bylaws
or Resolutions of their Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)



T. E. Mikkelsen
Notary Public in and for said
County and State



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER

JOHN BENE
DEPUTY

P.O. BOX 506
CEDAR CITY, UTAH 84720
586-4231
January 28, 1974

BCA

United States of America
National Park Service
1709 Jackson
Omaha, Nebraska 68102

Attention: Mr. Richard W. Ketcham

Dear Mr. Ketcham:

RE: ADJUDICATION, COLORADO RIVER
Paria River Division

The State of Utah, Division of Water Rights is in the process of compiling a Proposed Determination of Water Rights in the Colorado River Drainage Area, Paria River Division. We have examined the property ownership records in the County Courthouse and it is evidenced from our maps that the National Park Service administers property within this area.

In the Proposed Determination of Water Rights that is being prepared by The State Engineer, each water user must file a Statement of Water User's Claim, a Disclaimer, or be served a summons.

An examination of our records show two filings certificated to the Salt Lake & Los Angeles Railroad Company for use at Bryce Canyon National Park. These rights are described under Application No. 8888, Certificate No. 1321 (89-10) for 0.0011 sec.-ft. of water from Hopkins Spring located S. 1780 ft. and W. 1415 ft. from the NE cor. Sec. 1, T37S, R4W, SLB&M; and Application No. 9221, Certificate No. 1382 (89-11) for 0.20 sec.-ft. of water from Shaker Spring located S. 2800 ft. and W. 2120 ft. from the NW cor. Sec. 16, T37S, R4W, SLB&M.

This notice is designed to give the National Park Service the opportunity to file a Statement of Water User's Claim on these sources of water or on any other source that we may have overlooked. If the water rights to

National Park Service
Attn. Mr. Richard W. Ketcham
January 28, 1974
Page 2

the springs described have been conveyed in ownership to the National Park Service please file copies of the recorded deeds or conveyance documents with our office in Cedar City and we will make the proper endorsements to the ownership and write the claims accordingly.

Your prompt attention and reply to this notice will be greatly appreciated.

Yours truly,

A handwritten signature in dark ink, appearing to read "G. W. Stoker", written in a cursive style.

Gerald W. Stoker
Area Engineer

SM

LA-20-15-4
20-15-3
20-15-1

Omaha, May 25th, 1935.

Mr. Geo. H. Smith - Salt Lake City:

Referring to your letter of April 25th, and subsequent correspondence, your file 1024-1-10, relative to water rights at Grand Canyon, Zion, Bryce, and Cedar Breaks:

The water supply at Grand Canyon is obtained from "Roaring Springs" located in Roaring Springs Canyon near the junction of Roaring Springs and Bright Angel Creeks. Water is pumped through approximately 12,250 feet of 3-1/2 inch pipe to three tanks, having a capacity of 350,000 gallons, located on the Rim 3870 feet above the pump house. From these tanks the water is supplied by gravity through 6 inch and 4 inch black iron pipe lines to the Lodge and Camp.

The pumping plant consists of three Logeman Bros. triplex pumps, each having a capacity of 52 gallons per minute and each being operated by a 50 horse power, 3-phase, 60 cycle, 2300 volt motor. The pumps are housed in a stone building located near Roaring Springs.

Power for pumping the water is obtained from a hydro-electric plant consisting of a small intake dam at the junction of Roaring Springs and Bright Angel Creeks, from which water is conveyed to the power house through a 26 inch redwood penstock, 2643 feet long, having a fall of 229 feet.

The power equipment consists of 3 units housed in a stone building located approximately 2800 feet south of the pumping plant. Two of the units consist of 100 horse power impulse wheels each direct connected to one 81-1/4 K.V.A., 3-phase, 60 cycle, 2300 volt generator. The third unit is a 110 horse power wheel direct-connected to a 90 K.V.A. generator. Current from this power plant is used at the Lodge and Tourist Camp in addition to the pumping plant.

Our right to use the water from Roaring Springs is not protected by water rights. An agreement between Utah Parks Co. and the Government, dated October 15th, 1927 (Paragraph B, Article III) authorized us "to lay, in accordance with plans and specifications approved by the Secretary of the Interior, water supply, drains and sewer pipes, conduits and mains necessary for a proper and adequate water and sewer system necessary for the enjoyment of the privileges herein granted".

