WATER-RIGHT DOCKET

Death Valley National Park

Docket No: 3

FURNACE CREEK WASH.

Preliminary Docket Information

05-03-1996: notes to file deva 03, 04, 05, 06, and 43 ; may 03, 1996

NOTES TO THE FILE DEVA 03, 04, 05, 06, and 43 May 3, 1996

Dockets 03, 04, and 05 contain documentation on California State water right permits in the Furnace Creek area which were revoked.

Docket 06 contains documentation of a licensed water right from Texas Spring.

Docket 43 contains documentation of a water rights agreement between Fred Harvey and the National Park Service concerning water rights in the Furnace Creek area. Congress directed the National Park Service to work out an agreement with U.S. Borax (Fred Harvey's predecessor) concerning the water rights in the Furnace Creek area. The NPS's water rights in the Furnace Creek area are thought to be primarily Federal reserved water rights.

A folder, filed with the dockets, but not a docket, contains papers common to dockets 3, 4, 5, 6, and 43, including water use and need studies, maps, and documentation of Congress's inquiries into issues in the Furnace Creek area. Alien water right docket 42 contains documentation of Fred Harvey's water rights. The information in this folder and in the alien water right docket (in addition to that in particularly dockets 06 and 43) should be helpful if there is an adjudication of the water rights or a water rights conflict involving the NPS's water rights in the Furnace Creek area.

Alice Johns
Hydrologist
Water Rights Branch
Water Resources Division
National Park Service

NPS Dug Well in Furnace Creek Wash

In 1935 the Pacific Coast Borax Company (later Death Valley Hotel Company, later Fred Harvey Inc.) dug a well in Furnace Creek Wash. It appears that the Service notified the Company that the well had been improperly placed, being on NPS land. The Company then proceeded to dig another well immediately to the east of the hill - behind the Inn.

Regarding the first dug well, later to be called the NPS well dug in Furnace Creek Wash, the area superintendent, on September 13, 1940, filed two separate California State Applications for water usage. Application 10001 (Permit 5738) was filed for water quantity of 1.00 cfs with beneficial usage for recreational, domestic, and fire protection. Application 10002 (Permit 5739) was filed for water quantity of 0.50 cfs with beneficial usage for irrigation. On Feb. 17, 1941, Area Superintendent filed Application 10118 (Permit 5754) for water quantity of 0.85 cfs with beneficial usage for irrigation. The above actions relate to Water Right Dockets 3, 4, and 5 respectively. All of the above Applications list the "Diversion Works" as a 21 foot deep dug well.

The exact date when the well was dug is unknown. However, in filling out the 1949 State Progress Report, A. van V. Dunn states "The well was used to augment the water supply for Furnace Creek Inn as soon as dug, but was then placed in reserve when the Pacific Coast Borax Company provided its own wells on its own land - all before filing of Applications 10001, 10002, and 10118." Between 1940 and 1957 State Progress Reports request an extension of time due to the war, and later request additional time due to lack of government appropriated monies for the pipeline, etc., to place the system in operation.

Remarks provided on the 1957 Progress Report refer to a U.S. Geologic Survey study in progress. It is surmised that this study was being made in response to inquiries by the Committee on Government Operations - see Fifth Report by the Committee on Government Operations, 89th Congress, 1st session, Union Calendar No. 83, House Repot No. 193, March 22, 1965. This report utilizes geohydrologic data as presented in Pistrang, M.A., and Kunkel, Fred, 1964, A Brief Geologic and Hydrologic Reconnaissance of the Furnace Creek Wash Area, Death Valley National Monument, California: U.S. Geol. Survey Water-Supply Paper 1779-Y, p. 1-35. On page 12, Table 1, this report lists "NPS well dug in Furnace Creek Wash (depth of well 19.0 feet)". Water level measurements had been taken in 1956 and 1957; on 6-19-57 the well was dry. Note: it appears that between 1935 (?) and 1957 the well had caved in, thus decreasing the depth by 2 feet.

This U.S.G.S. report also lists data for Death Valley Hotel Company tunnel, Furnace Creek Inn. It appears that in the late 1940's the well dug by the Company (located behind the hill to the east of the Inn) was destroyed by a flood. Replacement of this source was accomplished by digging a tunnel through the hill and intersecting the wash alluvium at several foot depth. At the head of the tunnel a concrete wall or bulkhead was constructed with pipes and sandpoints protruding into the wash gravels. In this manner water was obtained from the wash and flowed by gravity for use at the Inn. This system is very similar to that of a kanat and is still in use.

Sometime prior to 1956 (date of data collection for the U.S.G.S. paper) the Company installed a set of tiles in the wash in a system similar to a "French Drain". The map of the U.S.G.S. report shows this system about 1000 feet upstream, southeast, of the NPS dug well. This system is still in

use today.

Also shown on the U.S.G.S. map is a Company sump in the wash. This is located about 500 feet upstream of the tile field. A sump is present in the wash at this time (1976), but it seems very doubtful if the present one is in the same location.

During the U.S.G.S. study a trench was dug across the wash for hydrological data collection. The map indicates that this was located about 750 feet upstream from the NPS dug well. I have called both authors of the U.S.G.S. paper and they report that to their knowledge no development or tiles were placed in this trench.

The 1957 State Progress Report for Applications 10001, 10002, and 10118 states "the rights and claims to waters of Furnace Creek under Applications 10001, 10002, and 10118 are all for a supplemental supply for existing and proposed developments which are now supplied from Texas Springs under Application 10119". Remarks continue and indicate that findings by the U.S.G.S. and NPS "suggest that the available flow has decreased during the prolonged drought since first studied in 1940 and 1941 and is at a greater depth than originally found". Comments continue indicating NPS monies spent "to determine the available supply and existing beneficial use from both sources" (well and Texas Springs) "before revising plans and constructing the enlarged water system".

The 1958 State Progress Report again eludes to the in-progress U.S.G.S. report and states "The well designated in Applications 10001, 10002, and 10118 has failed, either because of drought conditions (see precipitation records in 1958 report under Application 15381, Permit 9604), or because of conflicting upstream improvements by the Death Valley Hotel Company. Approximately 0.25 sec. ft. of water has been recovered at aforesaid exploratory trench, with incompletely determined effects on lower diversions of the Death Valley Hotel Company. That water is being temporarily delivered to the Company irrigation system during further observation of the flow at all headgates."

Between 1958 and 1975 State Progress Reports were submitted requesting an extension of time for further planning and development of a water system which would incorporate the water of subject well and Texas Springs.

In January of 1975 a field trip was made to the area. This trip was made to coordinate an on-site inspection of various Death Valley water sources with California State Water Rights representative Wilbert Chung. During that trip a futile effort was made to locate the NPS dug well located in Furnace Creek Wash. As a result of this trip, the State has moved to revoke the permits of various Death Valley sources - including those applications and/or permits relating to the NPS dug well (see State revocation letter of March 22, 1976).

W. Werrell
May 1976

WATER RESOURCES/WATER RIGHT DATE: May 21, 1976

WATER RIGHT/SOURCE DOCKET INFORMATION

REGION Western Region AREA Death Valley National Monument

SITE Furnace Creek Water System - Furnace Creek Wash

STATE California COUNTY Inyo DOCKET NO WR #3

LOCATION SE ¼, SW ¼, Sec. 23, T27N, R1E, SBB&M

REGIONAL BASIN Great Basin LOCAL BASIN

ACQUIRED BY Appropriation

APPLICATION 10001 PERMIT 5738 CERTIFICATE

ACTION DUE see remarks PRIORITY Sept. 13, 1940 RESERVATION

QUANTITY USE

STATUS Inactive SOURCE

REMARKS State cancelled Permit No. 5738, March 22, 1976

Hydrologic unit 18090203

NARRATIVE: On Sept. 13, 1940, the National Park Service filed Application No. 10001 (Permit No. 5738) with the State of California to appropriate 1.00 cfs from a well in Furnace Creek Wash in Death Valley National Monument. The well had apparently been dug by the Pacific Coast Borax Company on Monument land (see memo: NPS Dug Well in Furnace Creek Wash - in this docket). The water was to be used for domestic, fire protection, and recreation purposes at Texas Springs Campground.

The development of the Furnace Creek water system, of which Application No. 10001 was a part, had a history of delay. State Progress Reports from 1940 to 1957 requested extensions of time due to World War II and lack of government funding. By 1959, the original well source was reported to be dry.

The U.S.G.S. began a study in the late 1950's to determine the feasibility of an integrated water system including Furnace Creek Wash and Texas Springs. State Progress Reports for 1957 through 1974 indicated that all development in the Furnace Creek area was being delayed due to such a study. Finally, in January of 1975, NPS staff and California State Water Right representative Wilbert Chung went on a field trip to Furnace Creek. They examined the area and were unable to locate the well. As a result, on March 22, 1976, Permit No. 5738 was cancelled by the State.

Compiled by Kevin Kidder

Approved by W. Werrell

State Water Rights Documentation

Werrell

Witucki

Kilgore

L.54(WR)RWR
DEVA/WR Docket #s 1, 3, 4, 5, 22A, 25, 34 and AWR 9

June 1, 1976

Memorandum

To: Superintendent, Death Valley

From: Chief, Division of Water Resources, Western Region

Subject: Revoking of the following permits: 5738, 5739, 5754, 11422, 11423, 11924, 15363 and 15721 (Various Springs and Washes in Death Valley National Monument)

A field inspection of the subject water sources was made jointly by Mr. Wilbur Chung, California Division of Water Rights and Mr. William Werrell of this Office on January 20-24, 1975. On March 19, 1975, Mr. Chung notified us of his intention to revoke these permits. His letter was transmitted to you by our reply of April 16, 1975.

We are now in receipt of orders revoking these permits. These orders are enclosed for your information and inclusion in your dockets. These orders were anticipated and discussed with the Field Solicitor. This action will not interfere with park water usage or conflict with the Service's water rights policy of comity. No further action is presently contemplated regarding these permits.

The other four State inspected water sources are in the process of being licensed. Receipt of these licenses is expected in the very near future.

(Sgd) Gerard S. Witucki

Gerard S. Witucki

Enclosures
a/s

cc:
WASO(MN) w/encls,
Attn: Mr. Berte'

(WR)RWR:6/1/76

WR#3

EDMUND G. BROWN JR., Governor

STATE OF CALIFORNIA—THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818
(916) 445-2055

In Reply Refer
to: 333:MVZ 10001

ORDER REVOKING PERMIT

PERMIT 5738 (APPLICATION 10001)

Permittee:U. S. Death Valley National Monument

It is ordered that this permit is hereby revoked and canceled upon the records of the State Water Resources Control Board for the reason indicated:

___ 1. A request has been received by, or on behalf of, permittee that the permit be revoked.

_x_ 2. The State Water Resources Control Board has found that permittee failed to commence, prosecute, and complete the work and to apply water to beneficial use as contemplated in the permit and in accordance with the Water Code and the rules and regulations of the Board, and has revoked said permit as provided in Section 1410 of the water Code, and has directed that this order be issued..

___ 3. The State Water Resources Control Board has found that permittee failed to apply water to beneficial use as contemplated in the permit and in accordance with the Water Code and the rules and regulations of the Board, and has revoked said permit as provided in Section 1410 of the Water Code, and has directed that this order be issued.

R. L. Rosenberger

R. L. Rosenberger, Chief
Division of Water Rights

Dated: MAR 2 2 1976

CERTIFIED

SWRCB 26c (8/74)

RECYCLED PAPER

12-18-1975: enclosed is a 'notice of proposed revocation' of permit 5738 ; december 18, 1975

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818
(916)445-2055

IN REPLY REFER
TO: 333:JP:10001

DEC 18 1975

U. S. DEATH VALLEY NATIONAL MONUMENT
c/o U. S. NATIONAL PARK SERVICE, WESTERN REGION,
DIVISION OF WATER RESOURCES
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CA 94102

PERMIT 5738 (APPLICATION 10001)
FURNACE CREEK WASH IN INYO COUNTY

ENCLOSED IS A "NOTICE OF PROPOSED REVOCATION" OF THIS WATER RIGHT PERMIT. AS STATED IN THE NOTICE, UNLESS A REQUEST FOR A HEARING IS RECEIVED WITHIN 15 DAYS FROM DATE OF RECEIPT OF THIS LETTER, WE WILL CONCLUDE THAT THE FACTS STATED IN THE NOTICE ARE CORRECT AND ACTION WILL BE TAKEN TO REVOKE THE PERMIT.

J. M. PAGE
SUPERVISING ENGINEER

ENCLOSURE

CERTIFIED

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
2125 19TH STREET
SACRAMENTO, CALIFORNIA 95818

NOTICE OF PROPOSED REVOCATION

PERMIT 5738 (APPLICATION 10001)
FURNACE CREEK WASH IN INYO COUNTY
PERMITTEE: U. S. DEATH VALLEY NATIONAL MONUMENT

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1410 OF THE WATER CODE, NOTICE IS HEREBY GIVEN THAT REVOCATION OF THIS PERMIT IS PROPOSED BECAUSE WORK WAS NOT COMPLETED AS CONTEMPLATED IN THE PERMIT.

THE FACTS AND INFORMATION UPON WHICH THE PROPOSED REVOCATION IS BASED ARE THE FOLLOWING:

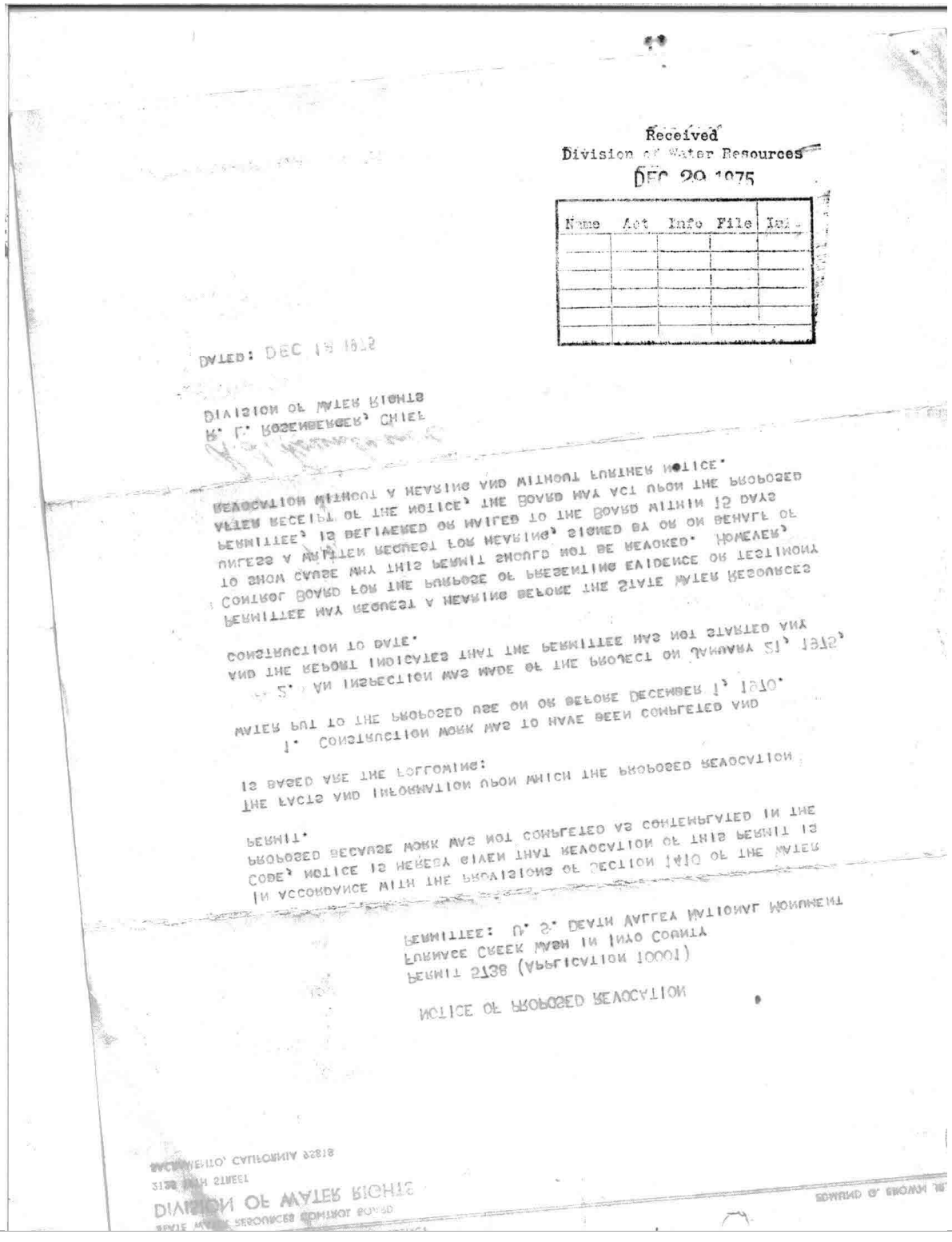
1. CONSTRUCTION WORK WAS TO HAVE BEEN COMPLETED AND WATER PUT TO THE PROPOSED USE ON OR BEFORE DECEMBER 1, 1970.

2. AN INSPECTION WAS MADE OF THE PROJECT ON JANUARY 21, 1975, AND THE REPORT INDICATES THAT THE PERMITTEE HAS NOT STARTED ANY CONSTRUCTION TO DATE.

PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER, UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD WITHIN 15 DAYS AFTER RECEIPT OF THE NOTICE, THE BOARD MAY ACT UPON THE PROPOSED REVOCATION WITHOUT A HEARING AND WITHOUT FURTHER NOTICE.

