



WATER-RIGHT DOCKET

Bryce Canyon National Park

Docket No: 9

HOPKINS SPRING

State Water Rights Documentation

00-00-0000: court documents; in the matter of general determination of rights to use of water

Federal Docket #9

Form 114
25M 4-63

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. *BLC 45 1374 4#9*

STATEMENT OF WATER
USER'S CLAIM
CODE NO. SERIAL NO.
B9 *10*
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
....., 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
Hopkins Spring in Garfield County.

4. Priority date claimed 9/13/1924 Date when water was first used 9/13/1924
Date when work on diverting system was first begun Date when diverting system was completed

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. 8888 Cert. of App. No. 1321
(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. 0.0011 from January 1 to December 31 (both dates incl.)
(d).....Municipal Sec. Ft. from to (both dates incl.)
(e) X Fire Protec. Sec. Ft. from January 1 to December 31 (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
S 1780 ft. and W 1415 ft. from NE corner, Sec. 1, T37S, 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)

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

BECA
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.

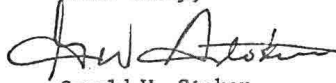
This notice is designed to give the National Park Service the opportunity to file a Statement of Water User's Claim on these sources of water or on any other source that we may have overlooked. If the water rights to

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

Cedar City, Utah,
December 19, 1928.
File 21.

Mr. Charles Adams:

Referring to your letter of December 17th, file 2-384, requesting information as to the description of the location of Hopkins Springs at Bryce Canyon, Garfield County, Utah:

Wish to advise that this spring is located in section 1, unsurveyed lands, township 37 South, Range 4 West, Garfield County, Utah. The exact location of this spring is South $34^{\circ} 46'$ West a distance of 2175.2 ft. from the meander corner on the South line of Section 36, township 36 South, Range 4 West, and this meander corner is 190 links West from section corners 36, 31, 1 and 6 of Townships 36 and 37, Ranges 3 and 4 West, Salt Lake Base and Meridian.

In case you care for a sketch showing the location of this spring, please advise and I will arrange to furnish.

ORIGINAL SIGNED
S. J. MAYO

F. J. M.
DEC 19 1928

C. G. F.
DEC 19 1928

WARRANTY DEED

LOS ANGELES & SALT LAKE RAILROAD COMPANY

to

UTAH PARKS COMPANY

covering

waters of Hopkins Springs
in

Garfield County, Utah

dated

September 10, 1928

WARRANTY DEED

LOS ANGELES & SALT LAKE RAILROAD COMPANY, a corporation of the State of Utah, Grantor, hereby CONVEYS and WARRANTS TO UTAH PARKS COMPANY, a corporation of the State of Utah, grantee, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the right to use all the water of what is commonly known as Hopkins Springs in Garfield County, Utah, and located at a point in the Northeast Quarter (NE $\frac{1}{4}$) of Section 1, Township 37 South, Range 4 West of the Salt Lake Base and Meridian, which point is thirty-four degrees forty-six minutes (34° 46') West twenty-one hundred seventy-five and two tenths (2175.2) feet from the witness corner to the Southeast (SE) corner of Section 36, Township 36 South, Range 4 West of the Salt Lake Base and Meridian, and which water is covered by that certain certificate of appropriation issued by the State Engineer of the State of Utah to the Grantor herein, dated September 13th, 1924, and bearing Certificate No. 1321.

IN WITNESS WHEREOF the said Grantor, LOS ANGELES & SALT LAKE RAILROAD COMPANY, has caused these presents to be executed by its duly authorized officers this 10th day of September, 1928.

Witness:

LOS ANGELES & SALT LAKE RAILROAD COMPANY

H. B. BLANCHARD

By C. R. Gray,
Its President

(Seal)

Attest:

THOMAS PRICE
Its Secretary.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.

On this 13th day of October, A. D. 1928, before me, a Notary Public in and for said County, personally appeared Thomas Price to me personally known to be the Secretary of Los Angeles & Salt Lake Railroad Company, who being duly sworn did say that the seal affixed to the foregoing in-

strument is the corporate seal of said corporation, and that said instrument was signed, sealed and executed in behalf of said corporation by authority duly conferred according to law, and acknowledged to me said instrument to be the free act and deed of said corporation.

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

My commission expires March 30, 1929.

FRANK E. TILLEY
Notary Public, Kings County
No. 193, Cert. filed in N. Y.
Co. No. 77. Commission expires March 30, 1929.

(Seal)

STATE OF NEBRASKA)
COUNTY OF DOUGLAS) ss.

On this 16th day of October, A. D. 1928, before me, a Notary Public in and for said County, personally appeared C. R. GRAY to me personally known to be the President of Los Angeles & Salt Lake Railroad Company, who being duly sworn did say that the seal affixed to the foregoing instrument was signed, sealed and executed in behalf of said corporation by authority duly conferred according to law, and acknowledged to me said instrument to be the free act and deed of said corporation.

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

My Commission expires September 2, 1932.