Paragraph (c) of Article IV of the agreement provides "that it (Utah Parks Co.) will furnish water to the Government for use in the administration of the park at cost in the event it is found desirable to discontinue the present Government water supply system on the North Rim". However, this clause of the contract was superseded by a letter agreement, dated January 7, 1928, between E. E. Adams and M. R. Tillotson, Superintendent of the Park, in which it was agreed that water would be furnished the Parks Service free of charge "until the furnishing of same became burdensome".

-2-

We have never applied for or obtained a right from the State of Arizona to appropriate the water from Roaring Springs. This appears to be based on advice given by you in 1926.

The water supply at Zion is obtained from two sources designated respectively as the South Spring and the North Spring. The South Spring area is located approximately 1900 feet south and 1400 feet east of the Lodge and the North Spring area is located approximately 2100 feet north and 2400 feet east of the Lodge.

Water from the South Spring area is collected by means of a masonry dam and conveyed by gravity through a 3 inch pipe line, having a length of approximately 1700 feet and a fall of about 100 feet, to a concrete reservoir having a capacity of 51,400 gallons. From this reservoir the water is conveyed through approximately 1500 feet of 3 inch pipe line, having a fall of about 160 feet, to a point of connection with the pipe line conveying water from the North Spring, which is also the point of connection with the pipe lines distributing water to the various facilities in the park.

Water from the North Spring area is collected by means of a masonry dam and conveyed by gravity through a 4 inch pipe line, approximately 2167 feet long and having a fall of about 30 feet to two 150,000 gallon tanks. From these tanks the water is conveyed through approximately 2110 feet of 6 inch pipe, having a fall of about 170 feet, to the point of connection with the South Spring pipe line.

Our right to use the water from these spring areas is based upon an agreement between the Utah Parks Co. and the Government, dated June 9, 1923. Paragraph (B) of Article V of this agreement, in addition to authorizing us to lay water pipe lines, grants us the right "to enjoy the free use of the waters of the Park in supplying its (Park Company's) hotels, cabins, cottages, camps, stables, garages, etc., but not so as to drain or destroy the ordinary and natural condition of beauty of any spring or stream in the Park".

We have never applied for or obtained a right from the State of Utah to appropriate the water from these spring areas. This appears to be also based on advice given by you in 1926.

Under date of January 29, 1929 Mr. E. T. Scoyen, Superintendent of Zion National Park, advised Assistant Engineer S. J. Mayo, as follows:

"In connection with the water system it should be definitely understood that you will be allowed to take water out of the grotto area for use at Zion Lodge only so long as such water is not needed for use in the public auto camp. You should also extend our camp ground supply line to the new line which you will build in the grotto and place the end of this pipe in the dam at a level of at least six inches below the intake of your line. This merely confirms for purpose of record the conversation which I had with Mr. Urquhart and yourself relating to this matter."

-3-

The water supply at Bryce is obtained from three sources, as follows:

1. Shaker Spring, sometime called Weather Spring, located in the N.E. $\frac{1}{4}$ of Sec. 16, T. 37 S., R. 4 W., approximately three miles south and three miles west of the Lodge.
2. Trough Spring, located in the S.E. $\frac{1}{4}$ of Sec. 16, T. 37 S., R. 4 W., about 1670 feet south of Shaker Spring.
3. East Creek Springs, also known as Big Springs, located in the S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec. 34, T. 36 S., R. 4 W., approximately two miles west of the Lodge.

In addition to the above, a Certificate of Appropriation was issued to L.A. & S.L.R.R. Co. in 1924, for 0.0011 second feet from Hopkins Spring located in the N.E. $\frac{1}{4}$ of Sec. 1, T. 37 S., R. 4 W., approximately one-half mile south of the Lodge.

SHAKER SPRING

The water from Shaker Spring is collected in a concrete head box and conveyed by gravity through a pipe line, having a length of 28,300 feet and an approximate fall of 434 feet, to the lodge site. The upper 12,175 feet of the pipe line consists of 4 inch pipe, the next 13,997 feet is 6 inch pipe, and the last 2028 feet is 4 inch pipe. The storage facilities consist of a concrete reservoir with a capacity of 43,167 gallons, constructed in 1925, and two wooden tanks, having a capacity of 150,000 gallons each, constructed in 1929. These storage facilities are located in the N.W. $\frac{1}{4}$ of Sec. 1, approximately 4000 feet south of the Lodge, and 24,000 feet from the spring.