R. L. Rosenberger
R. L. ROSENBERGER, CHIEF
DIVISION OF WATER RIGHTS

DATED: DEC 18 1975



Received
Division of Water Resources
DEC 29 1975

Name	Act	Info	File	Ini-

DATED: DEC 19 1975

DIVISION OF WATER RIGHTS
R. L. ROSENBERGER, CHIEF

REVOCATION WITHOUT A HEARING AND WITHOUT FURTHER NOTICE.
AFTER RECEIPT OF THE NOTICE, THE BOARD MAY ACT UPON THE PROPOSED
PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD WITHIN 15 DAYS
UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF
TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER,
CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY
PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES

CONSTRUCTION TO DATE.
AND THE REPORT INDICATES THAT THE PERMITTEE HAS NOT STARTED ANY
S. AN INSPECTION WAS MADE BY THE PROJECT ON JANUARY 15, 1975,

WATER PUT TO THE PROPOSED USE ON OR BEFORE DECEMBER 1, 1980.
1. CONSTRUCTION WORK WAS TO HAVE BEEN COMPLETED AND

IS BASED ARE THE FOLLOWING:
THE FACTS AND INFORMATION UPON WHICH THE PROPOSED REVOCATION

PERMIT.
PROPOSED BECAUSE WORK WAS NOT COMPLETED AS CONTEMPLATED IN THE
CODE, NOTICE IS HEREBY GIVEN THAT REVOCATION OF THIS PERMIT IS
IN ACCORDANCE WITH THE PROVISIONS OF SECTION 1410 OF THE WATER

PERMITTEE: U. S. DEATH VALLEY NATIONAL MONUMENT
FURNACE CREEK WASH IN INYO COUNTY
PERMIT 2138 (APPLICATION 10001)

NOTICE OF PROPOSED REVOCATION

SACRAMENTO, CALIFORNIA 95814
1416 NINTH STREET
DIVISION OF WATER RIGHTS
STATE WATER RESOURCES CONTROL BOARD
EDMUND G. BROWN JR.

03-19-1975: dear mr. chung: the following is in response to your letter dated march 19 ; april 16, 1975

[redacted]
~~Werrell~~ WRW
~~Witucki~~

L54(WR)PSW
DEVA/WATER RIGHTS GEN April 16, 1975

Mr. Wilbert T. Chung
California State Water Resources
Control Board
Division of Water Rights
107 South Broadway
Los Angeles, California 90012

Dear Mr. Chung:

The following is in response to your letter dated March 19, regarding various water sources within Death Valley National Monument as listed below:

Permit Number	Application Number
4645	8423
5738	10001
5739	10002
5754	10118
11421	16096
11422	16138
11423	17839
11424	15539
11924	18489
14533	21646
15363	22366
15721	22979

Progress Report forms for all of the above have been received by our office and, in accordance with our recent telephone conversation, are enclosed for your appropriate action.

Request for License is hereby made for the following:

Permit Number	Application Number
4645	8423
11421	16096
11424	15539
14533	21646

Enclosed are the appropriate signed forms necessary for making such a request. Funds in the amount of $40.00 ($15.00 - Permit 11421; $10.00 - Permit 11424; and $15.00 - Permit 14533) will be forwarded to you by the U.S. Treasury under separate cover.

The remaining permits will be placed in our inactive files, pending renewed usage.

We are pleased that Mr. Werrell had the opportunity to examine these sources with you during your field inspection.

Your continued cooperation and assistance continues to be appreciated.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosures
a/s

cc: copy of encls to each individual
water right docket file.

w Werrell
(WR)PSW:[redacted]:mpm 4/16/1975

STATE OF CALIFORNIA—RESOURCES AGENCY

Edmund G. Brown Jr.
~~RONALD REAGAN~~ Governor

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
LOS ANGELES OFFICE
107 SO. BROADWAY, ROOM 4022
LOS ANGELES 90012

March 19, 1975

Mr. Gerald S. Witucki, Chief
Water Resources Division
United States Department of the Interior
National Park Service
450 Golden Gate Ave., Box 36063
San Francisco, California 94102

Dear Mr. Witucki:

Your Reference: L54 (WR) PSW DEVA/WATER RIGHTS GEN

Permit 4645 (Application 8423) Permit 11423 (Application 17839)
Permit 5738 (Application 10001) Permit 11424 (Application 15539)
Permit 5739 (Application 10002) Permit 11924 (Application 18489)
Permit 5754 (Application 10118) Permit 14533 (Application 21646)
Permit 11421 (Application 16096) Permit 15363 (Application 22366)
Permit 11422 (Application 16138) Permit 15721 (Application 22979)
Various Springs and Washes in Death Valley National Monument

Bill Werrell from your division and I recently completed a field inspection of 12 Water Rights Permits issued to the U. S. Death Valley National Monument in Death Valley.

The purpose of the field inspection was to determine the extent of the use of water made under each permit and make recommendations as to the future status of these permits.

I have reviewed the information collected from the field inspection, personnel of the Death Valley National Monument, and other persons involved with the use of water from these sources. My recommendations regarding each of the 12 permits and the reasons for my recommendations are listed in the attached summary.

A Request for License form is enclosed for each of the four permits that I have recommended licensing action. If you have any questions regarding the findings on the Request for License, I will be glad to discuss them with you. If the findings are satisfactory, please sign the form on behalf of your division and return them to me. Please note that Permit 11424 require a petition fee of $10 and Permits 11421 and 14533 require a petition fee of $15.

SUMMARY

RECOMMENDED STATUS FOR PERMITS ISSUED TO
THE DEATH VALLEY NATIONAL MONUMENT

Permit No.	Application No.	Source	Recommendation	Reason for Recommendation
4645	8423	Thorndike Spring	License: 400 gpd	Use of water at campground complete.
5738 5739 5754	10001) 10002) 10118)	Furnace Cr. Wash	Revoke	No evidence of any construction work done on project. Lack of diligence.
11421	16096	Tarantula Spring	License: 4350 gpd	Use of water complete for Mining, Domestic and Wildlife Propagation Uses.
11422	16138	Chucker Spr.	Revoke	No diversion system-appears abandoned. Lack of diligence.
11423	17839	Blue Cliff Spr.	Revoke	No Diversion system-appears abandoned. Lack of diligence.
11424	15539	Wee and Covered Spr.	License: 100 gpd	Use of water complete only for Wildlife Propagation Use.
11924	18489	Nevares Sprs.	Revoke	Source cannot supply an amount in excess of that can be already taken under Lic. No. 4621 (A. 9510) for 0.446 cfs (200 gpm) from the same source. The place and character of use same as License 4621.
14533	21646	Surprise Spr. Changed to: unnamed st.	License: 7300 gpd	Use of water completed.
15363	22366	Ibex Spr. No. 1	Revoke	Use of water does not exceed the amount allowed under Lic. No. 2910 for the same source.
15721	22979	Green Spr.	Revoke	No diversion system-lack of diligence.

The remaining 8 permits should be revoked. I cannot justify recommending an extension of time and still conform with the "Guidelines for Considerating Petitions for Extensions of Time". Forms for revoking these permits are also enclosed.

I hope that you concur with my recommendations.

Thank you for sending Bill Werrel to accompany me on these inspections. He was knowledgable, conscientious and of great assistance.

If I can be of any assistance, please donot hesitate to telephone me. Your prompt consideration to this matter will be appreciated.

Sincerly,

W. T. Chung

W. T. Chung

Enclosure

STATE OF CALIFORNIA — THE RESOURCES AGENCY

S... WATER RESOURCES CONTROL B...

DIVISION OF WATER RIGHTS

2125 Nineteenth Street, Sacramento, California 95818

PROGRESS REPORT BY PERMITTEE FOR 1974

OWNER OF RECORD — **APPLICATION** 10001

DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE, WESTERN REGION,
DIVISION OF WATER RESOURCES,
450 GOLDEN GATE AVENUE, BOX 36063,
SAN FRANCISCO, CALIF 94102

Telephone Number (include Area Code)

If the owner or address shown above is wrong, please correct

SOURCE: FURNACE CREEK WASH

Declaration: The United States gives this notification to the State in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to the use of water.

AMOUNT: 1 CU FT/SEC

PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

PERMIT: 5738 — 12-01-70

IMPORTANT! EVERY permit is issued subject to the conditions therein expressed. I have currently reviewed my permit: YES [X] NO [ ]. I am complying with the conditions under which my permit has been issued: YES [X] NO [ ]. Identify any non-compliance by permit term number under "remarks" on reverse side. This report is important in providing the record of use needed in establishing your water right. It should be filled out carefully and returned promptly to the *STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, 2125 Nineteenth Street, Sacramento, California 95818*

THE PROJECT HAS BEEN ABANDONED AND I REQUEST REVOCATION OF THIS PERMIT: YES [ ] NO [X].

CONSTRUCTION WORK

1. Has construction work commenced? YES [X] NO [ ]. If YES, is construction completed? YES [ ] NO [X].
2. If incomplete, describe briefly the work done, including cost: _____
3. If not completed, give estimated date of completion: unknown
4. What percent of construction work remains to be done to complete the project? _____ Explain: Construction of diversion works and pipeline

USE OF WATER See Remarks

5. Has use of water commenced? YES [ ] NO [ ] Check appropriate box(es) below and explain how water was used.
   - (a) [ ] Irrigation — Total acres irrigated — Name of crops served and acreage of each
   - (b) [ ] Stockwatering — Number of animals
   - (c) [ ] Industrial — Nature of Use
   - (d) [ ] Domestic — Number of persons, area of garden, lawn, etc.
   - (e) [ ] Municipal — Approximate population
   - (f) [ ] Recreational — Method of water use
   - (g) [ ] Recreational — Nature of use
   - (h) [ ] Power generation — Installed horsepower capacity
   - (i) [ ] Other

6. What quantity of water was used each month in 1974 under this permit in gallons or acre-feet? (If not known, check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
x	x	x	x	x	x	x	x	x	x	x	x	

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? YES [ ] NO [ ] If "No", explain on reverse side under "remarks".
8. Has location of the intake, place of use, or type of use been changed? YES [ ] NO [ ]. Explain on reverse side under "remarks".
9. Did the source go dry? YES [ ] NO [X]. If so, during what months? _____

STORAGE PROJECTS ONLY

10. Did your reservoir spill this year? YES [ ] NO [ ]. If not, how many feet below spillway vertically was the water level at maximum storage? _____ Have you emptied the reservoir? YES [ ] NO [ ]. If not, how many feet below spillway vertically was it drawn down at end of season? _____

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

Dated: 3/26/75 at 450 Golden Gate Ave., San Francisco, Calif. 94102 (location) (state)

(SGD) GERARD S. WITUCKI

Sign here: _____ Permittee

Gerard S. Witucki, Chief, Division of Water Resour...

SWRCB 15(9/74)

1974

(REPORT CONTINUES ON REVERSE SIDE)

MUNICIPAL, COMMUNITY, OR SUBDIVISION PROJECTS ONLY

11. How many service connections to date?_____ Total population served by the water system _____
12. Estimated number of service connections under full use: _____
13. Are the connections individually metered? YES ☐ NO ☐.
14. Do you plan to meter the connections? YES ☐ NO ☐ When? _____
15. Sewage generated by those to whom you deliver water is disposed of by: Septic tanks and leach lines ☐; Seepage pits ☐; Central treatment plant ☐ operated by _____; Other ☐ (specify under "remarks") _____

PURVEYORS OF WATER ONLY

16. Water service is provided to an area or subdivision including a recreational reservoir: YES ☐ NO ☐.
17. Name of area or subdivision so served: _____
18. State surface area of recreational reservoir(s) at maximum water level referred to in 16 and 17. Identify surface area(s) by name of dam or reservoir: _____

NOTE: The following questions relate to the Board's continuing responsibility to insure that appropriated water is best developed, conserved, and utilized in the public interest as required by the Water Code.

CONSERVATION OF WATER

19. What measures are you using or planning to reduce water losses in conveyance systems? (1) Seepage or leak detection program ☐; (2) Lining canals ☐; (3) Phreatophyte and aquatic vegetation control ☐; (4) Other (describe in "remarks") ☐;
20. What measures are used to encourage consumers to conserve water in agricultural use? (1) Program to encourage more efficient irrigation systems (sprinkler, drip, etc.), where applicable ☐; (2) Return flow systems on individual farms ☐; (3) Return flow system areawide ☐; (4) Water pricing to encourage reduced use ☐; (5) Charges for drainage of irrigated lands ☐; (6) Other (describe in "remarks") ☐;
21. What measures are used to encourage municipal and industrial consumers to conserve water? (1) Regulations to control wasteful use ☐; (2) Public education program on water conservation ☐; (3) Pricing to encourage reduced use ☐; (4) Assistance to industry in design of recycle systems ☐; (5) Other (describe in "remarks") ☐.
22. What records are maintained on water use and conservation? (1) Loss rate from conveyance system ☐; (2) Water use for major crops by each farm ☐; (3) Other (describe in "remarks") ☐.

WATER QUALITY AND WASTEWATER RECLAMATION

23. Describe methods you are using to minimize erosion and to prevent the entry of silt into surface waters:

24. After use, the water is (1) retained in reservoir ☐; (2) discharged into a stream or lake ☐; (3) discharged into settling ponds ☐. (4) Other ☐ Describe: _____

25. Is or will water being discharged contain waste materials? YES ☐ NO ☐.
(1) Domestic ☐; (2) Municipal ☐; (3) Industrial ☐; (4) Agricultural ☐; (5) Other ☐ Describe: _____

26. Is or will water being discharged contain any specific material which is deleterious to fish and wildlife or which would impair the water for beneficial uses? YES ☐ NO ☐. Describe: _____

27. Describe what steps you are, have been, or can take to reclaim or directly reuse the water sought to be appropriated:

REMARKS

Please designate by number the question you are answering:

Further planning and development is anticipated in this area so as to develop water supply in conjunction with full Federal development. This system will incorporate all water appropriated under Applications 10001, 10002, 10118 (Furnace Creek), & 10119 (Texas Springs).

(If additional space is needed for remarks, attach numbered sheet)

02-19-0000: this is in response to your letter of feb 19th, wherein you reference permits ; march 13, 1974

United States Department of the Interior

NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)PSW
DEVA/WATER RIGHTS GEN
WR # 3

March 13, 1974

California State Water Resources
Control Board
Division of Water Rights
1416 Ninth Street
Room 1015
Sacramento, California 95814

Gentlemen:

This is in response to your letter of February 19, wherein you reference permits of certain springs and washes in Inyo County, Death Valley National Monument. Your letter specifically discusses status of water uses as reported for Permits 11422, 11423, and 11424 during the past three years. Permits 11422 (Application 16138) and Permit 11424 (Application 15539) are used jointly as a water system. Also in the same system is Permit 8536 (Application 13852), License 6559A. Water from these sources are used by (1) wild game, the use is constant and (2) a small mining operation in the area uses the water for domestic purposes. The duration of the mining activities is unpredictable because of the variables inherent to such operations e.g, size of ore deposit, fluctuations in price of ore and labor, etc. The result is a series of "opening" and "closing down" of mining operations; use and unuse of the water supply. No mining is presently being done and these permits are currently in our inactive file.

In the interest of comity, this office has supplied water use information to the State in regards to these permits over the past several years. Water usage reported has been based upon the reported mining status at the time the report was submitted. These same reports indicate no usage and subsequent reports contain water use data.

Permit 11423 (Application 17839) pertains to water located several miles away from the above permits, but of similar use. On March 11,

JOHNNY HORIZON 76
Let's Clean Up America For Our 200th Birthday

it was reported that this mining operation had been "reopened" several weeks ago. Thus this permit has been removed from our inactive file and placed in the active status.

When contacted by Mr. Wilbert Chung of your Los Angeles Office, we will notify the appropriate park personnel so as to provide the necessary assistance to the on-site examination of Permits 4645, 5738, 5739, 5754, 11421, 11924, 14533, 15363, and 15721.

Sincerely yours,

(SGD) JAMES B. THOMPSON

James B. Thompson
Acting Regional Director

cc:
Supt., DEVA w/cy of inc.
and cys for each
individual Water
Right Docket File
(WR #1,3,4,5,21,22,22A,
24,25,34, and AWR #7)

WASO(MR) w/cy of inc. and
cys for each individual
Water Right Docket File
(WR #1,3,4,5,21,22,22A,24,
25,34, and AWR #7)

02-19-1974: in your letter of july 27, 1972, you indicated that water is not in use ; february 19, 1974

STATE OF CALIFORNIA—THE RESOURCES AGEN — RONALD REAGAN, Govern

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1015, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814

FEB 19 1974

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, CA 94102

Attention: Mr. Gerard S. Witucki
Chief, Water Resources Section

Gentlemen:

WR #s

-Permit 4645 (Application 8423) Permit 11423 (Application 17839)- 25
-Permit 5738 (Application 10001) Permit 11424 (Application 15539)-
-Permit 5739 (Application 10002) Permit 11924 (Application 18489)-
-Permit 5754 (Application 10118) Permit 14533 (Application 21646)- 21
-Permit 11421 (Application 16096) Permit 15363 (Application 22366)
-Permit 11422 (Application 16138) Permit 15721 (Application 22979)
Various Springs and Washes in Inyo County

In your letter of July 27, 1972, you indicated that water is not in use nor is use foreseen in the near future under Permits 11422 and 11424. In reviewing the permits we find also that no use of water is being made under Permit 11423 (Application 17839). In accordance with guidelines for considering petitions for extensions of time, a copy of which is enclosed for your information, it appears that Permit 11423 should be revoked. Although you indicated that water is not now being used under Permits 11422 and 11424, in your letter of July 27, 1972, the progress reports indicate intermittent use of water. It may be that this intermittent use of water should be considered a riparian use, and therefore it would be appropriate to revoke these two permits. Forms are enclosed for your use in requesting revocation of these three permits, if you concur.

It appears that use of water has been made under the remaining nine permits and that in most or all of the cases licensing action is indicated. We are therefore scheduling Permits 4645, 5738, 5739, 5754, 11421, 11924, 14533, 15363, and 15721 for inspection for the purpose of issuing a license for the amount of water beneficially used. If the inspection generates information which would provide justification for an extension of time under the guidelines, we will

proceed to recommend to the State Water Resources Control Board that an extension of time be granted to complete use of water.

Within a few weeks you can anticipate receiving a communication from Mr. Wilbert Chung, of our Los Angeles Office, requesting information on whom he should contact at each project site for communication regarding the inspection.

Whether or not you concur with the proposed licensing action, please provide the information needed to make a proper inspection of each project. Thereafter we will be in a better position to communicate with you about the projects.

We are pleased that the Park Service intends to continue to cooperate with the State Division of Water Rights as indicated in your letter. Your cooperation is sincerely appreciated.