J. H. ASHBY
Notary Public

(Residing at Omaha, Nebraska)

(Seal)

RECEIVED
DUPLICATE

Form-F-20

CERTIFICATE OF APPROPRIATION OF WATER

APPLICATION NO. 5888

Coal and River

WATER DIVISION

CERTIFICATE NO. 1321

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 Hopkins Spring in Garfield County, made by United States of America, National Park Service has been perfected in accordance with the application therefor, received in the office of the State Engineer on the 8th day of August 1921 and recorded on page 186 in book D 4 of the record of applications to appropriate water; Wherefore, Be it known that I, Lloyd Garrison, 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 United States of America, National Park Service of Salt Lake City, in Salt Lake County, State of Utah, is entitled to the use of 0.0011 cubic feet of water per second, subject to the following restrictions, to-wit:

The water is diverted at the spring which issues at a point S.34°46'W. 2175.2 feet from the W. C. to S.E. Cor. Section 36 T. 36 S. R. 4 W. S. L. B. & M. The diverting works consist of a 3/4 inch iron pipe 2777 ft. long and a concrete reservoir with a capacity of 6480 gal.

The water is used from Jan. 1st to Dec. 31st incl. of each year for domestic and culinary purposes at Bryce Canyon Camp.

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

The date of the appropriation is Jan. 2, 1923. Having been brought down on account of failure to pay approval fee on time.

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office this Thirteenth day of September A. D. 19 24.

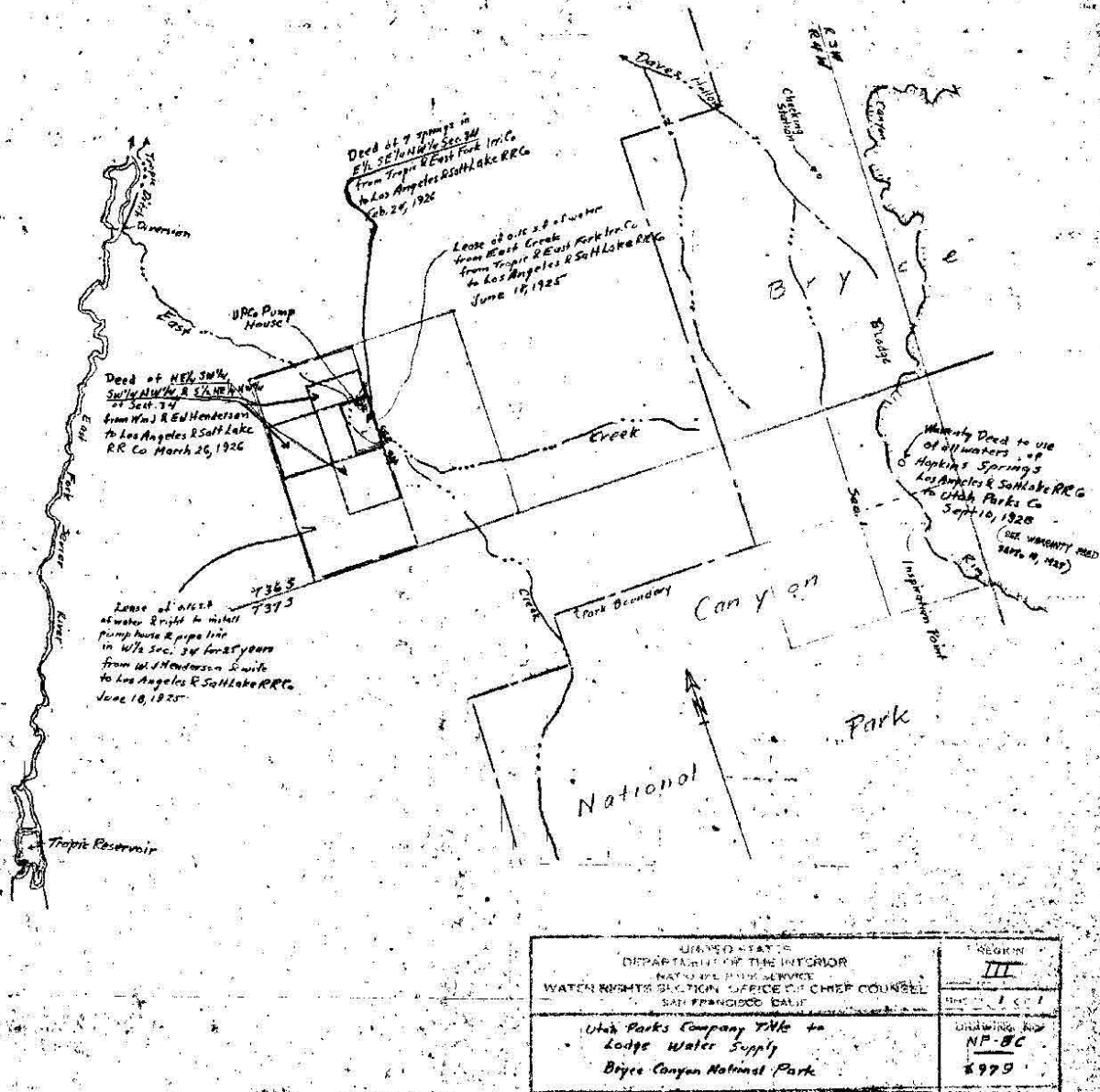
Lloyd Garrison
STATE ENGINEER

TITLE CHANGE

0002

DIV WATER RIGHTS

07/25/97 10:01 FAX 801 538 7487



Docket Information

Number of Documents in Docket 9

Documents Dated from 9/13/1924 to 1/28/1974

Docket Compiled: 2/8/2011