The right to use this water is held by L.A. & S.L.R.R. Co. under Certificate of Appropriation No. 1382, for 0.20 second feet, recorded at Panquitch, May 5, 1925, with date of priority of January 2d, 1923. This water right was acquired, by assignment, from R. C. Syrett, on September 25th, 1923, in connection with the purchase of his camp and other property.

TROUGH SPRING

The water from Trough Spring is collected in a concrete head box at an elevation of approximately 320 feet above the level of the Lodge and is conveyed by gravity through approximately 1235 feet of 4 inch pipe to a junction with the Shaker Spring pipe line at a point about 1375 feet from the upper end of that line.

The right to use 0.05 second feet of water from Trough Spring is held by L.A. & S.L.R.R. Co., under Certificate of Appropriation No. 1397, recorded at Panquitch June 13, 1925, with date of Priority of October 18, 1923.

EAST CREEK SPRINGS

The water from East Creek Springs is collected by means of a system of concrete intakes and tiling into a 50,000 gallon concrete sump from which it is pumped through 10,520 feet of 4 inch pipe to a connection with the pipe line from Shaker and Trough Springs at a point that is 14,400 feet from the upper end of Shaker Spring line. The total lift from the springs to the reservoir is approximately 372 feet.

-4-

The pumping equipment consists of two 25 horse power type "T" horizontal oil engines, belt connected to two 5 inch by eight inch Gould Triplex pumps, housed in a frame pump house, all constructed in 1925.

The right to use the water from seven springs in the East Springs area located in the E. $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec. 34, T. 36 S., R. 4 W., consisting of a flow of approximately 0.25 second feet, was acquired by deed, dated February 24, 1926, from the Tropic and East Fork Irrigation Co. The interest, if any, of W. J. Henderson in and to this water was acquired by deed dated March 22, 1926 in the purchase of 100 acres of land, including the land on which the springs are located.

The right to construct and maintain the portions of the pipe lines located on Government land outside of the Park proper is covered by Special Use Permits issued by the United States Forest Service on June 25, 1924 and July 7, 1925, respectively.

HOPKINS SPRING

The right to use water from Hopkins Spring, which is located near the rim of Bryce Canyon about seven hundred feet east of the reservoir and tanks referred to above, was originally applied for by R. C. Syrett who, on September 26, 1924 assigned his rights to L.A. & S.L.R.R.Co. in connection with the sale of his camp and other property to the Railroad Company. The Railroad Company filed Proof of Appropriation of the water from Hopkins Spring on November 1923 and a Certificate of Appropriation, No. 1321 (for 0.0011 sec. ft. with Priority of August 8, 1921), was issued to it on September 15, 1924 and recorded at Panquitch on September 26, 1924. On September 10th, 1926 the Railroad Company conveyed the right to use the water from Hopkins Spring to Utah Parks Company.

The water from the spring was conveyed by gravity through 20 feet of open ditch and approximately 1900 feet of 3/4 inch pipe to a concrete reservoir, having a capacity of 6480 gallons, and thence through approximately 850 feet of 3/4 inch pipe to the old Syrett camp site.

The flow from this spring was small, varying from 3 gallons per minute to almost nothing. In 1925 the pipe line was abandoned and its value retired from L.A. & S.L. accounts. The pipe line and reservoir were not dismantled, however, and in 1931 the Union Construction Co. was permitted to use the water from Hopkins Spring, without charge. Our files do not show whether the Construction Co. was able to develop any water from this source.

The water supply at Cedar Breaks is obtained from a spring located in Sec. 10, T. 37 S., R. 9 W., about three-quarters of a mile west of the Pavilion. Water is collected in a concrete box and is conveyed by gravity through approximately 1727 feet of 3 inch and 260 feet of 2-1/2 inch pipe to a concrete sump located approximately 3/8 of a mile west of the Pavilion. The approximate fall from the spring to the sump is 18 feet.

-4-

From the sump the water is pumped through approximately 1770 feet of 4 inch pipe to a steel tank having a capacity of 8,000 gallons. The lift from the pump to the tank is approximately 187 feet. The pump house equipment consists of a Denning single-acting, triplex plunger pump, belt-connected to a Fairbanks Morse, 10 horse power oil engine.