Sincerely,

R. L. Rosenberger

R. L. Rosenberger, Acting Chief
Division of Water Rights

Enclosures

cc: Mr. Wilbert T. Chung
State Water Resources Control Board
Division of Water Rights
107 South Broadway, Room 9038
Los Angeles, CA 90012

STATE OF CALIFORNIA—THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

CENTRAL REGION-LAHONTAN

PROGRESS REPORT BY PERMITTEE FOR 1972

OWNER OF RECORD:

U S DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

APPLICATION 10001

WR 3

TELEPHONE NUMBER

If the owner or address shown above is wrong, please correct

Once belonged to Public Road now NPS owns all

SOURCE: FURNACE CREEK WASH

AMOUNT: 1 CU FT/SEC

PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

PERMIT 5738 EXPIRATION DATE: 12-01-70

This report is important in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1015, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

CONSTRUCTION WORK

1. Has construction work commenced? YES
2. Has all construction work been completed? NO If not, describe briefly the portions of the project completed including cost of work done: SEE REMARKS BELOW
3. If not completed, give estimated date of completion UNKNOWN
4. What construction work remains to be done to complete the project? Construction of diversion works and pipeline.

USE OF WATER See remarks

1. Has use of water commenced? It was used for:

(a) ☐ Irrigation ____ (Total acres irrigated) ____ (Name of crops served and acreage of each)

(b) ☐ Stockwatering ____ (Number of animals)

(c) ☐ Industrial ____ (Nature of use)

(d) ☐ Domestic ____ (Number of persons, area of garden, lawn, etc.)

(e) ☐ Municipal ____ (Approximate population)

(f) ☐ Recreational ____ (Method of water use)

(g) ☐ Recreational ____ (Nature of use)

(h) ☐ Power generation ____ (Installed horsepower capacity)

(i) ☐ Other ____

2. Has use of water, both amount and season, been as great as you expect in any future year under this permit? ____
3. Has location of the intake, place of use or type of use been changed? ____
4. Did the source go dry? NO If so, during what months? ____
5. What quantity of water was used each month in 1972 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
X	X	X	X	X	X	X	X	X	X	X	X	

STORAGE PROJECTS ONLY

Did your reservoir spill this year? ____ If not, how many feet below spillway vertically was the water level at maximum storage? ____ Have you emptied the reservoir? ____ If not, how many feet below spillway vertically was it drawn down at end of season? ____

REMARKS (If more space is needed, use reverse side) Further planning and development is anticipated in this area so as to develop water supply in conjunction with full Federal development. This system will corporate all water appropriated under Apps 10001, 10002, 10118 (Furnace Creek), & 119 (Texas Springs). Petition of Extension of Time is enclosed.

Date March 7, 1973 Sign Here GERARD S. WITUCKI

GEOLOGIST, DIVISION OF WATER RESOURCES, WESTERN REGION

1972

WRCB-15 (7-72)

68168-303 7-72 8,200 © OSP

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

Application 10001 Permit 5723

To Water User:

Water Code Section 1396 requires an applicant to exercise due diligence in developing a water supply for beneficial use. The State Water Resources Control Board, in considering requests for extension of time for said development, will review the facts presented herein to determine whether there is a showing of good cause upon which to grant a reasonable extension of time to complete the project. Where diligence in completing the project is not fully substantiated, the Board may set the matter for hearing to determine the facts upon which to base formal action relating to the permit. Formal action may involve:

(1) Issuing a license for the amount of water heretofore placed to beneficial use under the terms of the permit.

(2) Granting a reasonable extension of time to complete construction work and/or full beneficial use of water.

(3) Revoking the permit for failure to proceed with due diligence in completing the project.

The time previously allowed within which to complete construction work and/or use of water has either expired or will expire shortly. Please indicate below the action which you desire taken on this permit:

1. The project has been abandoned and I request revocation of the permit. _____ Yes XXX No

2. Full use of water has been made, both as to amount and as to season, and I request license be issued. _____ Yes XXX No

3. The project is not yet complete and I request an extension of time. XXX Yes _____ No

If an extension is requested, the remainder of this form should be completed in detail.

PETITION FOR EXTENSION OF TIME*

If start of construction work has been delayed, complete Items 1, 2, and 3.

1. What has been done since permit was issued toward commencing construction?

_____

_____

2. Estimated date construction work will begin_____

3. Reasons why construction work was not begun within the time allowed by the permit_____

_____

* A fee of $5 must accompany this petition.

WRCB 20C (. 2-70)

If construction work and/or use of water is proceeding but is not complete, an extension of time may be petitioned by completing the appropriate items below. Statements must be restricted to construction or use of water under this permit only.

4. A (1-year), (2-year), (3-year) extension of time is requested to complete construction work and/or beneficial use of water. (Indicate period of time required.)

5. How much water has been used?_____AF/year____One (1)_____cfs

6. How many acres have been irrigated?_____

7. How many houses or people have been served water?_____

8. Extent of past use of water for any other purpose_____

9. What construction work has been completed during the last extension?

10. Approximate amount spent on project during last extension period.
$_____

11. Estimated date construction work will be completed_____

12. Estimated year in which water will be fully used_____

13. Reasons why construction and/or use of water was not completed within time previously allowed:_____

Date March 7, 1973 Signature Gerard S. Wituckí

GERARD S. WITUCKI, CHIEF, DIVISION OF WATER RESOURCES, WESTERN REGION

United States Department of the Interior
NATIONAL PARK SERVICE
WESTERN REGION
450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)ASW
DEVA/Water Rights

July 27, 1972

Mr. K. L. Woodward
Chief, Division of Water Rights
State Water Resources Control Board
Room 1015, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Woodward:

In accordance with your letter of May 16, 1972, the National Park Service will continue to inform the State Division of Water Rights concerning National Park Service water requirements. We have reviewed the twelve permits listed in your letter and have discussed each case with appropriate field personnel to determine the current status of each. We intend to make every effort to cooperate with the State to develop a system that will be mutually satisfactory to the Park Service policy objectives and the concerns of the State.

To this end we are submitting a Notification of Existing Water Use for ten of the twelve permits listed in your May 16 correspondence. The following seven permits continue to have regular use:

Permit #	Application #	N.P.S. Water Right #
4645	8423	24
11421	16096	21
14533	21646	31
11423	17839	25
15721	22979	34
15363	22366	AWR 9
11924	18489	1

Three of the permits, as noted in your letter, have not been active for some time. However, this water is now being used and the following permits have been placed in our active files:

Permit #	Application #	N.P.S. Water Right #
5738	10001	3
5739	10002	4
5754	10118	5

The remaining two permits have been used regularly in past years but are not now in use nor do we foresee use in the near future. These permits shall be placed on inactive status in the Park Service's records.

Permit #	Application #	N.P.S. Water Right #
11424	15539	22
11422	16138	22-A

The Park Service intends to continue to give consideration to the State Division of Water Rights regarding difficulties which might arise in conjunction with the information contained within these reports of existing use.

We continue to appreciate your assistance in these matters.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki
Chief, Water Resources Division

Enclosures

cc:
PN, WASO w/encls
Supt., Death Valley NM, w/encls

05-16-1972: the time to complete use of water under all but one of the subject permits ; may 16, 1972

TE OF CALIFORNIA—THE RESOURCES AGENCY RONALD REAGAN, Governor

TE WATER RESOURCES CONTROL BOARD
VISION OF WATER RIGHTS
M 1015, RESOURCES BUILDING
NINTH STREET • SACRAMENTO 95814

Witucki

May 16, 1972

RECEIVED
WATER RESOURCES SECTION
MAY 19 1972

ACT.	INFO.		INITIALS	DATE
		[illegible]		
		[illegible]		
		[illegible]		
		CHAVEZ, D.		
		[illegible]		
		GOLD, S.		
REMARKS				

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, CA 94102

Attention: Mr. Gerard S. Witucki, Chief
Water Resources Section

Gentlemen:

Permits 15363, 4645, 5754, 5738, 5739, 11424, 11422, 11421, 11924, 11423, 14533 and 15721 (Applications 22366, 8423, 10118, 10001, 10002, 15539, 16138, 16096, 18489, 17839, 21646 and 22979) Various Springs and Washes in Inyo County

The time to complete use of water under all but one of the subject permits expired December 1, 1970. The time to complete use of water under the one permit--15721--expires December 1, 1972.

In your letter of February 17, 1971 confirming a meeting of January 26, 1971, you stated, "In accordance with the understanding reached at the meeting, it is understood no action would be undertaken by the State in view of the recent modification of the State Water Code, particularly in regards to the Point Reyes National Seashore.... Further, as agreed, in the future, we will pattern our procedures somewhat after those used by the Forest Service in the State of California."

Prior to the above-mentioned meeting, on December 1, 1970 you submitted progress reports for the above permits in which you requested necessary forms for petitioning an extension of time. The forms were mailed to you on January 4, 1971. These petitions have not been received. Also, we have not received your 1971 progress reports.

We assume that you are in the process of determining which of the above permits should be revoked and replaced by reports of water use, either patterned after those used by the Forest Service or using our "Statement of Water Diversion and Use" forms, and which of the permits should be kept in good standing. Copies of our "Statement of Water Diversion and Use" forms are enclosed. Simply reporting on use of water is not a substitute for applying for a water right permit if the land involved was formerly in private ownership and your use is not riparian in nature.

According to the California State Water Resources Control Board's "Guidelines for Considering Petitions for Extensions of Time" (a copy of which is enclosed), and the latest information in our files, it appears that Permits 5738, 5739 and 5754

should be revoked because construction has not been started. It appears that Permits 4645, 11421, 11422, 11423, 11424, 14533 and 15363 should be inspected to confirm the amount of use for licensing purposes unless an extension of time can be justified. Use of water under Permit 11924 appears to have been increasing according to progress reports on file. If you want an extension of time under this permit, you will need to submit a petition.

Please advise what course of action you propose to take.

Sincerely,

K. L. Woodward

K. L. Woodward, Chief
Division of Water Rights

Enclosures

Name of N.P. Area Death Valley Nat. Mon.

N.P.S. Code Number 8130 W.R. # 3

Previous State identification #s

App. # 10001 Permit # 5738

UNITED STATES DEPARTMENT OF INTERIOR

NATIONAL PARK SERVICE

NOTIFICATION OF EXISTING WATER USE

TO THE STATE WATER RIGHTS BOARD OF THE STATE OF CALIFORNIA:

The UNITED STATES OF AMERICA, acting by and through the NATIONAL PARK SERVICE, UNITED STATES DEPARTMENT OF INTERIOR, hereby notifies you of the following existing water use on reserved land in California for National Park Service purposes:

(1) The source of the water used is Furnace Creek Wash (stream, lake, spring, or well; if unnamed so state), located in Inyo County, California.

(2) The amount of water used is as follows: (Complete only applicable items)

(a) For diversion and direct application to beneficial use:

1.0 cubic feet per second, the diversion commencing Jan. 1 and ending Dec. 31 of each year.

(b) For diversion storage and later application to beneficial use:

-- acre-feet per annum, to be collected between _____ and _____ of each year.

(3) The use(s) to which the water is put is (are) the following:

Domestic, Recreation, and Fire Protection (domestic, irrigation, power, recreation, stockwatering, industrial, mining, fire control, wildlife, etc.)

(4) The place where the water is used is Headquarters Area (commonly used name or local designation).

(5) The water use covered by this notification commenced in year 1940.

(6) If the water use covered by this notification is by a person or entity occupying National Park Service land under a special use permit:

(a) The permittee is named N.A.

(b) The permit was issued for the purpose(s) of _____

SAID PERMITTEE DOES NOT HAVE A WATER RIGHT UNDER CALIFORNIA LAW COVERING THIS USE.

(7) The foregoing diversion and use are made pursuant to a withdrawal and reservation of the affected land and resources thereon for National Park Service purposes. The effective date of said withdrawal and reservation is Feb. 11, 1933.

A map, if available, showing points of diversion and use is attached.

The UNITED STATES OF AMERICA gives this notification to the STATE OF CALIFORNIA in the interest of comity, and does not concede that the State has power to regulate the rights of the United States to use of the water.

DATED this 21 day of July, 1972.

UNITED STATES OF AMERICA

By Gerard S. Witucki

Gerard S. Witucki

Chief, Water Resources Division

12-14-1970: enclosed are completed progress reports for permittee for 1970 ; december 14, 1970

L54(WSC)LWW
DEVA

December 14, 1970

AIRMAIL

State Water Resources Control Board
Division of Water Rights
Resources Building - Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are completed Progress Reports for Permittee for 1970 for Death Valley National Monument as follows:

Source	Application No.	Permit No.
Ibex Spring No. 1	22366	15363
Unnamed Spring	8423	4645
Furnace Creek Wash	10118	5754
Furnace Creek Wash	10001	5738
Furnace Creek Wash	10002	5739
Covered & Wee Springs	15539	11424
Chucker Spring	16138	11422
Tarantula Springs	16096	11421
Nevares Springs	18489	11924
Blue Cliff Springs	17839	11423
Surprise Spring	21646	14533
Green Spring	22979	15721

Also enclosed are completed Reports of Licensee for 1968, 1969, 1970, as follows:

Source	Application No.	Licence No.
Wildrose Spring	10276	4897
Burns Spring	13852	6559-A
Main Cow Creek	9510	4621

Gerard S. Witucki

Enclosures

cc:
WRA/WASO
Director, Western Region
Superintendent, Death Valley

STATE OF CALIFORNIA—THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1970

OWNER OF RECORD: APPLICATION 10001

U S DEATH VALLEY NATL MONUMENT
C/O U S NATIONAL PARK SERVICE,
DIVISION OF WATER RESOURCES, SSC,
450 GOLDEN GATE AVENUE, BOX 36025,
SAN FRANCISCO, CALIF 94102

If the owner or address shown above is wrong, please correct

SOURCE: FURNACE CREEK WASH WR-3

AMOUNT: 1 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

PERMIT 5738 EXPIRATION DATE: 12-01-70

This report is important in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

The project has been abandoned and I request revocation of this permit. ☐ Yes ☐ No XX

CONSTRUCTION WORK

1. Has construction work commenced? YES
2. Has all construction work been completed? NO If not, describe briefly the portions of the project completed including cost of work done: SEE REMARKS BELOW
3. If not completed, give estimated date of completion 1972
4. What construction work remains to be done to complete the project? CONSTRUCTION OF DIVERSION WORKS AND PIPELINE.

USE OF WATER

1. Has use of water commenced? SEE REMARKS It was used for:
   - (a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each
   - (b) ☐ Stockwatering ____ Number of animals
   - (c) ☐ Industrial ____ Nature of use
   - (d) ☐ Domestic ____ Number of persons, Area of garden, lawn, etc.
   - (e) ☐ Municipal ____ Approximate population
   - (f) ☐ Mining ____ Method of water use
   - (g) ☐ Recreational ____ Nature of use
   - (h) ☐ Power generation ____ Installed horsepower capacity
   - (i) ☐ Other ____
2. Has use of water, both amount and season, been as great as you expect in any future year under this permit? N/A
3. Has location of the intake, place of use or type of use been changed? NO
4. Did the source go dry? NO If so, during what months? ____
5. What quantity of water was used each month in 1970 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
				NONE								

STORAGE PROJECTS ONLY

Did your reservoir spill this year? ____ If not, how many feet below spillway vertically was the water level at maximum storage? N/A Have you emptied the reservoir? ____ If not, how many feet below spillway vertically was it drawn down at end of season? ____

REMARKS: FURTHER PLANNING AND DEVELOPMENT IS ANTICIPATED IN THIS AREA SO AS TO DEVELOP A WATER SUPPLY IN CONJUNCTION WITH FULL FEDERAL DEVELOPMENT. THIS SYSTEM WILL INCORPORATE ALL WATER APPROPRIATED UNDER APPLICATIONS 10001, 10002, 10118(FURNACE CREEK), AND 10119 (TEXAS SPRINGS). AN EXTENTION OF TIME REGARDING THIS PERMIT IS IN ORDER; PLEASE FORWARD THE NECESSARY FORMS FOR AN EXTENTIONOF SAME. (OLD) GERARD S. WITUCKI

Date DECEMBER 1, 1970

GERARD S. WITUCKI, CHIEF, WATER RESOURCES
1970 SECTION, WESTERN SERVICE CENTER

WRCB 15 (8-70)

02-17-1969: enclosed reports of licensee for 1966, 1967, 1968 ; february 17, 1969

17 FEB 1969

L54 LWSSC YOSE - Wtr Docket No. 6
DEVA WTR DOCKET NOS. 1,3,4,5,6,9
17,21,22,24,25,26,27,28,31

State of California
Division of Water Rights
Resources Building, Room 1140
1416 Ninth Street
Sacramento, California 95814

Gentlemen:

Enclosed are Reports of Licensee for 1966, 1967, 1968, and Progress Reports by Permittee for 1968, as follows:

Reports of Licensee - Death Valley National Monument

Source	Application No.	License No.	Docket No.
Goldbelt Spring	18433	6740	26
Saratoga Springs	8183	6343	17
Mesquite Spring	19538	7578	28
Lower Emigrant Spring	15381	6110	9
Unnamed Tunnel	10119	7854	6
Ranger Spring	19482	7577	27

Progress Reports by Permittee - Death Valley National Monument

Tarantula Springs	16096	11421	21
Blue Cliff Springs	17839	11423	25
Chucker Spring	16138	11422	22
Unnamed Spring	8423	4645	24
Nevares Springs	18489	11924	1
Furnace Creek Wash	10001	5738	3
Furnace Creek Wash	10002	5739	4
Furnace Creek Wash	10118	5754	5
Surprise Spring	21646	14533	31

Progress Report by Permittee - Yosemite National Park

Moss Creek	19116	12387	6

Sincerely yours,

JOHN E. RITCHIE

John E. Ritchie
Chief, Office of Land
and Water Rights

Enclosures

cc: Chief, OLWW, WSC w/encl
Regional Director, Western
Superintendents, Death Valley; Yosemite
JWROBERTS:mlk 2/17/69