The right to use the water from the spring is covered by Certificate of Appropriation from the State of Utah No. 1494, Application No. 9586, recorded at Parowan, Iron County, Utah on pages 285 and 286 of Water Claims.

The right to use a 100 foot square area around the spring and a 15 foot right of way from the spring to the Pavilion is covered by a Special Use Permit from the Forest Service, dated April 17, 1934.

The water used at Grand Canyon and Zion rises within the park areas at those points. The water used at Cedar Breaks and from Shaker and Trough Springs at Bryce rises on the Dixie Forest Reserve. The water from East Creek Spring at Bryce rises on land owned by the L.A. & S.L.R.R. Co.

All facilities within the park areas were constructed with the approval of the Park Service. We do not have in our Omaha files a complete record of the dates on which the plans for certain of the facilities were submitted to and approved by the Park Service and Mr. Hansen has been requested to develop such additional information as may be in the files at Cedar City, together with data relative to the amount of water being obtained from Shaker and Trough Springs at Bryce and condition of the pipe lines from them.

The proposed pipe line from the North, or Grotto, spring area at Zion was approved by Acting Director of National Park Service on February 6th, 1935. A print of the approved map of this proposed pipe line, (O.E. Drawing No. 50721) has been sent to you under separate cover. The following additional maps have also been sent:

DRAWING NO.	SCALE	SHOWING
50679	1" = 200'	Tourist facilities at Grand Canyon
50516	1" = 50'	" " " Zion
50136	1" = 50'	" " " Bryce
48998	1" = 400'	Pipe line from Shaker and Trough Springs at Bryce
45667	1" = 400'	4" auxiliary pipe line at Bryce.
51259	1" = 20'	Tourist facilities at Cedar Breaks.

If further information is desired, please advise.

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CC - Mr. H. A. Hansen - Cedar City.

H. C. MANN

Will you kindly furnish Mr. Smith with such additional pertinent information as may be in Cedar City files, particularly with reference to dates of approval by the Park Service of the location and construction of the water supply and distribution systems.

H.C.M.



DUPLICATE

Form F-50-A

CERTIFICATE OF APPROPRIATION OF WATER

APPLICATION NO. 9221

STATE OF UTAH

COLOPADO RIVER WATER DIVISIONCERTIFICATE NO. 1382

Whereas, It has been made to appear to the satisfaction of the undersigned, State Engineer of the State of Utah, that the appropriation of water from Shaker Spring in Garfield County, made by The Los Angeles and Salt Lake Railroad Company, Assignee has been perfected in accordance with the application therefor, received in the office of the State Engineer on the 2 day of January 19 23 and recorded on page 262 in book D and M - 4 of the record of applications to appropriate water; Wherefore, Be it known that I, George M. Bacon, State Engineer of the State of Utah, under and by authority and direction of the provisions of the Compiled Laws of Utah, 1917, as amended by Chapter 67 of the Session Laws of Utah, 1919, "Water Rights and Irrigation," do hereby certify that the said Los Angeles and Salt Lake Railroad Company of Salt Lake City in Salt Lake County, State of Utah, is entitled to the use of 0.2 of a cubic feet of water per second, subject to the following restrictions, to-wit:

The water is diverted from said spring at its point of issuance which bears S. 28°55' W. 15230 ft. from the SE Cor. of Sec. 34, T. 36 S., R. 4 W., S.L.B. & M. The diverting works consist of a head house located at the spring, a 6" to 4" Matheson Joint Steel pipe line 28,200 ft. long, a concrete Reservoir having a capacity of 44,823 gallons. The water is used from January 1st to December 31st, inclusive, of each year for domestic and culinary purposes at the Bryce Canyon Resort. This use consumes all of said water.

The diverting works must be maintained in such condition as will prevent an unreasonable loss of water.

The date of the appropriation is January 2, 19 23

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this thirteenth day of April A. D. 19 25

GEORGE M. BACON
STATE ENGINEER

Bk-22

Form 1-6.

File No. 711

Application to Appropriate Water for Domestic and Municipal Purposes STATE OF UTAH

Before filling in this blank, read carefully "Rules and Regulations" on the back hereof,
and the notes in the body of it.

Panguitch, Utah, December 26, 1922.

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for domestic and municipal purposes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Compiled Laws of Utah, 1917, as amended by the Session Laws of Utah, 1919.

Note.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on page 2 under the heading "Explanatory."

1. The name of the applicant is R. C. Aycock
2. The post-office address of the applicant is Panguitch, Utah
3. The flow of water to be used, in cubic feet per second, is 0.5
4. The quantity of water to be appropriated, in acre feet, is (see note under Explanatory) _____
5. The water is to be used each year from January 1 to December 31
(Month) (Day) (Month) (Day)
6. The water is to be stored each year from _____ to _____
(Month) (Day) (Month) (Day)
7. The river system or drainage area to which the direct source of supply belongs is Colorado
8. The direct source of supply is Spring
in Gaillard County. Spring is situated at the point of
9. The point of diversion from stream
(Strike out one not needed)
point of issuance of spring is situated at a point S. 28° 55' W.
15, 230 ft. from the Sec. 34, Twp. 36 S. R. 4 W.
S. 1. 134 1/2

Note.—The "point of diversion" or "point of issuance of spring" must be located definitely by course and distance or by rectangular distances with reference to some United States land corner or United States mineral monument, if within a distance of six miles of either, or if a greater distance to some prominent and permanent natural object. No application will be received in which the "point of diversion" or "point of issuance of spring" is not described definitely. Any change made in this description after application is received and before approved will bring down the priority of application to the date when amended application is received.

10. The diverting works will consist of Masonry headwork
11. The cross-section of the diverting channel will be H U O
(Strike out the ones not needed)
12. The nature of the diverting channel will be: earth, wood, iron, concrete
(Strike out the ones not needed)
13. The length of the diverting channel will be 23/100 feet
14. The top width of the diverting channel will be (if a ditch) _____ feet
15. The bottom width of the diverting channel will be (if a ditch) _____ feet
16. The depth of water in the channel will be (if a ditch) _____ feet
17. The width of the diverting channel will be (if a flume) _____ feet
18. The depth of water in the channel will be (if a flume) _____ feet
19. The diameter of the diverting channel will be (if a pipe) 6 and 1/4 inches
20. The grade of the diverting channel will be average 74 feet per mile

*Leave blank.

(This page not to be filled in by applicant.)

State Engineer's Endorsements

Dates: Jan. 2, 1923

1. Jan. 2, 1923 Application received in State Engineer's office.
2. Jan. 3, 1923 Priority of application brought down to, on account _____
3. Jan. 31, 1923 Application examined _____
4. Jan. 31, 1923 Application returned to applicant for following corrections:
See letter dated Jan. 31, 1923.
5. Feb. 3, 1923 Corrected application returned to State Engineer's office.
6. Feb. 13, 1923 Corrected application examined and filed
7. _____ Application rejected and returned to applicant for the reason _____
8. June 25, 1923 Application approved and returned to applicant
This application is approved on the following conditions:
 1. That actual construction work shall begin within six months.
 2. That the appropriation shall be fully completed by September 1, 1926.
 3. _____

R. E. Baldwin

State Engineer.

State Engineer's Memoranda

Dates:

1. Jan. 2, 1923 Fee for filing application paid \$ 2.50
2. Feb. 23, 1923 Cost of publishing notice deposited \$ 15.00
3. Mar. 7, 1923 Publication began and was completed Apr. 6, 1923
4. _____ Notice published in Garfield County News
5. _____ Application protested by _____
6. June 4, 1923 Fee for recording and approving application paid \$2.50.
7. June 11, 1923 Time for making proof of appropriation extended to _____
8. Proof of appropriation submitted June 13, 1923
9. Feb. 3, 1925 Fee for issuing certificate of appropriation paid \$1.00.
10. Apr. 13, 1925 Certificate of appropriation, No. 1204, issued.

I hereby certify that the foregoing is a true copy of the application made by _____
to appropriate water and of the endorsements thereon as shown by the records of
my office on the date given below.

Salt Lake City, Utah, _____, 19____

State Engineer.