STATE OF CALIFORNIA—THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PROGRESS REPORT BY PERMITTEE FOR 1968

OWNER OF RECORD: APPLICATION 10001

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

If the owner or address shown above is wrong, please correct

SOURCE: FURNACE CREEK WASH

AMOUNT: 1 CU FT/SEC
PURPOSE: DOMESTIC, RECREATIONAL & FIRE PROTECTION

PERMIT 5738

This report is important to you in establishing your water right. It should be filled out carefully and returned promptly to the State Water Resources Control Board, Division of Water Rights, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

1. Has construction work commenced? Yes
2. Has all construction work been completed? No If not, give estimated date of completion 1971
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was spent
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline.
5. Has use of water commenced? What was the maximum rate of diversion (if known)? see Remarks
6. What quantity of water was used each month in 1968 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
					NONE							

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? None
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? N/A If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below spillway vertically was it drawn down at end of season?
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

(a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
(b) ☐ Stockwatering — Number of animals
(c) ☐ Industrial — Nature of use
(d) ☐ Domestic — Number of persons, Area of garden, lawn, etc.
(e) ☐ Municipal — Approximate population
(f) ☐ Mining — Method of water use
(g) ☐ Recreational — Nature of use
(h) ☐ Power — Installed horsepower capacity
(i) ☐ Other

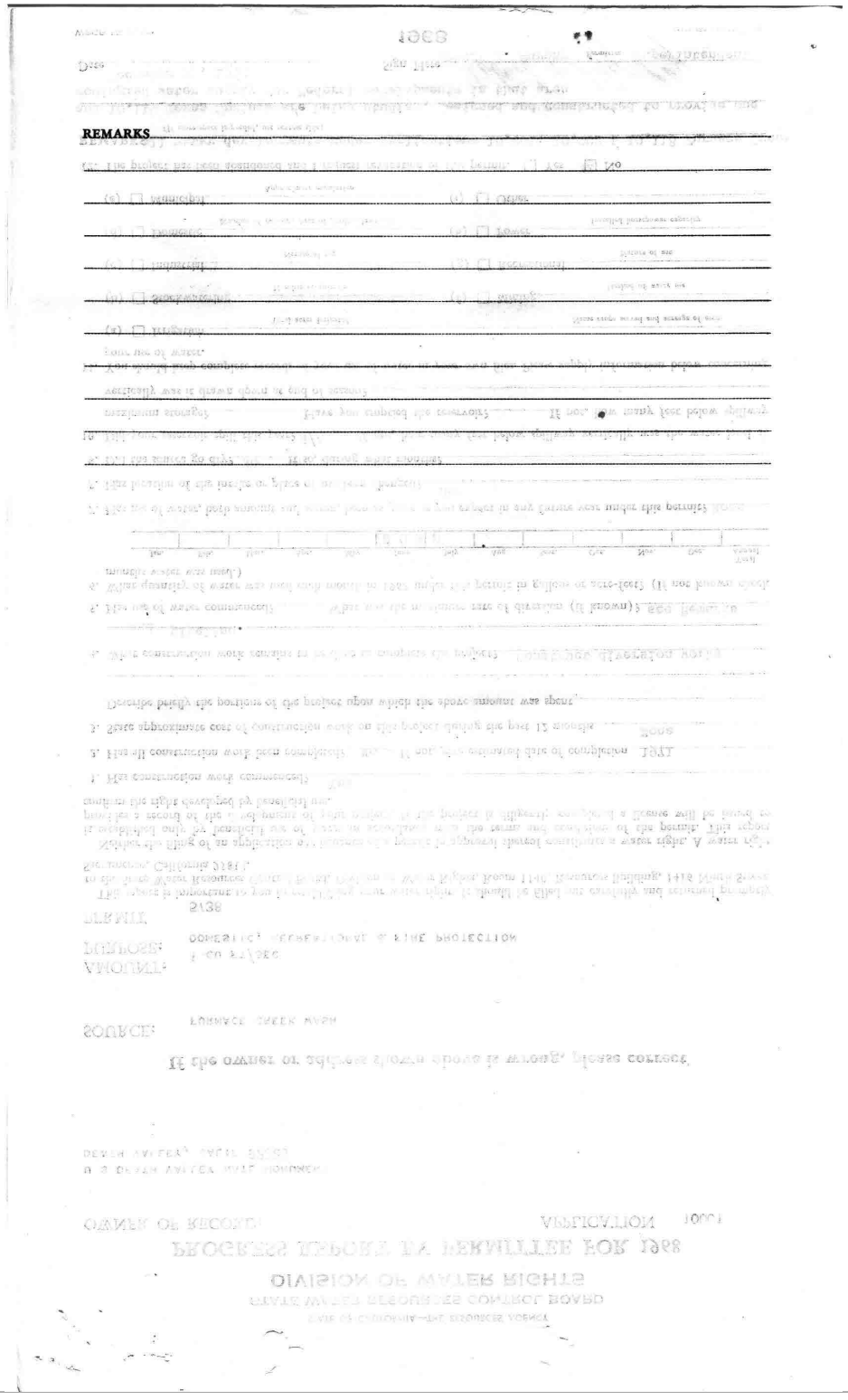
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

REMARKS (If more space is needed, use reverse side) All water developments under applications 10,001; 10,002 & 10,118 Furnace Creek and 10,119 Texas Springs are being studied, designed and constructed to provide one comingled water supply for Federal developments in that area.

Date December 31, 1968 Sign Here Robert J. Murphy Permittee Superintendent

WRCB 15 (9-66) 1968 24115-983 9-66 5M Ⓓ OSP

12-31-1968: progress report for 1968 cont. ; december 31, 1968



REMARKS

11-30-1967: order approving a new development schedule ; november 30, 1967

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOA...

ORDER

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 5738; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

DATED: NOV 3 0 1967

/S/ L. C. Spencer

L. C. SPENCER
CHIEF ENGINEER

50192-957 7-65 5M OSP

PETITION FOR EXTENSION OF TIME

Application 10001 Permit 5738
Furnace Creek Wash

NOTE: A reasonable extension of time may be obtained upon a showing of good cause. Section 779 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finances or other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay. A fee of $5 is required for each permit petitioned.

A. If construction work has not commenced within the time allowed under the permit, an extension of such commencement date may be petitioned by completing Items 1, 2 and 3.

1. Approximate total amount of money spent in connection with the project to date $_____. What was the money spent for?_____

2. Estimated date of commencement of construction_____

3. Reasons why construction was not begun within the time allowed by the permit_____

B. If construction work and/or use of water is proceeding but is not fully complete, an extension of time may be petitioned by completing Items 4, 5, 6, 7, 8, 9 and 10.

4. A (1-year), (2-year), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired.) Extension to December 1, 1971, is requested.

5. Approximate total amount spent on project to date $ 107,500

6. Approximate amount spent during last extension period $ none

7. Approximate per cent of construction work complete to date 40%

8. Estimated date of completion of construction work 1971

9. Estimated year in which full use of water will be made 1973

10. Reasons why construction and/or use of water was not completed within time previously allowed: Final design and construction of the water system are dependent upon a long term study of water resources to determine the effect of National Park diversions upon other diversions in the area and provide one comingled water

(continued on reverse side)

Date June 13, 1967 Signature John W. Stratton

John W. Stratton, Superintendent
Death Valley National Monument

THIS COMPLETED PETITION MUST BE ACCOMPANIED BY A FEE OF $5

SWRB
20C (2-65)

10. (continuation) supply for the Federal Developments. Negotiations are presently underway between the United States and private users to determine a satisfactory solution for all interested parties.

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application ~~10001~~ Permit ~~5738~~

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future?

_____ Yes No No

(b) Have you used the water for as long a season as you intend to? _____ Yes No No

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked? _____ Yes No No

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 779 of the California Administrative Code, Title 23, Waters, provides that lack of finances, occupation with other work, physical disability or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A ~~(1-year)~~, ~~(2-year)~~, (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ 102,000.
2. Approximate per cent of construction work complete to date 40%.
3. Estimated date of completion of construction work 1970.
4. Estimated year in which full use of water will be made 1975.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

~~Final design and construction of the water system are dependent upon a long term~~ study of water resources to determine the effect of National Park diversions upon ~~other diversions in the area and provide one comingled water supply for the Federal~~ Developments in the area. Studies are continuing to determine the maximum needs ~~of the National Park Service and private water users.~~

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date ~~March 29, 1967~~

SIGNATURE (Sgd) John W. Stratton
Permittee John W. Stratton
Superintendent
Death Valley Nat. Mon.

SWRB
20H (5-66)

00-00-0000: enclosed are our progress reports

SAN FRANCISCO PLANNING AND SERVICE CENTER
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102
January 11, 1967

L84 SSCLW
DEVA - WR# 3

Mr. [illegible], Executive Officer
State Water Rights Board
Room [illegible], Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. [illegible]:

Enclosed are our Progress Reports by Permittee for the year 1966 for the following applications:

Application 18489	Permit 11924
Application 10001	Permit 5788
Application 10002	Permit 5789
Application 10118	Permit 5754
Application 16096	Permit 11421
Application 15539	Permit 11424
Application 16138	Permit 11422
Application 8423	Permit 4345
Application 17839	Permit 11423
Application 21646	Permit 14533

These sources serve administrative areas and campgrounds at Death Valley National Monument.

Sincerely,

(Sgd) MANUEL MORRIS

Manuel Morris
Supervisory Hydraulic Engineer

Enclosures

bc: Supt., DEVA
Chief, Branch of Water Resources, WASO w/enc.
Regional Director, WR, w/o enc.

PS. to Docket Holders: File in your dockets as follows: Application No./ Docket No.: 18489/1; 10001/3; 10002/4; 10118/5; 16096/21; 15539/22 16138/22; 8423/24; 17839/[illegible], 21646/31

87

12-14-1966: progress report for 1966 ; december 14, 1966

STA_ OF CALIFORNIA—RESOURCES AGE_ Y

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
1416 NINTH STREET
SACRAMENTO, CALIFORNIA 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1966

OWNER OF RECORD: APPLICATION 10001

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

If the owner or address shown above is wrong, please correct

SOURCE: (1) FURNACE CREEK WASH (2)
(3) (4)
(5) (6)
(7) PERMIT 5738

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

1. Has construction work commenced? Yes
2. Has all construction work been completed? No If not, give estimated date of completion 1970
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was spent
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline.
5. Has use of water commenced? What was the maximum rate of diversion (if known)? See remarks
6. What quantity of water was used each month in 1966 under this permit in gallons or acre-feet? (If not known check months water was used.)

Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	None											

7. Has use of water, both amount and season, been as great as you expect in any future year under this permit? None
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? If not, how many feet below spillway vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below spillway vertically was it drawn down at end of season?
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
    (b) ☐ Stockwatering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☐ Domestic — Number of persons, Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☐ No

REMARKS All water developments under applications 10,001, 10,002 and 10,118 Furnace Creek ~~and 10,119, Texas Spring~~ are being studied, designed and constructed to provide one co-mingled water supply for the Federal developments in that area.

Date December 14, 1966 Sign Here Homer P. Leach, Acting Superintendent
Permittee

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly.

SWRB 15 (6-66) YEAR 1966 67-957 7-66 8500 ⓘ OSP

12-21-1965: enclosed is the progress report for 1965 ; december 21, 1965

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Western Region
450 Golden Gate Avenue, Box 36064
San Francisco, California 94102

IN REPLY REFER TO:
L 54

December 21, 1965

Mr. L. K. Hill
Executive Officer
State Water Rights Board
Room 1140, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Enclosed for your use are the following "Progress Report by Permittee for the year 1965."

1.	16138	11422	Chucker Spring
2.	15539	11424	Covered Spring and Wee Spring
3.	16096	11421	Tarantula Springs
4.	21646	14533	Surprise Spring
5.	17839	11423	Blue Cliff Springs
6.	18489	11924	Nevares Springs
7.	8423	4645	Unnamed Spring
8.	10119	5755	Texas Springs A, B, and C and Unnamed Tunnel
9.	10118	5754	Furnace Creek Wash
10.	10002	5739	Furnace Creek Wash
11.	10001	5738	Furnace Creek Wash

Sincerely yours,

Manuel Morris
Hydraulic Engineer

Enclosures (11)

cc:
Director

85

STATE OF CALIFORNIA—RESOUR( ) AGENCY

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
1416 – 9TH STREET
SACRAMENTO, CALIFORNIA 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1965

OWNER OF RECORD: APPLICATION 10001

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

If the owner or address shown above is wrong, please correct

SOURCE: (1) FURNACE CREEK WASH (2)
(3) (4)
(5) (6)
(7) PERMIT 5738

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. If the project is diligently completed a license will be issued to confirm the right developed by beneficial use.

1. Has construction work commenced? Yes
2. Has all construction work been completed? No If not, give estimated date of completion 1970
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was spent
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline
5. Has use of water commenced? Amount (if known) See remarks
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit?
7. During what months was water used in 1965 under this permit? None
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Stockwatering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☐ Domestic ____ Number of persons, Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Mining ____ Method of water use

(g) ☐ Recreational ____ Nature of use

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other ____

12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

REMARKS All water developments under applications 10,001, 10,002 and 10,118 Furnace Creek and 10,119 Texas Spring are being studied, designed and constructed to provide one coordinated water supply for the Federal developments in the area.

Date December 13, 1965 Sign Here William N. Burgen
William N. Burgen Permittee Acting Superintendent
Death Valley National Monument

This report is of importance to you in establishing your water right as it will be used as a basis for action by the State Water Rights Board. It should be filled out carefully and returned promptly.

YEAR 1965

81602-957 7-65 8M ⓓ GBP

03-05-1965: enclosed is the progress report for 1964 ; march 05, 1965

Western Region
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

L-54
Docket 24
" 3
" 4
" 5
" 6

March 5, 1965

Mr. L. K. Hill, Executive Officer
State Water Rights Board
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

Enclosed are PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1964 for the following at Death Valley National Monument:

Application	8,423,	Permit No.	4645
"	10,001	Ditto	5738
"	10,002	"	5739
"	10,118	"	5754
"	10,119	"	5755.

Sincerely yours,

[(Sgd)] Manuel Morris

Manuel Morris
Hydraulic Engineer

Enclosures

cc:
Director, w/incls.
Chief, WODC (2), w/incls.
Supt., Death Valley, w/incls.

P.S. to Docket Holders: Add to docket files as follows:

Application	8,423,	Docket	24
"	10,001,	"	3
"	10,002,	"	4
"	10,118,	"	5
"	10,119,	"	6

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02-17-1965: progress report for 1964 ; february 17, 1965

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
ROOM 1140, 1416 NINTH STREET
SACRAMENTO 95814

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1964

OWNER OF RECORD:

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY,
CALIF 92328

APPLICATION 10001

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) FURNACE CREEK WASH (2)
(3) (4)
(5) (6)
(7)

PERMIT 5738

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? No Has construction work commenced? Yes
2. Has all construction work been completed? No If not, give estimated date of completion 1970
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was expended
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline.
5. Has use of water commenced? See remarks
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? No
7. During what months was water used in 1964 under this permit? None
8. Has location of the intake or place of use been changed? No
9. Did the source go dry? No If so, during what months?
10. Did your reservoir spill this year? If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
11. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
    (b) ☐ Stock-watering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☐ Domestic — Number of persons; Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other

REMARKS All water developments under applications 10,001, 10,002, and 10,118 Furnace Creek and 10,119 Texas Spring are being studied, designed and constructed to provide one commingled water supply for the Federal developments in that area.

Date February 17, 1965

Sign Here John A. Aubuchon Permittee Superintendent
Death Valley National Monument

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1964

FORM 67

27980-957 8-64 5M ① OSP

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 5738, said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is, hereby granted until December 1, 1966, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 20th day of August, 1964

L. K. Hill

L. K. Hill
Executive Officer

04-04-1964: enclosed are extension petitions ; april 04, 1964

WESTERN REGIONAL OFFICE
180 New Montgomery Street
San Francisco, California 94105

~~Ketcham~~
~~Siler~~

L54
Dera

April 9, 1964

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1592
1401 - 21st Street
Sacramento, California

Dear Mr. Hill:

Enclosed are Extension Petitions and an Order-Invoice-Voucher in the amount of $25.00 for the following Water Rights Applications at Death Valley National Monument.

Application - 8423
" - 10001
" - 10002
" - 10118
" - 10119

FILE COPY

(SGD) JAMES M. SILER

James M. Siler
Regional Chief, Division of
Land and Water Rights

Enclosures

cc:
Director w/c of incoming and Extension Petition
Superintendent, Death Valley w/c of incoming and Extension Petition
Chief, WODC (2) w/c of incoming and Extension Petition

RWKetcham:lsr 4/9/64

77

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10001 Permit 5738

EXTENSION PETITION

NOTE: A reasonable extension of time may be obtained upon a showing of good cause. Section 779 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finances or other conditions incident to the person and not to the enterprise will not generally be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay. A fee of $5 is required for each permit petitioned.

A If construction work has not commenced within the time allowed under the permit, an extension of such commencement date may be petitioned by completing Items 1, 2 and 3.

1. Approximate total amount of money spent in connection with the project to date $_____. What was the money spent for?_____

2. Estimated date of commencement of construction_____

3. Reasons why construction was not begun within the time allowed by the permit_____

B. If construction work and/or use of water is proceeding but is not fully complete, an extension of time may be petitioned by completing Items 4, 5, 6, 7, 8, 9 and 10.

4. A (~~one year~~), (~~two year~~), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

5. Approximate total amount spent on project to date $[redacted].

6. Approximate amount spent during last extension period $[redacted].

7. Approximate per cent of construction work complete to date [redacted].

8. Estimated date of completion of construction work 1966.

9. Estimated year in which full use of water will be made 1968.

10. Reasons why construction and/or use of water was not completed within time previously allowed: Water is to be commingled with supplies under Furnace Creek Applications 10,001, 10,002 and 10,118. Final design of system is dependent upon a long term study of water resources to determine the effect of National Park Service diversions upon other diversions in the area and to determine the most efficient development of limited water supply.

DATE April 9, 1964 Signature (SGD) JAMES M. SILER
Regional Chief, Division of Land and Water Rights

THIS COMPLETED PETITION MUST BE ACCOMPANIED BY A FEE OF $5

Form 67-H

03-30-1964: thank you for your letter of march 30 reminding us that we had failed ; april 07, 1964

STATE OF CALIFORNIA—RESOURCES AGE... EDMUND G. BROWN, Governo...

STATE WATER RIGHTS BOARD

P. O. BOX 1592 • 1401 21st ST. • SACRAMENTO

KENT SILVERTHORNE, *Chairman*
RALPH J. McGILL, *Member*
W. A. ALEXANDER, *Member*

L 54

April 7, 1964

United States Department of the Interior
National Park Service
Western Regional Office
180 New Montgomery Street
San Francisco, California 94105

Subject: Applications 8423, 10001, 10002, 10118 and 10119
Water Rights to Springs in Death Valley
Your File L54

Attention: Mr. James M. Siler, Regional Chief
of Land and Water Rights

Gentlemen:

Thank you for your letter of March 30 reminding us that we had failed to send expiration notices in connection with the permits which were issued in approval of these applications.

The enclosed forms may be completed and returned together with the required filing fees.

Upon receipt of the completed forms and total filing fee of $25, the matter of extending the development dates will be placed before the Board for consideration.

Sincerely,

L. K. Hill

L. K. Hill
Executive Officer

Enclosures

76

03-30-1964: we note that the 'order granting extension of time within which to complete construction and use' ; march 30, 1964

WESTERN REGIONAL OFFICE
180 New Montgomery Street
San Francisco, California 94105

~~Ketcham~~
~~Siler~~

L54

March 30, 1964

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento, California

Dear Mr. Hill:

We note that the "Order Granting Extension of Time within which to complete Construction and Use" for the following applications expired on December 31, 1963. The applications are for use of water at Death Valley National Monument.

Application 10001 Furnace Creek Wash
Application 10002 Furnace Creek Wash
Application 10118 Furnace Creek Wash
Application 10119 Texas Spring

To date this office has not received a notice of these expirations so have not as yet requested additional time for studies, design and construction of our vital water supply systems in this area. We shall appreciate it if you will advise us as to the status of the foregoing applications and furnish us with the proper forms for the requests for extensions of time.

FILE COPY

Sincerely yours,

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Land
and Water Rights

cc:
Director
Superintendent, Death Valley
Chief, WODC (2)

b.c.
Mr. Whitworth

RWKetcham:lsr 3/30/64

55

12-11-1963: enclosed is a progress report for 1963 ; december 11, 1963

W O D C
DEC 12 1963
CHF
ADM
PERS
P & P
ARCH
ENGR
L. A.
SPEC
CONT
SFTY
HABS
ACTION TAKEN - DATE

Western Regional Office
150 New Montgomery Street
San Francisco, California 94105

L-5k
Dockets 1,3,4,5 December 11, 1963
6,21,22,24,25,27,28

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento, California

Dear Mr. Hill:

Enclosed are progress reports for the year 1963 for the following applications all at Death Valley National Monument.

Application 18489, Docket 1 - Nevares Spring
Application 10001, Docket 3 - Furnace Creek Wash
Application 10002, Docket 4 - Furnace Creek Wash
Application 10118, Docket 5 - Furnace Creek Wash
Application 10119, Docket 6 - Texas Spring
Application 16096, Docket 21 -Tarantula Spring
Application 19539, Docket 22- Covered Spring, Wee Spring
Application 16138, Docket 22- Chuckar Spring
Application 8823 , Docket 24-Unnamed Spring
Application 17839, Docket 25-Blue Cliff Spring
Application 19482, Docket 27-Ranger Spring
Application 19538, Docket 28-Mesquite Spring

Sincerely yours

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Lands

Enclosure
Progress Report

cc:
Director
Superintendent, Death Valley
Chief, WODC (2) W/photo

EXTRA FILE COPY

74

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET. P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1963

OWNER OF RECORD:

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

APPLICATION 10001

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) FURNACE CREEK WASH (2)
(3) (4)
(5) (6)
(7)

PERMIT 5738

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? No Has construction work commenced? Yes
2. Has all construction work been completed? No If not, give estimated date of completion 1965
3. State approximate cost of construction work on this project during the past 12 months None
   Describe briefly the portions of the project upon which the above amount was expended
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline
5. Has use of water commenced? See remarks
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? No
7. Has location of the intake or place of use been changed? No
8. Did the source go dry? No If so, during what months?
9. Did your reservoir spill this year? If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
10. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
    (b) ☐ Stock watering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☐ Domestic — Number of persons; Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other

REMARKS All water developments under applications 10,001, 10,002, and 10,118 Furnace Creek and 10,119 Texas Spring are being studied, designed and constructed to provide one comingled water supply for the Federal developments in that area

Date December 2, 1963

Sign Here
John A. Aubuchon Permittee Superintendent
Death Valley National Monument

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1963

FORM 67

82590 7-62 4M ① SPO

03-11-1963: enclosed is a progress report for 1962 ; march 11, 1963

Western Region
180 New Montgomery
San Francisco 5, California

Ketcham

L54
Dockets
3,4,5,6,24

March 11, 1963

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento, California

Dear Mr. Hill:

Application 10001, Permit 5738, Furnace Creek Wash,
Docket No. 3
Application 10002, Permit 5739, Furnace Creek Wash,
Docket No. 4
Application 10118, Permit 5754, Furnace Creek Wash,
Docket No. 5
Application 10119, Permit 5755, Texas Spring
Docket No. 6
Application 8423, Permit 4645, Unnamed Spring,
Docket No. 24

Enclosed are the progress reports for the year 1962 for Applications 10001, 10002, 10118, 10119 and 8423 all at Death Valley National Monument.

Sincerely yours,

(Sgd.) Richard W. Ketcham

Richard W. Ketcham
Acting Regional Chief of Lands

Enclosures 5

cc: Superintendent, Death Valley w/c of report
Director w/c of report
Chief, WODC (2) w/c of report
b.c. Mr. Merriam

RWKetcham:lsr 3/11/63

23

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET, P. O. BOX 59
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1962

OWNER OF RECORD:
The United States of America for
Death Valley National Monument

National Park Service
180 New Montgomery Street
San Francisco, California

APPLICATION 10001

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) Furnace Creek Wash (2)
(3) (4)
(5) (6)

PERMIT 5738

Neither the filing of an application nor issuance of a permit in approval thereof constitutes a water right. A water right is established only by beneficial use of water in accordance with the terms and conditions of the permit. This report provides a record of the development of your project. After use of water is complete, an inspection will be made and license issued for the amount of water actually put to use under the terms and conditions of the permit.

1. Has the project been abandoned? no Has construction work commenced? yes
2. Has all construction work been completed? no If not, give estimated date of completion 1965
3. State approximate cost of construction work on this project during the past 12 months none
   Describe briefly the portions of the project upon which the above amount was expended
4. What construction work remains to be done to complete the project? Construct diversion works and pipeline
5. Has use of water commenced? See remarks
6. Has use of water, as to both amount and season, been as great as you expect in any future year under this permit? no
7. Has location of the intake or place of use been changed? no
8. Did the source go dry? no If so, during what months?
9. Did your reservoir spill this year? If not, how many feet below crest vertically was the water level at maximum storage? Have you emptied the reservoir? If not, how many feet below crest vertically was it drawn down at end of season?
10. You should keep complete records of your use of water in your own files. Please supply information below concerning your use of water.
    (a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each
    (b) ☐ Stock watering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☐ Domestic — Number of persons; Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other

REMARKS All water developments under Applications 10,001, 10,002, and 10,118 Furnace Creek and 10119 Texas Spring are being studied, designed and constructed to provide one commingled water supply for the Federal developments in that area.

Date March 7, 1963

Sign Here John A. Aubuchon
Superintendent
Death Valley National Monument

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly.

YEAR 1962

FORM 67

68113 7-62 4M ⓘ SPO

05-23-1962: orders have been entered granting extensions of time until dec 1 1963 ; may 23, 1962

RECEIVED
MAY 24 1962
Death Valley Nat'l M

EDMUND G. BROWN
GOVERNOR OF CALIFORNIA

WILLIAM E. WARNE
ADMINISTRATOR
RESOURCES AGENCY

THE RESOURCES AGENCY OF CALIFORNIA

State Water Rights Board

KENT SILVERTHORNE, CHAIRMAN
RALPH J. McGILL, MEMBER
W. A. ALEXANDER, MEMBER

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

LELAND K. HILL
EXECUTIVE OFFICER

✓	Supt.	
	Ch. Rgr.	RWS
	Nat.	
	Engr.	
	Adm. Asst.	
	Proc. & Prop. Mgt. Asst.	
	WQDC	
	Sec.	

MAY 23 1962

Death Valley National Monument
Death Valley
California

Subject: Applications 8423, Permits 4645
10001 5738
10002 5739
10118 5754
10119 5755

Gentlemen:

Orders have been entered granting extensions of time until December 1, 1963, within which to complete construction work and application of water to the proposed use under the above-numbered permits.

It is suggested that the enclosed copies of the orders be attached to your copies of the permits.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.
Cert.

Docket 3 RS

APPLICATION [redacted] PERMIT [redacted] LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit [redacted], said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1963, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 23rd day of May, 1962

L. K. Hill

L. K. Hill
Executive Officer

02-19-1962: receipt for permit extension fee, water rights applications ; february 19, 1962

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:

Death Valley National Monument
Death Valley, California

February 19, 1962

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Receipt for Permit Extension Fee, Water Rights Applications.

Attached are receipts from the State of California State Water Rights Board covering Permit Extension Fee on Application 10002, 10118, 10119, 10001, 16138, 17839, 16096, 15539 and 8423.

/s/ Granville B. Liles
Superintendent

In duplicate

Attachments 9

70

02-14-1962: receipt number 15214 $5.00 check ; february 14, 1962

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
P. O. BOX 1582
SACRAMENTO 7, CALIFORNIA

Receipt No. 15214

Date Feb. 14, 1962 ($ 5.00)

Received ($)

☐ Cash ☐ Money Order ☒ Check *(Receipt contingent upon collection)*

U. S. Death Valley National Monument
Death Valley, California

Re APPLICATION 10001

☐ Deposit ☐ Balance ☒ Full

Recordation Fee	$	Application No.	$
Verification—Fee	$	Permit Fee	$
Expense	$	Permit Extension Fee	$ 5.00
	$	Petition Fee	$
☐ Uncleared Collections		Additional Fee on Charges	$
☐ Application		Certification Fee	$
☐ Proof of Claim		Copying—Comparing	$
☐ Adjudication Apportionment		Proof of Claim Fee	$
☐ Verification Advance		Adjudication Apportionment	$
☐ Other		Refund—Verification	$
		Other	$

STATE WATER RIGHTS BOARD

LESLIE C. JOPSON, *Chief Engineer*

By Elaine Garrett
Title

FORM 300
47168 11-56 20M QUIN © SPO

00-00-0000: notice of expiration

ST[illegible] OF CALIFORNIA - STATE WATER R[illegible]TS BOARD

Application 10001 Permit 5738

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future? ____ Yes **No** No

(b) Have you used the water for as long a season as you intend to? ____ Yes **No** No

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked? ____ Yes **No** No

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finance or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A (~~1/////~~), (~~2/////~~), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ 102,000.
2. Approximate per cent of construction work complete to date 40%.
3. Estimated date of completion of construction work 1965.
4. Estimated year in which full use of water will be made 1975.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Final design and construction of the water system are dependent upon a long term study of water resources to determine the effect of National Park diversions upon other diversions in the area and provide one comingled water supply for the Federal Developments in the area.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date _____ SIGNATURE Granville B. Liles

Form 67F

Granville B. Liles, Superintendent
Death Valley National Monument

12-19-1961: enclosed are progress reports and notices of expiration ; december 19, 1961

150 New Montgomery
San Francisco 5, California

154
Docket-REVA
3,4,5,6

December 19, 1961

Mr. L. K. Hill
Executive Officer
State Water Rights Board
Box 1592
Sacramento, California

Dear Mr. Hill:

Enclosed are Progress Reports and Notices of Expiration for the following springs at Death Valley National Monument:

Application 10001, permit 5730, Furnace Creek Wash
Application 10002, permit 5731, Furnace Creek Wash
Application 10118, permit 5754, Furnace Creek Wash
Application 10119, permit 5755, Texas Spring

We are also enclosing our Purchase Order No. 34-139 to cover the filing fees for extensions of time under these applications. The needs for extensions are described in each of the Notices of Expiration.

Sincerely yours,

(SGN) LAWRENCE C. MERRIAM

Lawrence C. Merriam
Regional Director

Enclosures

Copy to: Director
Superintendent, Death Valley National Monument
Chief, RSDC, (2)

69

STATE CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1961

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Texas Springs, A.B.C. and Pacific Coast Borax APPLICATION 10119

PERMIT 5755

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument

MAILING ADDRESS Superintendent, Death Valley National Monument, Death Valley, Calif

2. Has the project been abandoned? no Has construction work commenced? yes

3. Has all construction work been completed? no If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months $6,600

Describe briefly the portions of the project upon which the above amount was expended 1770 lineal feet of 3" pipeline

5. What construction work remains to be done to complete the project? Pipe system to connect sources in Furnace Creek (Applications 10,001, 10,002 and 10,118) See remarks

6. Has use of water commenced? yes State maximum rate of use if known .078 cfs

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Stock watering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☒ Domestic 3,000 people per day-peak week ____ Number of persons 5 acres lawn, shrubs & trees ____ Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Mining ____ Method of water use

(g) ☐ Recreational ____ Nature of use

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other ____

7. During what months was water used in 1961? all 12 months

Do you expect to use it over a longer or different season in the future? ____

If so, state other months of use ____

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1966

9. Has location of the intake or place of use been changed? no

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you filled in your reservoir during the 1960-61 collection season—if not, do you expect to fill it in any one future collection season? does not apply How much of the stored water has been used? ____

Have you emptied the reservoir? ____ If not, have you drawn down the reservoir as far as you intend to use in any one season? ____ State acre-feet used if known ____

11. During which months was water collected in the reservoir? ____

THE UNITED STATES OF AMERICA

Sign Here Granville B. Yates

By: Granville B. Yates
Superintendent
Death Valley National Monument

Date December 13, 1961

(OVER)

YEAR 1961

FORM 67

44032-F 6-61 4M ⓘ SPO

12-13-1961: progress report for 1961 cont. ; december 13, 1961

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

All water development under applications 10,001, 10,002, and 10,118 Furnace Creek and 10,119 Texas Spring is being studied, designed and constructed to provide one commingled water supply for the Federal developments in that area.

DO NOT WRITE IN THIS SPACE

12-19-1960: i am submitting completed progress reports dated dec 19, 1960 ; december 20, 1960

~~Sparkling~~ L55 12/23

Death Valley National Monument
Death Valley, California

Register Four copies of Rep. 1&2

L54 December 20, 1960

AIR MAIL

Mr. L. K. Hill
State Water Rights Board
1401 21st Street
P. O. Box 1592
Sacramento 7, California

Dear Mr. Hill:

I am submitting completed Progress Reports, dated December 19, 1960, for the following applications:

Application 10001	Permit 5738
Application 10002	Permit 5739
Application 10118	Permit 5754
Application 10119	Permit 5755

Sincerely yours,

/s/ Granville B. Liles

Granville B. Liles
Superintendent

Attachments 4

Copy to: Regional Director, Region Four
Director w/attachments
Chief, WODC w/attachments

NATIONAL PARK SERVICE RECEIVED DEC 23 1960 REGION FOUR OFFICE

66

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1960

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Furnace Creek Wash APPLICATION 10001

PERMIT 5738

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument

   MAILING ADDRESS National Park Service, 180 New Montgomery St., San Francisco, Calif.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months $66,000

   Describe briefly the portions of the project upon which the above amount was expended construction of 500,000 gallon reservoir and portion of pipeline

5. What remains to be done to complete the project? Construct diversion works and pipeline

6. Has use of water commenced? See remarks State amount used if known

   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

   (a) ☐ Irrigation ____ (Total acres irrigated) (Name crops served and acreage of each)

   (b) ☐ Stock watering ____ (Number of animals)

   (c) ☐ Industrial ____ (Nature of use)

   (d) ☐ Domestic ____ (Number of persons; Area of garden, lawn, etc.)

   (e) ☐ Municipal ____ (Approximate population)

   (f) ☐ Mining ____ (Method of water use)

   (g) ☐ Recreational ____ (Nature of use)

   (h) ☐ Power ____ (Installed horsepower capacity)

   (i) ☐ Other ____

7. During what months was water used in 1960? See remarks

   Do you expect to use it over a longer or different season in the future? ____

   If so, state other months of use ____

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

   If not, estimate year in which use will be full and complete 1975

9. Has location of the intake or place of use been changed? Yes See remarks

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1959-60 collection season as you expect to store in any future collection season? does not apply How much of the stored water has been used? ____

    Have you emptied the reservoir? ____ If not, have you used all the water that you intend to use in any one season? ____ State acre-feet used if known ____

11. During which months was water collected in the reservoir? does not apply

Sign Here Granville B. Liles

Granville B. Liles, Superintendent
Death Valley National Monument

Date 12-19-60

(OVER)

YEAR 1960

FORM 67

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

All water developments under Applications 10,001, 10,002 and 10,118 Furnace Creek, and 10,119 Texas Spring are being studied, designed and constructed to provide one commingled water supply for the Federal developments in that area.

DO NOT WRITE IN THIS SPACE

Docket 3

STATE C[illegible]CALIFORNIA—STATE WATER [illegible]HTS BOARD

ORDER

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 5738 ; said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is hereby granted until December 1, 1961, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 16th day of March, 1960

L. K. Hill
L. K. Hill
Executive Officer

12-07-1959: enclosed herewith is your voucher signed as instructed ; december 07, 1959

File DEVA Docket 3

Rec'd 12-8-59

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

KENT SILVERTHORNE, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFICER

December 7, 1959

Applications 10001, 10002,
10118, 10119

U. S. Department of the Interior
National Park Service, Region 4
180 New Montgomery Street
San Francisco 5, California

Re L54

Attention: Mr. John B. Wosky
Regional Chief of Operations

Gentlemen:

Enclosed herewith is your voucher signed as instructed to cover request for extensions of time in connection with Applications 10001, 10002, 10118 and 10119, Permits 5738, 5739, 5754 and 5755, to appropriate unappropriated water of the State of California in Inyo County.