File No. 9221Recorded Jan. 23, 1923

EXPLANATORY

Note.—Never use Paragraph 4 on preceding page except when it is intended to store the water to be appropriated in such case the volume of water to be stored should be given in acre feet in that space. The time during which the water is to be stored in the reservoir should be stated in Paragraph 6, and the time during which it is to be released and used should be set forth in Paragraph 5. The lands to be inundated by the reservoir must be described in Paragraph 7 below this note as nearly as may be and by government subdivisions if upon surveyed land. The area of the reservoir when at full stage should be given in acres in the same space. If the reservoir is located on a natural stream, the point where it will be diverted from such stream should be described in Paragraph 9 and the center of the dam of such reservoir should be described in the space below in accordance with note in Paragraph 9. The diverting works should be described in the space below this note except when the water is not stored in the natural channel, in such case the point of diversion is the place where the water is to be diverted from the stream from which it is to be appropriated; in such case the point of diversion is the place where the water is to be diverted from the supplying source and should be described in Paragraph 9, the center of the impounding dam described in Paragraph 9, and Paragraphs 10 to 20, inclusive, should describe the diverting works. In case the application is made for water from a number of springs, the point where the water is collected should be described as the point of collection and the works below it described as the diverting works; those above it should be described as the collecting works. Each spring should also be described in the space below in accordance with note in Paragraph 9. If the source of supply is in reality a spring area, the point of diversion is the point where the water will be collected.

The following additional facts are set forth in order to define more clearly the full purpose of the proposed appropriation:

After being diverted this water will be appropriated approximately 12 to 15 feet in a 6 inch iron pipe and the remainder of the distance in a 4 inch iron pipe to Bryce Canyon Hotel and Camp located in the SE 4 Sec 36 T. 36 N. R. 4 W. S. 12 E. and there used for domestic purposes the records.

P. C. Syrett

Signature of Applicant

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer.

STATE OF UTAH, }
County of Kane }

P. C. Syrett

each being for himself duly sworn, deposes and says that I am a citizen of the United States
(Strike out one not needed)
have declared my intention of becoming

a citizen of the United States on _____ at _____

Seal

P. C. Syrett

Subscribed and sworn to before me this 2nd day of January, 1922

My commission expires _____
John M. Miller
Notary Public

File No. 9221

Application to Appropriate Water for Domestic and Municipal Purposes

STATE OF UTAH

Before filling in this blank, read carefully "Rules and Regulations" on the back hereof,
and the notes in the body of it.

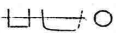
Permitted, Utah, December 26, 1922.

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for domestic and municipal purposes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Compiled Laws of Utah, 1917, as amended by the Session Laws of Utah, 1919.

Note.—The information given in the following blanks should be free from explanatory matter, but when necessary a complete supplementary statement should be made on page 2 under the heading "Explanatory."

1. The name of the applicant is *P. C. Aspell*
2. The post-office address of the applicant is *Albuquerque, N. M.*
3. The flow of water to be used, in cubic feet per second, is *0.5*
4. The quantity of water to be appropriated, in acre feet, is (see note under Explanatory) _____
5. The water is to be used each year from *January 1st* to *December 31*
(Month) (Day) (Month) (Day)
6. The water is to be stored each year from _____ to _____
(Month) (Day) (Month) (Day)
7. The river system or drainage area to which the direct source of supply belongs is *Colorado*
8. The direct source of supply is *San Juan River*
in *Garfield* County. *From the river and these springs*
9. The ~~point of diversion from stream~~
(Strike out one not needed) is situated at a point *S. 28° 55' W.*
point of issuance of spring
15, 230 ft. from the Dec. Sec. 34, Twp. 36 N. R. 4 W.
S. L. 18492

Note.—The "point of diversion" or "point of issuance of spring" must be located definitely by course and distance or by rectangular distances with reference to some United States land corner or United States mineral monument, if within a distance of six miles of either, or if a greater distance to some prominent and permanent natural object.
No application will be received in which the "point of diversion" or "point of issuance of spring" is not described definitely. Any change made in this description after application is received and before approved will bring down the priority of application to the date when amended application is received.

10. The diverting works will consist of *Masonry headgate*
11. The cross-section of the diverting channel will be 
(Strike out the ones not needed)
12. The nature of the diverting channel will be: *earth, wood, iron, concrete*
(Strike out the ones not needed)
13. The length of the diverting channel will be *23, 100* feet
14. The top width of the diverting channel will be (if a ditch) _____ feet
15. The bottom width of the diverting channel will be (if a ditch) _____ feet
16. The depth of water in the channel will be (if a ditch) _____ feet
17. The width of the diverting channel will be (if a flume) _____ feet
18. The depth of water in the channel will be (if a flume) _____ feet
19. The diameter of the diverting channel will be (if a pipe) *6 and 1/2* inches
20. The grade of the diverting channel will be *1 vertical ft* feet per mile

*Leave blank.