Further action in the matter will await receipt of the necessary fees.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.

63

12-02-1959: progress reports, request for extensions ; december 02, 1959

File DEVA Docket 3

L54

LSS
~~Spaulding~~
Manbey
~~Whitworth~~
Wosky

Region Four
180 New Montgomery Street
San Francisco 5, California

December 2, 1959

FILE COPY

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento, California

Re: Application 10,001 Furnace Creek
Application 10,002 Furnace Creek
Application 10,118 Furnace Creek
Application 10,119 Texas Spring
Death Valley National Monument

Dear Mr. Hill:

Attached are the following:

1. Progress Reports for the year 1959 for each of the referenced applications.

2. Request for extensions of time for each of the referenced applications.

3. Purchase Order in the amount of $20.00 to cover filing fees for extensions of time.

4. Voucher in the amount of $20.00 to cover filing fees for extension of time.

Please sign the voucher (attachment 4) and return it to this office for payment.

LSSpaulding:hat

Rec'd 12/8 →
Signed by L.K. Hill 12/7/59

Very truly yours,

(SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

Copy to: Director (2) w/attachments 1 and 2)
Superintendent (w/attachments 1 and 2)
Chief, WODC (2)(w/attachments 1 and 2)

62

DEVA Docket 3

STATE ALIFORNIA—STATE WATER TS BOARD
1401 21st STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1959

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Furnace Creek Wash APPLICATION 10001

PERMIT 5738

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument

MAILING ADDRESS National Park Service, 180 New Montgomery Street, San Francisco, Calif.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months $16,400 (See remarks)

Describe briefly the portions of the project upon which the above amount was expended See remarks

5. What remains to be done to complete the project? See remarks

6. Has use of water commenced? Yes See remarks State amount used if known

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☒ Irrigation See remarks (Total acres irrigated) (Name crops served and acreage of each)

(b) ☐ Stock watering (Number of animals) (f) ☐ Mining (Method of water use)

(c) ☐ Industrial (Nature of use) (g) ☐ Recreational (Nature of use)

(d) ☐ Domestic (Number of persons, Area of garden, lawn, etc.) (h) ☐ Power (Installed horsepower capacity)

(e) ☐ Municipal (Approximate population) (i) ☐ Other

7. During what months was water used in 1959? January to date

Do you expect to use it over a longer or different season in the future? Yes

If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1975

9. Has location of the intake or place of use been changed? Yes

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1958-59 collection season as you expect to store in any future collection season? Not applicable How much of the stored water has been used?

Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir?

(SGD) JOHN B. WOSKY

Sign Here John B. Wosky Permittee

Date December 2, 1959 Regional Chief of Operations

(OVER)

YEAR 1959

FORM 67

93048-C 3-59 3500 ⓘ SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

All water development under Applications 10,001, 10,002 and 10,118 Furnace Creek and 10,119 Texas Spring are being studied, designed and constructed to provide one commingled water supply for the Federal developments in that area.

4. A study of water resources by the U. S. Geological Survey was continued. As part of the investigation a test well was drilled and a pumping test made. A portion of the main pipeline from the existing Texas Spring System to the Furnace Creek Visitor Center was constructed.

5. Remaining work a. Construction of 500,000 gal. reservoir and portion of pipeli
bids opened October 15, 1959 low bid $63,397.00.
b. Diversion works and remainder of pipeline.

6. An exploratory diversion trench, constructed in 1957 and enlarged in 1958 diverts 0.35 cfs. Until the water can be put to use by the National Park Service and to avoid flooding State Highway Route 190 the water is diverted into the irrigation system of the Death Valley Hotel Company.

DO NOT WRITE IN THIS SPACE

12-02-1959: notice of expiration ; december 02, 1959

STA[illegible]O. LIFORNIA - STATE WATER RI[illegible]S [illegible]RD

Application 10001 Permit 5738

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future? ____ Yes **No** No

(b) Have you used the water for as long a season as you intend to? ____ Yes **No** No

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked? ____ Yes **No** No

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finance or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A ~~(1xxxxx), (2xxxxx)~~ (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ ~~31,500~~ 30,700 as 12/1/59
2. Approximate per cent of construction work complete to date 20%.
3. Estimated date of completion of construction work 1965.
4. Estimated year in which full use of water will be made 1975.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Final design of the water system is dependent upon a long term study of water resources to determine the effect of National Park Service diversions upon other diversions in the area and to determine the most efficient development of limited water supply.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date **December 2, 1959**

SIGNATURE (SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

Form 67F

Recd Memo 12-2-59

06-25-1959: attached are your copies of the orders granting the following extensions ; june 25, 1959

L54-CBL

(3)

WESTERN OFFICE
DESIGN & CONSTRUCTION
JUN 29 1959
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

June 25, 1959

Memorandum

This should go to Reading file & Chuck Whitworth

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Extensions of Time, Water Rights, Death Valley

Attached are your copies of the orders granting the following extensions of time in which to perfect water rights. Copies are also being sent to WODC, and the originals are going to the Superintendent. The orders should be filed in the indicated dockets, all of which relate to the use of waters of Furnace Creek and Texas Springs. A copy of the cover letter of June 4 from the State Water Rights Board is also attached.

Block in dockets

Application 10,001, Permit 5738, Docket 3, Furnace Creek
Application 10,002, Permit 5739, Docket 4, Furnace Creek
Application 10,118, Permit 5754, Docket 5, Furnace Creek
Application 10,119, Permit 5755, Docket 6, Texas Spring

You will note that the extensions are only until this next December 1. The annual progress reports and requests for licensing or extensions of time are due in October. Mr. Kunkel's report on the November pump test is due in July, and I hope it is early in the month. You also have plans to construct the 500,000 gallon reservoir, 6 inch distribution main, and 2 inch supply line from Texas Spring, to serve the new Museum area, but not until fall.

9/8/59

Your memoranda of April 14 and June 22 concerning the $81,250 project have been causing concern in various offices because of limited funds; and the misunderstanding of some, as to the effect any construction may have on water rights which may not be fully resolved for several years if the new well cannot be used without reducing spring flows used by the Borax Company. It will help matters if any part of the system can be reported as under contract or construction by October. The Reservoir will be needed for any form of development. I consider the 2 inch pipe from Texas Spring as a justifiable $5,000 expenditure even if only for temporary use of a year or two. Although not suggested by you, I also believe that a temporary 2 inch connection from the pipeline to the Indian Village, to the Museum, would be justified until funds for the 6 inch line can be provided, if necessary.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 5

Copy to: Superintendent, Death Valley, with 5 attachments
Chief, WODC (2), w/c 5 attachments

53

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFICER

JUN 4 '59

Applications 10001, 10002, 10118, 10119
Permits 5738, 5739, 5754, 5755

United States-Death Valley National Monument
c/o Mr. A. van V. Dunn
National Park Service
Department of Interior
Washington 25, D.C.

Gentlemen:

Orders have been entered granting extensions of time until December 1, 1959, within which to complete construction work and application of water to the proposed use under the above-numbered permits.

It is suggested that the enclosed copies of the orders be attached to your copies of the permits.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc.
Cert.

52

file DBVA Docket 3

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Docket

ORDER

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 5738; said Board having approved such extension and having directed that this order be issued;

NOW THEREFORE IT IS ORDERED that an extension of time be, and the same is hereby granted until December 1, 1959, within which to complete construction work and application of water to the proposed use under said permit.

Witness my hand and the seal of the State Water Rights Board this 4th day of June, 1959

L. K. Hill
L. K. Hill
Executive Officer

01-21-1959: receipt is acknowledged of your letter of january 21, 1959 ; february 06, 1959

COPY

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
1401 21st Street
P.O.Box 1592
Sacramento 7, California

February 6, 1959

Applications 10001, 10002, 10118, 10119, 15381

Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Dear Mr. Dunn:

Receipt is acknowledged of your letter of January 21, 1959, supplying additional information as to the plans of the Park Service in its water supply development in the Death Valley National Monument. It is noted that you urge that extension of time under the permit on Application 15381 be considered rather than license action to allow more complete use to be made from one of the sources named therein, and that you also urge reconsideration of the proposed one year extensions on the permits on the other four applications.

In reviewing the file of Application 15381 further question has been raised as to whether the development at Lower Emigrant Spring and at Pioneer Spring will completely control the water supply in those areas so that it would be unavailable as a source of water for local animal and bird life or for human consumption at the source. In this regard the State WaterRights Board has adopted a policy requiring all applicants seeking permits to appropriate from springs in the desert areas of the State to give assurance that the develop ment will not prevent such use at the source of the water supply. Recent permits issued by the Board have been conitioned for this purpose.

It is appreciated that Application 15381 has already been permitted and that insertion of a condition of this type at this time would be improper without the consent of the permittee. How ever, we would like to know your position in regard to the matter and to have you consider complying with this policy of the Board even though it is not a part of the permit. Enclosed are copies of letters recently addressed to various applicants prior to permit action on their applications suggesting a wording for a permit condition for this purpose. No objection has been received from any of the applicants, and the condition has been included in the permits that have been issued.

49

COPY COPY

Your plans in this regard and your views in regard to applying the policy to applications of the National Park Service in desert areas of California will be appreciated.

Yours very truly,

/s/ L. K. Hill

L. K. Hill
Executive Officer

Enc.

cc. Senator C. Brown

49

01-21-1959: we request that you reconsider the one year extensions of time ; january 21, 1959

file Docket 3 - copy has been made for L54-OBL Docket 9

RECEIVED
NPS REGION FOUR OFFICE
JAN 22 '59

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
[illegible]		
LEGAL		

Sanctuary Whitworth 1/29 No action needed

AIR MAIL

January 21, 1959

Mr. L. K. Hill, Executive Officer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Re: Applications 10,001, 10,002, 10,118 and 10,119, Permits 5738, 5739, 5754 and 5755, Furnace Creek and Texas Springs; and Application 15381, Permit 9604, Lower Emigrant and Pioneer Springs
Death Valley National Monument

Dockets 3, 4, 5 & 6

Docket 9

Dear Mr. Hill:

We request that you reconsider the one year extensions of time in which to complete construction of the Furnace Creek-Texas Spring water system which were suggest in your letter of January 12. We hope to complete construction within one or two years from this date, but requested three year extensions to eliminate the need for further extensions of time to complete construction.

copy of Hill's letter filed in Docket 9

We have drilled a well on the synclinal axis, which is mentioned in our Progress Reports of last October, since those reports and the requests for extension of time were made. The test or exploratory well was drilled to a depth of 246 feet, intercepting most of the water between depths of 76 and 186 feet, and pumped at 375 gpm during an 84 hour test.

Under our MISSION 66 development program, we are attempting to provide public facilities in excess of those contemplated in 1940 when the subject applications were filed, including Federal units and the Furnace Creek Inn and Ranch of the Death Valley Hotel Company, successor to the Pacific Coast Borax Company. All of these developments, as they will be expended, are dependent on the waters of Furnace Creek and the tributary Travertine Springs, Texas Spring, and the Cow Creek Springs which are covered by Applications 9509, 9510 and a recently filed supplemental application.

The flow of Furnace Creek and Texas and Travertine Springs has proved to be more limited than anticipated, and apparently derived from a greater underground flow along the aforesaid synclinal axis.

48

We are attempting to locate the basic source of the water, and develop a new source of supply for the Federal developments which will not conflict with the Hotel Company diversions from Furnace Creek and Travertine Springs, with necessary amendment of the Federal claims.

No copy of the enclosed Geological Survey Report by Pistrang and Kunkel of the Geological Survey appears to have been sent to you, as intended, with my letter, reports and requests of October 10, 1958. Also enclosed is a copy of Public Law 495 of July 2, 1958 (72 Stat. 295). We have proved the existence of the water along the synclinal axis. We have not determined the extent to which it provides a supplemental supply for allocation in compliance with Public Law 495, and further investigation is being deferred until the Geological Survey completes an analysis of the test well and pump tests of late November. Completion of the water system design and construction, and probable water right amendments, must also be deferred.

We should also prefer to defer proof for the license under Application 15,381, Permit 9604, because we could now only make proof of full use of water of Lower Emigrant Spring which is in excess of the water used by the General Hotel Company under License No. 2430. As indicated in Application 15,381 the water system was completed by 1943 to divert Lower Emigrant and Pioneer Springs. All that water was available until about the end of 1946, but there has been limited flow from Lower Emigrant and practically none from Pioneer Spring in most years since, as suggested by the precipitation records given in the 1958 Progress Report. We wish to preserve the claim to the full quantity of water until we can make proof or make a change in point of partial diversion.

Sincerely yours,

(SIGNED)

A. van V. Dunn
Chief, Water Resources Section

Enclosures 2

Copy to: Regional Director, Region Four, w/c incoming
Superintendent, Death Valley, w/c incoming
Chief, WCDC, w/c incoming

48

01-12-1959: this will acknowledge your progress reports and requests for extensions ; january 12, 1959

1959 JAN 12 AM 9:40

L 54

STATE OF CALIFORNIA

State Water Rights Board

RY HOLSINGER, CHAIRMAN
ROWE, MEMBER
PH J. McGILL, MEMBER

1401 21ST STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

L. K. HILL
EXECUTIVE OFFICER

January 12, 1959

Applications 10001, 10002, 10118, 10119, 15381
Permits 5738, 5739, 5754, 5755, 9604

Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D.C.

Dear Mr. Dunn:

This will acknowledge your progress reports and requests for extension in connection with the above-numbered permits.

We are proceeding with extensions on Permits 5738, 5739, 5754 and 5755 for an additional year. We note, however, the statements in your progress report on Application 15381, Permit 9604, that water is used in all months and the available water supply is fully used during the peak of the tourist season. Inasmuch as the amount of water on which license is based is the average daily use during a week of maximum use, it would appear that the full amount under Permit 9604 has already been used. Under the circumstances it would appear that perhaps license should be issued rather than a further extension.

In view of the foregoing, will you please advise us as to whether you wish to have the project inspected with a view towards issuance of license or whether you wish to press for further extension.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Reg. 4

11-06-1958: receipt number 2885 check $5.00 permit extension fee ; november 06, 1958

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

Receipt No. 2885

Date November 6, 1958 ($ 5.00)

Received ($ 5.00)

☐ Cash ☐ Money Order ☒ Check *(Receipt contingent upon collection)*

United States-Death Valley National Monuments
%A. Van V. Dunn
National Park Service
Dept. of Interior
Washington 25, D. C.

Re APPLICATION NO. 10001

☐ Deposit ☐ Balance ☒ Full

Recordation Fee	$	Application No.	$
Verification—Fee	$	Permit Fee	$
Expense	$	Permit Extension Fee	$ 5.00
	$	Petition Fee	$
☐ Uncleared Collections		Additional Fee on Charges	$
☐ Application		Certification Fee	$
☐ Proof of Claim		Copying—Comparing	$
☐ Adjudication Apportionment		Proof of Claim Fee	$
☐ Verification Advance		Adjudication Apportionment	$
☐ Other		Refund—Verification	$
		Other	$

STATE WATER RIGHTS BOARD

LESLIE C. JOPSON, *Chief Engineer*

By Jeanne Brosman
Title

FORM 300
47168 11-56 20M QUIN ⓔ SPO

10-10-1958: enclosed are the 1958 progress reports ; october 10, 1958

L54-L

curres (4)

October 10, 1958

State Water Rights Board
P. O. Box 1592
Sacramento, California

Gentlemen:

Enclosed are the 1958 Progress Reports, and requests for extensions of time in which to perfect rights in Death Valley National Monument:

Application 10,001, Permit 5738 - Furnace Creek — 3
Application 10,002, Permit 5339 - Furnace Creek
Application 10,118, Permit 5754 - Furnace Creek
Application 10,119, Permit 5755 - Texas Springs
Application 15,381, Permit 9604 - Lower Emigrant and Pioneer Springs

WESTERN OFFICE
DESIGN & CONSTRUCTI
OCT 14 1958A.
CHIEF
ADMIN.ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

Also enclosed are a purchase order and voucher for $25.00 to cover the fee of $5.00 for each extension of time. The voucher should be signed and returned for payment.

The other forms for reports on water use in Death Valley, Pinnacles, and Yosemite, which have been received to date, have been forwarded to our Regional Director, Region Four, at 180 New Montgomery Street, San Francisco. A regional unit has been established to handle most California water right matters which will assume progressively more responsibility during the next year or two, and can now give better details of progress on those water developments for which the forms have been forwarded.

L4 10/14/58

Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 12

Copy to: Regional Director, Region Four)Each with 10 attachments - Please
Superintendent, Death Valley)file attachments in proper
Chief, WODC)dockets 3, 4, 5, 6 and 9

44

10-10-1958: notice of expiration ; october 10, 1958

FILE ~~Rt. Side~~ Rt-Side DEVA Docket 3

ST. CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10001 Permit 5738

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future? ___ Yes NO No

(b) Have you used the water for as long a season as you intend to? ___ Yes NO No

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked? ___ Yes NO No

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finance or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A ~~(1-year), (2-year),~~ (3-year) extension of time is requested for completion ~~of construction~~ work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ See 1958 Progress Report.
2. Approximate per cent of construction work complete to date 0.
3. Estimated date of completion of construction work 1965.
4. Estimated year in which full use of water will be made 1966.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

For reasons explained in 1958 progress report, proper design and construction cannot be completed until the sources of supply are sufficiently defined to permit the maximum efficient development of the limited supply to serve the Federal and Hotel Company needs, which are both essential to the MISSION 66 development to provide adequate public facilities for the estimated visitor use at Death Valley National Monument in 1966

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date OCT 10 1958

SIGNATURE (SGD.) A. VAN [illegible]

Chief, Water Resources Section

Form 67F

10-10-1958: progress report for 1958 ; october 10, 1958

STATE CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1958

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Furnace Creek Wash APPLICATION 10001

PERMIT 5758

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this permit The United States of America for Death Valley National Monument

MAILING ADDRESS Dept. of the Interior, National Park Service, Washington 25, D. C.

2. Has the project been abandoned? NO Has construction work commenced? YES

3. Has all construction work been completed? NO If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months See remarks

Describe briefly the portions of the project upon which the above amount was expended See remarks

5. What remains to be done to complete the project? See remarks

6. Has use of water commenced? YES State amount used if known 0.25 s.f. / or -

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Stock watering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☒ Domestic ____ Number of persons / Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☐ Mining ____ Method of water use

(g) ☐ Recreational ____ Nature of use

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other ____

7. During what months was water used in 1957? NONE - 1958-June to date

Do you expect to use it over a longer or different season in the future? YES

If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* NO

If not, estimate year in which use will be full and complete 1966

9. Has location of the intake or place of use been changed? YES

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1957-58 collection season as you expect to store in any future collection season? ____ How much of the stored water has been used? See remarks

Have you emptied the reservoir? ____ If not, have you used all the water that you intend to use in any one season? ____ State acre-feet used if known ____

11. During which months was water collected in the reservoir? See remarks

(SGD.) A. VAN T. DUNN
Sign Here
Permittee
Chief, Water Resources Section

Date OCT 10 1958

(OVER)

YEAR 1958

FORM 67

75361 4-58 3500 ⓤ SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

All water developments under Applications 10,001; 10,002 and 10,118 Furnace Creek and 10,119 Texas Springs, are now being studied, redesigned and constructed to provide some remedial water supply for the Federal developments in that area. The study includes a water resources investigation by the Geological Survey, exploratory [illegible] is now being prosecuted by the Geological Survey, and [illegible] in the combined area, which have been [illegible] by the Geological Survey. The ultimate objective is to complete the Federal development with minimum conflict with the parallel diversion and use of water by the Death Valley Hotel Company, successor to the Pacific Coast Borax Company, and to adjust any conflicts in water claims.

Approximately $12,000 have been spent during the past year in the continued investigation and report by the Geological Survey, and extension of exploratory trenching and test holes in Furnace Creek Wash, and bids are to be opened on October 14 for the drilling and test pumping of from one to three test wells, for which more than $30,000 is reserved. Work is also now in progress on the reconstruction of the Texas Springs Water System (Application 10,119) with $27,200 obligated, and $18,000 are reserved for the start of further design and construction of the Furnace Creek System (Applications 10,001; 10,002, and 10,118) when the results of the investigations are evaluated.

The Texas Spring supply has been, and must be maintained in continuous service to serve existing facilities with a normal supply of about 0.045 sec.ft., and probable peak during the Easter season of about 0.070 sec.ft. The well designated in Applications 10,001; 10,002 and 10,118 has failed, either because of drought conditions (see precipitation records in 1958 report under Application 15,381, Permit 9604), or because of conflicting upstream improvements by the Death Valley Hotel Company. Approximately 0.25 sec.ft. of water has been recovered at aforesaid exploratory trench, with incompletely determined effects on lower diversions of the Death Valley Hotel Company. That water is being temporarily delivered to the Company irrigation system during further observation of the flow at all headgates.

Regulatory storage capacity will apparently have to be several times the 100,000 gallons covered by Applications 10,001; 10,002; and 10,118; and the point of diversion, thereunder, will evidently have to be changed in accordance with plans which cannot yet be completed.

DO NOT WRITE IN THIS SPACE

05-26-1958: letter to nps from state of california regarding extensions of time granted to complete construction work; permits 9604

Goodwin J. Knight
Governor

STATE OF CALIFORNIA

State Water Rights Board

HENRY HOLSINGER, Chairman
W. P. ROWE, Member
RALPH J. McGILL, Member

1401 21st STREET
P. O. BOX 1388
SACRAMENTO 7, CALIFORNIA

L. K. HILL
Executive Officer

MAY 26 '58

Applications	Permits	DV
15381	9604	9
10119	5755	6
9509	5380	2
10118	5754	5
10002	5739	4
10001	5738	3

U.S. Death Valley National Monument
c/o Mr. A. Van V. Dunn
National Park Service
Department of Interior
Washington 25, D.C.

Gentlemen:

Orders have been entered granting extensions of time until December 1, 1958 within which to complete construction work and application of water to the proposed use under the above numbered permits.

It is suggested that the enclosed copies of the orders be attached to your copies of the permits.

Very truly yours,

L. K. Hill
L. K. Hill
Executive Officer

Enc.
Cert.

Docket 3 LS

File L 54 DEVA
Docket 3

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10001 PERMIT 2758 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

Good cause having been shown therefor, it is ordered that an extension of time be and the same is hereby granted until December 1, 1958 within which to complete construction work and application of water to the proposed use under said permit.

WITNESS my hand and the seal of the State Water Rights Board this 26 th day of May, 1958

L. K. Hill

L. K. Hill
Executive Officer

FORM

5-465 1 58 IM SPO

12-12-1957: receipt number 1422 check $5.00 permit extension fee ; december 12, 1957

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

Receipt No. 1422

Date December 12, 1957 ($ 5.00)

Received Five and no/100---------- ($ 5.00)

☐ Cash ☐ Money Order ☒ Check *(Receipt contingent upon collection)*

United States-Death Valley National Monument
% A. Van V. Dunn
National Park Service
Dept. of Interior
Washington 25, D. C.

Re APPLICATION NO. 10001

☐ Deposit ☐ Balance ☒ Full

Recordation Fee	$	Application No.	$
Verification—Fee	$	Permit Fee	$
Expense	$	Permit Extension Fee	$ 5.00
	$	Petition Fee	$
☐ Uncleared Collections		Additional Fee on Charges	$
☐ Application		Certification Fee	$
☐ Proof of Claim		Copying—Comparing	$
☐ Adjudication Apportionment		Proof of Claim Fee	$
☐ Verification Advance		Adjudication Apportionment	$
☐ Other		Refund—Verification	$
		Other	$

STATE WATER RIGHTS BOARD

LESLIE C. JOPSON, *Chief Engineer*

By Jeanne Bauman
Title

FORM 300
47168 11-56 20M QUIN ⓑ SPO

11-06-1957: enclosed is your purchase order ; november 06, 1957

To: Reg Four Docket #3 Dunn

Goodwin J. Knight
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

RY HOLSINGER, CHAIRMAN
N B. EVANS, MEMBER
, ROWE, MEMBER

LESLIE C. JOPSON
CHIEF ENGINEER
LAWRENCE SPENCER
APPLICATIONS
JOHN PAGE
[illegible]

RECEIVED
NPS REGION FOUR OFFICE
NOV 18 '57

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
LEGAL		

November 6, 1957

Applications 9505, 10001, 10002, 10118, 10119, 15381

U. S. Death Valley National Monument
c/o Mr. A. van V. Dunn
National Park Service
Department of Interior
Washington 25, D. C.

Gentlemen:

X Spreadsheet ltr 11/26 Monday 8 Fri 11/26

Enclosed herewith is your Purchase Order No. 99-252-F, signed as instructed to cover request for extension of time in connection with the following permits to appropriate water in Inyo County:

Application ~~9505~~ 9509, Permit 5380 Cow Creek Docket 2
Application 10001, Permit 5738 Furnace Creek, Docket 3 ← FILE
Application 10002, Permit 5739 Furnace Creek " 4 JSS
Application 10118, Permit 5754 Furnace Creek " 5
Application 10119, Permit 5755 Texas Spring " 6 copies not necessary in
Application 15381, Permit 9604 Lower Emigrant and Pioneer Springs " 9 other Dockets

Further action in the matter will await receipt of the necessary fees.

voucher cleared for payment 11/13/57 A. van V. D

Very truly yours,

STATE WATER RIGHTS BOARD
LESLIE C. JOPSON, Chief Engineer

By Original signed by
L. C. Spencer
Supervising Hydraulic Engineer

Enc.

CC Reg Four ✓

41

10-29-1957: enclosed are the annual progress reports ; october 29, 1957

L54-L

OCT 29 1957

11-13

Mr. Harvey O. Banks, State Engineer
State Water Rights Board
1401 - 21st Street
P. O. Box 1592
Sacramento, California

Re: Applications 8423; 9509; 10,001; 10,002; 10,118; 10,119; and 15,381 Death Valley

Dear Mr. Banks:

Enclosed are the annual progress reports on developments under each of the designated water right applications; requests for extensions of time on all except Application 8423, for which such a request was filed last year; and a purchase order and voucher for $30.00 to cover the prescribed fees for the requests for extensions of time at $5.00 each. The voucher should be signed and returned to this office for payment.

In connection with the requests for extensions of time, also please refer to my letter of May 1 concerning most of the developments. The most urgent needs are for additional water in the area between Furnace Creek and Cow Creek, where extensive additional water using facilities have already been started, and where the water system developments have had to be deferred until further exploration of the underground sources is completed. To date we have not found the unused underground flow or source of that flow which is partially diverted by the Pacific Coast Borax Company on its Furnace Creek Inn tract, down stream. It is apparently necessary to explore more deeply to determine the full quantity of available water, which is less than, or deeper than, that found in 1941.

Very truly yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosures 14

Copy to: Regional Director, Region Four
Superintendent, Death Valley
Field Solicitor McClellan (2)
Chief, WODC (2)

40

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1957

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Furnace Creek Wash APPLICATION 10001

PERMIT 5738

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this water right The United States of America for Death Valley National Monument

MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion 1965

4. State approximate cost of construction work on this project during the past 12 months $10,000

Describe briefly the portions of the project upon which the above amount was expended $7,500 for water resources investigation and study by Geological Survey and $2,500 for exploratory Trenching and diversion tests.

5. What remains to be done to complete the project? See reverse.

6. Has use of water commenced? No State amount used if known Inapplicable

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation — Total acres irrigated — Name crops served and acreage of each

(b) ☐ Stock watering — Number of animals

(c) ☐ Industrial — Nature of use

(d) ☐ Domestic — Number of persons; Area of garden, lawn, etc.

(e) ☐ Municipal — Approximate population

(f) ☐ Mining — Method of water use

(g) ☐ Recreational — Nature of use

(h) ☐ Power — Installed horsepower capacity

(i) ☐ Other

7. During what months was water used in 1957? None

Do you expect to use it over a longer or different season in the future? Yes

If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete 1975

9. Has location of the intake or place of use been changed? Not determined

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1956-57 collection season as you expect to store in any future collection season? INAPPLICABLE How much of the stored water has been used?

Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir? Inapplicable

(SGD.) United States of America

Sign Here by A. van V. Dunn, Chief-Water Resources Sec. National Park Service

Date October 23, 1957

(OVER)

YEAR 1957

FORM 67

54166 4-57 3500 ⓘ BPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

5. Due to decreasing underground flow and apparently lowering water level of that flow additional exploration by trenching or well drilling is to be scheduled as soon as Geological Survey report is completed, and $12,000 is reserved for this work by June 30, 1958. Revised design and construction are to follow immediately with funds which have been appropriated.

Rights and claims to waters of Furnace Creek under Applications 10,001, 10,002, and 10,118 are all for a supplemental supply for existing and proposed developments which are now supplied from Texas Springs under Application 10,119. The authorized diversions from Texas Springs, which are also used by the Borax Company, are not yet fully used for domestic purposes but the residual has proved inadequate for irrigation. The Furnace Creek flow is from springs underground sources, and is also partially used by the Borax Company. Preliminary reports by the Geological Survey, and exploration by the National Park Service, suggest that the available flow has decreased during the prolonged drought since first studied in 1940 and 1941, and is at a greater depth than originally found. Since January 1957, the National Park Service has spent $10,000 and proposes to spend at least $12,000 more by June 30, 1958 to determine the available supply and existing beneficial use from both sources before revising plans and constructing the enlarged water system. Part of the construction funds have been appropriated. The $10,000 expended during the past year is the total for work under Applications 10,001; 10,002; 10,118; and 10,119.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10001 Permit 5738

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future? ___ Yes x No

(b) Have you used the water for as long a season as you intend to? ___ Yes x No

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked? ___ Yes x No

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finance or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A ([redacted]), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ 10,500.
2. Approximate per cent of construction work complete to date 1%.
3. Estimated date of completion of construction work 1965.
4. Estimated year in which full use of water will be made 1975.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Only about 0.25 sec.ft. of authorized 1.5 sec.ft. has been found, and that at greater depth than when well was first drilled. Further explorations are needed before completion of final plans and construction.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date October 23, 1957

SIGNATURE United States of America
by A. van V. Dunn, Chief, Water Resources Sec.
National Park Service

Form 67F

05-10-1957: the state water rights board has considered your above numbered applications ; may 10, 1957

COPY

May 10, 1957

Applications 17247, 17248, 17249, 17250
17251, 17252, 17253, 17254

Mr. J. A. Crawford
c/o Mr. W. R. Clardy
714 West Olympic Boulevard Room 610
Los Angeles 15, California

Dear Mr. Crawford

The State Water Rights Board has considered your above numbered applications and is prepared to grant them subject to the following special conditions:

"Permitee shall not construct or main tain fences or other works which may prevent access to water from the source hereunder by the public or wildlife."

Unless we are advised to the contrary within ten days it will be assumed that you have no objection to this special condition, and we will proceed with the issuance of the permits accordingly.

Very truly yours

STATE WATER RIGHTS BOARD

By /s/ Leslie C. Jopson

Leslie C. Jopson
Chief Engineer

33

12-19-1956: order granting extension of time within which to complete construction and use ; december 19, 1956

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

Good cause having been shown therefor, it is ordered that an extension of time be and the same is hereby granted until December 1, 1957, within which to complete construction work and application of water to the proposed use under said permit.

Witness the hand and seal of the State Water Rights Board this 19th day of December, 1956.

STATE WATER RIGHTS BOARD

By Leslie C. Jopson
Leslie C. Jopson
Chief Engineer

C&U

02-01-1956: reference is made to the recent request by your office for an extension ; february 01, 1956

HARVEY O. BANKS, STATE ENGINEER
CHIEF OF DIVISION

FRANK B. DURKEE
DIRECTOR

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
P. O. BOX 1079
SACRAMENTO 5
PUBLIC WORKS BUILDING
1120 N STREET

February 1, 1956

Applications 6729, 9509, 10001, 10002
10118, 10119, 10276

Mr. A. van V. Dunn, Chief
Water Resources Section
National Park Service
Washington 25, D. C.

Docket no 3

RECEIVED WITH MEMO OF 2/14/56
in corres file

Dear Mr. Dunn:

Reference is made to the recent request by your office for an extension of time to complete construction work and full beneficial use of water under the following applications and permits:

Appl.	Permit			Docket No.
6729	3549	Yosemite N. P.	Raynor Creek	Yos. 1
9509	5380	Death Valley N. M.	Cow Creek	D.V. 2
10001	5738	"	Furnace Creek	D.V. 3
10002	5739	"	"	D.V. 4
10118	5754	"	"	D.V.
10119	5755	"	Texas Springs	D.V.
10276	5891	"	Wildrose Spring	D.V.

In view of the length of time that these filings have been in permit status it is believed that an inspection of each project by one of our engineers should be made before acting on the request for extension. Accordingly the applications have been listed for inspection during the coming field season. Ample advance notice of the date of inspection will be given to enable a local representative of the agency involved to be present.

Very truly yours,

HARVEY O. BANKS, STATE ENGINEER

By L. C. Jopson
L. C. Jopson
Assistant State Engineer

VLSuEVH

In reply refer to:
L54-L

Office of
Chief, Western Office
Div. of Design and Const.
OCT 19 1955 A.M
Supv. Architect
Supv. Engineer
Supv. Landscape Arch.
Safety Engineer

October 14, 1955

Memorandum

To: Regional Director, Region Four

From: Acting Chief, Water Resources Section

Subject: Annual Progress Reports for Death Valley and Yosemite

Copies of annual reports and requests for extensions of time to complete the following water systems are attached for filing in the respective dockets:

Death Valley - Cow Creek Power	App. 9509	- Docket 2
- Furnace Creek	10001	- Docket 3
- Furnace Creek	10002	- Docket 4
- Furnace Creek	10118	- Docket 5
- Texas Springs	10119	- Docket 6
- Wildrose Spring	10276	- Docket 7

Copies of the reports and extensions are being sent directly to the Superintendent and Western Office of Design and Construction for same disposition or record.

SIGNED

Gordon W. Robertson
Acting Chief
Water Resources Section

Attachments 6

Copy to: Superintendent, Death Valley, with 6 attachments
Western Office of Design and Construction, with 6 attachments

24

10-14-1955: notice of expiration ; october 14, 1955

Application 10001 Permit 5738

The time within which to complete the project under the above-numbered filing has expired or will expire shortly. You have the following alternatives:

1. If use of water is complete, both as to amount and as to season of use, so indicate and the project will be listed for license inspection. Is use of water complete? ____ Yes X No

2. If the project has been abandoned or if you have made no progress toward completion, so indicate and the permit will be revoked. Has project been abandoned? ____ Yes X No

3. If you are proceeding with due diligence but the project is not complete, you may request an extension of time. Section 1546 of the Water Code, added by Chapter 254, Statutes of 1955, now requires that all requests for extension of time be accompanied by a filing fee of $5.00. A request for extension of time can be requested by completing the remainder of this form.

____ 1 year
____ 2 years
__X__ 3 years

is hereby requested for completion of construction work and/or completion of beneficial use of water.

Section 1398 of the Water Code provides that the period specified in the permit for beginning construction work, for completion of construction work, for application of the water to beneficial use, or any or all of these periods may, for good cause shown, be extended by the Department. Section 777 of the California Administrative Code provides that sickness, lack of finances, or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay, while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

1. Approximate total amount expended on project to date $ $500.
2. Approximate per cent of project that has been completed negligible.
3. State estimated date of completion 1965.
4. Give reasons why project was not completed within time allowed:

Applications 10,001, 10,002 and 10,118 all relate to one supplemental supply for distribution system largely completed under Application 10,119. Congress has not appropriated requested funds for this project despite the urgent need for it, but did provide funds for developments under Application 10,119

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FILING FEE OF $5.00

DATE OCT 14 1955

SIGNATURE Gordon Roberts
Acting Chief, Water Resources Section, U.S. Park Service

10-14-1955: progress report for 1955 ; october 14, 1955

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1955

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE Furnace Creek Wash APPLICATION 10001

PERMIT 5736

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this water right United States of America at Death Valley National Monument

   MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes (see note on reverse)

3. Has all construction work been completed? No If not, give estimated date of completion About 1965

4. State approximate cost of construction work on this project during the past 12 months None

   Describe briefly the portions of the project upon which the above amount was expended

   Not applicable

5. What remains to be done to complete the project? Mill must be rehabilitated and entire pipeline must be constructed.

6. Has use of water commenced? No State amount used if known

   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

   (a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

   (b) ☐ Stock watering ____ Number of animals

   (c) ☐ Industrial ____ Nature of use

   (d) ☐ Domestic ____ Number of persons / Area of garden, lawn, etc.