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(This page not to be filled in by applicant.)

State Engineer's Endorsements

Dates: Jan. 2, 1923

1. Jan. 2, 1923 Application received in State Engineer's office.
2. _____ Priority of application brought down to, on account _____

3. Jan. 31, 1923 Application examined _____
4. Jan. 31, 1923 Application returned to applicant _____ for following corrections:
See letter dated Jan. 31, 1923.

5. Feb. 3, 1923 Corrected application returned to State Engineer's office _____
6. Feb. 15, 1923 Corrected application examined and filed _____
7. _____ Application rejected and returned to applicant for the reason _____

8. Jan. 25, 1923 Application approved and returned to applicant _____
- This application is approved on the following conditions:

1. That actual construction work shall begin within six months.
2. That the appropriation shall be fully completed by September 1, 1926.
3. _____

R. E. Caldwell

State Engineer.

State Engineer's Memoranda

Dates:

1. Jan. 2, 1923 Fee for filing application paid \$ 2.50
2. Feb. 23, 1923 Cost of publishing notice deposited \$ 10.00
3. Mar. 7, 1923 Publication began and was completed Apr. 6, 1923
4. _____ Notice published in Garfield County News
5. _____ Application protested by _____
6. Mar. 11, 1923 Fee for recording and approving application paid \$2.50.
7. ✓ Time for making proof of appropriation extended to _____
8. _____ Proof of appropriation submitted Apr. 15, 1925
9. Feb. 3, 1925 Fee for issuing certificate of appropriation paid \$1.00.
10. Apr. 13, 1925 Certificate of appropriation, No. 1222, issued.

I hereby certify that the foregoing is a true copy of the application made by _____
to appropriate water and of the endorsements thereon as shown by the records of
my office on the date given below.

Salt Lake City, Utah, _____, 19____ State Engineer.

File No. 7221Recorded Jan. 3, 1923

EXPLANATORY

Note.—Never use Paragraph 4 on preceding page except when it is intended to store the water to be used in such case the volume of water to be stored should be given in acre feet in that space. The time during which water is to be stored in the reservoir should be stated in Paragraph 6, and the time during which it is to be used should be set forth in Paragraph 5. The lands to be inundated by the reservoir must be described below this note as nearly as may be suit by government subdivisions if upon surveyed land. The area of water to be released from the reservoir into the same space. If the reservoir is located on a natural stream point where it will be rediverted from such stream should be described in Paragraph 9 and the center of the dam of such reservoir should be described in the space below in accordance with note in Paragraph 9. The works should be described in the space below this note except when the water is not stored in the natural stream the supplying source and should be described; in such case the point of diversion is the place where the water is taken below, and Paragraphs 10 to 20, inclusive, should describe the diverting works. In case the application is for water from a number of springs, the point where the water is collected should be described as the collecting works and the works below it described as the diverting works; those above it should be described as the collecting works. Each spring should also be described in the space below in accordance with note in Paragraph 9. If the source of supply is in reality a spring area, the point of diversion is the point where the water will be collected.

The following additional facts are set forth in order to define more clearly the full purpose of proposed appropriation:

After being diverted the water will be appropriated to 12.50 feet in a 6 inch iron pipe and the remainder of the distance in a 4 inch iron pipe to Burns Canyon Hotel and Co. located in the SE 1/4 Sec. 36 Twp. 36 N. R. 4 E. S. 2 W. and there used for domestic purposes the same.

R. C. Syrett

Signature of Applicant

*If applicant is a corporation or other organization, signature must be in the name of such corporation or organization by its proper officer.

STATE OF UTAH, } ss.
County of *San Juan*

R. C. Syrett
each being for himself duly sworn, deposes and says that I am a citizen of the United States
(Strike out one not needed)
I have declared my intention of becoming a citizen of the United States on _____ at _____

Seal

R. C. Syrett

Subscribed and sworn to before me this *22nd* day of *January*, 19*22*

My commission expires *March 1, 1923* *John M. Smith*

Docket Information

Number of Documents in Docket 20
Documents Dated from 1/2/1922 to 12/9/1974
Docket Compiled: 2/8/2011