   (e) ☐ Mining ____ Method of water use

   (f) ☐ Recreational ____ Nature of use

   (g) ☐ Power ____ Installed horsepower capacity

   (h) ☐ Municipal ____ Approximate population

7. During what months was water used in 1955? None

   Do you expect to use it over a longer or different season in the future? Yes

   If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

   If not, estimate year in which use will be full and complete About 1965

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1954-55 collection season as you expect to store in any future collection season? Not applicable If low much of the stored water has been used?

    Have you emptied the reservoir? ____ If not, have you used all the water that you intend to use in any one season? ____ State acre-feet used if known

11. During which months was water collected in the reservoir? Not applicable

Sign Here (SGD) GORDON W. ROBERTSON
Acting Chief, Water Resources Div., Natl. Park Ser.
Date OCT 14 1955

(OVER)

INSTRUCTIONS

YEAR 1955

FORM 67

22229 8-55 4M ① SPO

10-14-1955: progress report for 1955 cont. ; october 14, 1955

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

Requested funds for 1956 fiscal year, beginning July 1, 1955, were not appropriated by Congress.

DO NOT WRITE IN THIS SPACE

STATE C. C[illegible]ORNIA—DEPARTMENT O[illegible] F[illegible]C WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Docket 3

DO YOU AGREE TO THIS REPORT

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1954

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet for instructions and for space to submit additional information.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Creek Wash

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who have an interest in the water right United States of America at Death Valley National Monument

ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes (see note on reverse)

3. Has all construction work been completed? No If not, give estimated date of completion About 1956

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended

Not applicable

5. What remains to be done to complete the project? Mill must be rehabilitated and entire pipeline must be constructed

6. Has use of water commenced? No

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ (Total acres irrigated) ____ (Name crops served and acreage of each)

(b) ☐ Power ____ (Installed capacity)

(c) ☐ Industrial ____ (Nature of use)

(d) ☐ Domestic ____ (Number of persons; Area of garden, lawn, etc.)

(e) ☐ Mining ____ (Method of water use)

(f) ☐ Recreational ____ (Nature of use)

(g) ☐ Stockwatering ____ (Number of animals)

(h) ☐ Municipal ____ (Approximate population)

7. During what months was water used in 1954? None

Do you expect to use it over a longer or different season in the future? Yes

If so, state other months of use All 12 months

8. Have you used as much water this year as you expect to use under this permit? No

If not, estimate year in which use will be full and complete About 1962

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 & 11

10. Have you stored as much water in your reservoir as you expect to store? ____

How much of the water has been used? Not applicable

Have you emptied the reservoir? ____ If not, have you used all the water that you intend to use in any one season? ____

11. During which months was water collected in the reservoir? Not applicable

SIGN HERE ____ Permittee

Date Nov. 12, 1954

Chief, Water Resources Sec., Natl. Park Service

(OVER)

YEAR 1954

FORM 67

98898 5-54 4M (1) SPO

11-12-1954: progress report for 1954 cont. ; november 12, 1954

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

The 1955 budget, for period from July 1, 1954 to June 30, 1955, now includes an item of $35,000 to start the pipeline construction. Because of the urgent need for the system, the pipeline should be completed by the end of 1955, subject to Congressional appropriations, but the full use of water under applications 10,081, 10,082, 10,113 and 10,119, will not be possible until related irrigation ditches, a return and public outlet stations are completed, probably by degrees over the subsequent 10 years.

DO NOT WRITE IN THIS SPACE

STATE CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1953

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadeqdate.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monument)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   Well in Furnace Creek Wash must be connected to existing distribution reservoir and water system which is now served by water from Texas Springs under related Application No. 10119.
5. If additional construction is required please indicate date when it will be complete About 4 years.
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None. The National Park Service and Borax Consolidated, Ltd. (Pacific Coast Borax Company) have negotiated terms by which to clarify access of each to the source of supply, the final instruments now being in review status.
7. Has use of water commenced? No. If so, describe use made **during the past 12 months**
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
8. During which months was water used? None.
9. Will water be used during any other months? Yes. All 12 months.
10. Have you used as much water as you expect to use under this permit? No
    If not, when will such use be full and complete? About 4 or 5 years.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

If project involves storage answer 12 and 13

12. Have you filled your reservoir and subsequently used the water? See statement on reverse
    " " " " "
13. During which months was water collected in the reservoir?

United States of America
By (SGD.) A. VAN V. DUNN
Chief, Water Resources Branch
National Park Service
Permittee

Date October 16, 1953

SIGN HERE

(OVER)

YEAR 1953

FORM 67

82376 7-53 4M SPO

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

12 & 13. The waters of Furnace Creek are claimed by both United States and Pacific Coast Borax Co., and the latter is now diverting and using water under various priorities, dating in part from the 70's. Accordingly, Federal Storage needs, if any, will be determined when water rights of the two claimants are defined.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

File

ORDER

Death Valley Docket No. 3

APPLICATION 10001 PERMIT 5738 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under Application 10001, Permit 5738,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1955, within which to complete construction work and apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 11th day of June, 1953.

A. D. Edmonston
State Engineer

FORM 100

3-

DV
Docket 3

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1952

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 973 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monument)
   Address National Park Service, Washington, 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   Well in Furnace Creek Wash must be connected to existing distribution reservoir and water system which is now served by water from Texas Springs under related Application No. 10119.
5. If additional construction is required please indicate date when it will be complete About 4 years
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None
7. Has use of water commenced? No. If so, describe use made **during the past 12 months**
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
8. During which months was water used? None
9. Will water be used during any other months Yes. All 12 months

If project involves storage answer 10 and 11

10. Have you filled your reservoir and subsequently used the water? See statement on reverse
11. During which months was water collected in the reservoir? " " " "
12. Have you used as much water as you expect to use under this permit? No
    If not, when will such use be full and complete? About 4 or 5 years
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
13. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

Date Nov. 4, 1952

SIGN HERE United States of America
by A. Wauv. Dunn
Permittee
Chief, Water Resources Branch
National Park Service

(OVER)

YEAR 1952

FORM 67

65476 7-52 3M SPO

11-04-1952: progress report for 1952 cont. ; november 04, 1952

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

10411 **The waters of Furnace Creek are claimed by both United States and Pacific Coast Borax Co., and the latter is now diverting and using water under various priorities, dating in part from the 70's. Accordingly, Federal Storage needs, if any, will be determined when water rights of the two claimants are defined.**

DO NOT WRITE IN THIS SPACE

C O P Y

PUBLIC LAW 284 - 82d CONGRESS
Chapter 109 - 2d Session
H. R. 4515

AN ACT

All 66 Stat. 27.

To authorize the acquisition by exchange of certain properties within Death Valley National Monument, California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to grant and convey to Borax Consolidated Limited, perpetual easements for rights-of-way, aggregating not more than twenty acres, for general utility purposes within Death Valley National Monument, California, subject to such terms and conditions as the Secretary may deem desirable, and to accept in exchange therefor the conveyance to the United States of approximately two hundred and thirty acres of land within the exterior boundaries of such National Monument.

Interior Department. Exchange of lands.

APPROVED MARCH 24, 1952.

10-12-1951: progress report for 1951 ; october 12, 1951

STATE C[illegible]FORNIA—DEPARTMENT O[illegible]IC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Death Valley Docket No. 3

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1951

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5736 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monument)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   The entire diversion system must be constructed from the well which has been dug, to the distribution system which is now partially complete and operating with water from the Texas Springs under Application 10119.
5. If additional construction is required please indicate date when it will be complete About 5 years. (See reverse of this page.)
6. Describe any construction work done during the past 12 months and state the estimated cost including labor
   No construction, but negotiations are in progress with Pacific Coast Borax Company to adjust related land status.
7. Has use of water commenced? No If so, describe use made during the past 12 months None
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
8. During which months was water used? None
9. Will water be used during any other months? Yes. During entire year.
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? About 5 or 6 years.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America
Permittee

Date October 12, 1951

SIGN HERE By (SGD) GORDON W. ROBERTSON
(OVER) Acting Chief, Water Resources Branch,
National Park Service,
YEAR 1951 Department of the Interior

FORM 67

STATE PRINTING OFFICE

10-12-1951: progress report for 1951 cont. ; october 12, 1951

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

During and since the war it has been impossible to complete this water system because of limitations on funds which have been imposed by Congress and the Bureau of the Budget. The need for the development, however, is evident from the fact that existing facilities, using the limited water supply from Texas Spring, were installed before the war, when approximately 96,000 people constituted the maximum number of annual visitors at the Monument. In contrast, there were slightly more than 161,000 visitors at the Monument in each of the travel years 1947, 1948, and 1949, and there was a jump of 40% to 226,864 visitors for the travel year ending September 30, 1950. There was a drop to 205,519 visitors in 1951, which may indicate leveling off of public use, or a shift of public interest.

DO NOT WRITE IN THIS SPACE

11-02-1950: progress report for 1950 ; november 02, 1950

STATE C ORNIA—DEPARTMENT O C WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

File in Death Valley Deed ?

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1950

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monument)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   The entire diversion system must be constructed from the well which has been dug, to the distribution system which is now partially complete and operating with water from the Texas Springs under Application 10119.
5. If additional construction is required please indicate date when it will be complete About 5 years. (See reverse of this page.)
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None.
7. Has use of water commenced? No If so, describe use made **during the past 12 months** None
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
8. During which months was water used? None
9. Will water be used during any other months Yes. During entire year.
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? About 5 or 6 years.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America
SIGN HERE By: (SGD.) A. VAN V. DUNN
Permittee
Chief, Water Resources Branch,
National Park Service,
Department of the Interior

Date November 2, 1950

(OVER)

YEAR 1950

FORM 67

STATE PRINTING OFFICE

11-02-1950: progress report for 1950 cont. ; november 02, 1950

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

During and since the war it has been impossible to complete this water system because of limitations on funds which have been imposed by Congress and the Bureau of the Budget. Demand for the development, however, is evident from the fact that existing facilities, using the limited water supply from Texas Spring, were installed before the war, when approximately 96,000 people constituted the maximum number of annual visitors at the Monument. In contrast, there were slightly more than 161,000 visitors at the Monument in each of the travel years 1947, 1948, and 1949, and there was a jump of 40% to 226,864 visitors for the travel year ending September 30, 1950.

DO NOT WRITE IN THIS SPACE

10-20-1949: progress report for 1949 ; october 20, 1949

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Death Valley Deed?

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10002 PERMIT 5730 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monument)

Address National Park Service, Interior Building, Washington 25, D. C.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

The well has been dug, and used locally for a short time, but the main water system must still be constructed to permit the use of the water on the areas authorized in the permit.

5. If additional construction is required please indicate date when it will be complete 4 to 5 years (See reverse page).

6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor

There was limited improvement of the area of proposed use, as described in report under related Application 10119

7. Has use of water commenced? No If so, describe use made **during the past 12 months** None
If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

(Note: The well was used to augment water supply for Furnace Creek Inn as soon as dug, but was then placed in reserve when the Pacific Coast Borax Company provided its own wells on its own land—all before filing of Applications 10,001, 10,002, and 10,118.)

8. During which months was water used? ---

9. Will water be used during any other months Yes. All months.

10. Have you used as much water as you expect to use under this permit? No

If not, when will such use be full and complete? About 5 years.
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

Date October 20, 1949

SIGN HERE By: United States of America
(SGD.) A. VAN V. DUNN
Chief, Water Resources Branch
National Park Service
Department of the Interior

(OVER)

FORM 67

YEAR 1949

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

With annual attendance of between 161,500 and 183,700 for the last three years, there is an urgent need for the completion of this water development, and all related accommodations for the public and improvement of the grounds. However, the construction is dependent on appropriations which the Congress has not seen fit to provide while there are so many other demands on the Nation's funds, for domestic and foreign recovery.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America, Department of the Interior, National Park Service. (Death Valley National Monument.)

Address National Park Service, Interior Building, Washington 25, D. C.

2. Has the project been abandoned? No. 3. Is construction *complete*? No.

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
The main diversion system, from well to various areas of use, must be constructed.

5. If additional construction is required please indicate date when it will be complete 4 to 5 years. See reverse page.

6. Describe any construction work done during the past 12 months and state the estimated cost including labor
Some additional facilities were provided for the visiting public, but their water supply was limited to that available under Application 10119.

7. Has use of water commenced? No If so, describe use made during the past 12 months None under this application and permit.
If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

8. During which months was water used? ---

9. Will water be used during any other months Yes. All months.

10. Have you used as much water as you expect to use under this permit? No.
If not, when will such use be full and complete? About 5 years.
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America,
Department of the Interior,
National Park Service,
SIGN HERE By: (SGD.) A. VAN V. DUNN. Permittee
Chief, Water Resources Branch.

Date November 1, 1948.

(OVER)

FORM 67

YEAR 1948

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

This water development is integrated with extensive projects to improve the public facilities of the Monument. Since the war, the United States has concentrated on rehabilitation of facilities which were not properly maintained during the war, and such work has been given priority below the general national housing problem, and replacement of home appliances and other more essential needs. The Bureau of the Budget has authorized appreciable construction estimates for national parks and monuments for the next fiscal year. This is the first suggestion that an attempt may be made to cope with the growing public use of these areas.

The attendance at Death Valley National Monument in 1941, the last full prewar year, was 96,529. The attendance in 1947 was up to 162,113, and that of 1948 was 163,733, or approximately 170% of the prewar attendance for which water supply and other facilities are now provided. It follows that any delay in perfecting water rights is due to conditions beyond the control of the National Park Service.

DO NOT WRITE IN THIS SPACE

01-06-1948: progress report by permittee; application 10001, permit 5738

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

Deed No 7.

DO NOT WRITE IN THIS SPACE

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Cr, Wash

1. *Name* of present holder of permit United States of America, Department of the Interior, National Park Service (Death Valley National Monument).

Address National Park Service, Interior Building, Washington 25, D. C.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

4 pump units and part of the pipe line from pump to distribution reservoir must still be installed.

5. If additional construction is required please indicate date when it will be complete See note on reverse.

6. Describe any construction work done during the past 12 months and state the estimated cost including labor

None

7. Has use of water commenced? No If so, describe use made during the past 12 months —

If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

8. During which months was water used? None

9. Will water be used during any other months Yes, all 12 months.

10. Have you used as much water as you expect to use under this permit? No.

If not, when will such use be full and complete? See note on reverse.

If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

SIGN HERE United States of America,
Department of the Interior,
National Park Service.
(SGD.) A. VAN L. DUNN
Chief, Water Resources Branch

Date January 6, 1948.

(OVER)

YEAR 1947

FORM 67

STATE PRINTING OFFICE

01-06-1948: progress report for 1947 cont. ; january 06, 1948

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time needed.

This project has been suspended during the war because of other federal needs for the labor and strategic materials. The prosecution of work is now dependent on Congressional appropriations. During the past two years the project has been included in a large program submitted to the Bureau of the Budget, and has been part of the portion of that program which was disapproved by the Bureau of the Budget in its attempt to reduce federal expenditures. The project will be completed, probably within 3 to 5 years, when the United States is considered sufficiently recovered from the social and economic disruption of the war.

DO NOT WRITE IN THIS SPACE

10-09-1946: progress report for 1946 ; october 09, 1946

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

DO NOT WRITE IN THIS SPACE

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 6730 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America, Department of the Interior, National Park Service (Death Valley National Monument).
   Address Director, National Park Service, Merchandise Mart, Chicago 54, Illinois.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   Status of this project is still as described in progress report for 1944.
5. If additional construction is required please indicate date when it will be complete After national housing shortage is alleviated.
6. Describe any construction work done during the past 12 months and state the estimated cost including labor
   No construction during past 12 months. No work is possible under Directive No. 126 of the Office of War Mobilization and Reconversion. See letter of September 26, 1946, from A. van V. Dunn to State Engineer regarding effect of that directive on construction of Mariposa Water System at Yosemite National Park, Application 6729, Permit 3540.
7. Has use of water commenced? No If so, describe use made during the past 12 months None.
   If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.
8. During which months was water used? None.
9. Will water be used during any other months All 12 months when water system is completed.
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? When water system is completed.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

Date October 9, 1946.

SIGN HERE United States of America, Department of the Interior, National Park Service. (SGD.) A. VAN V. DUNN Chief, Water Rights Division. Permittee

(OVER)

NOTE

FORM 67

YEAR 1946

STATE PRINTING OFFICE

10-09-1946: progress report for 1946 cont. ; october 09, 1946

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate, given of additional time required.

DO NOT WRITE IN THIS SPACE

11-02-1945: progress report for 1945 ; november 02, 1945

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

File Death Valley

DO NOT WRITE IN THIS SPACE

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10051 PERMIT 5730 SOURCE Furnace Creek Wash

United States of America, Department of the Interior, National Park Service. (Death Valley National Monument.)

1. *Name* of present holder of permit

Address Director, National Park Service, Merchandise Mart, Chicago 54, Illinois.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

Statement regarding additional work in the report for 1944 is still applicable.

5. If additional construction is required please indicate date when it will be complete During 1947 and 1948 fiscal years to complete proposed plans.

5. Describe any construction work done during the past 12 months and state the estimated cost including labor None.

7. Has use of water commenced? No If so, describe use made during the past 12 months —
If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

8. During which months was water used? None.

9. Will water be used during any other months All 12 months.

10. Have you used as much water as you expect to use under this permit? No.

If not, when will such use be full and complete? As soon as system can be completed.
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

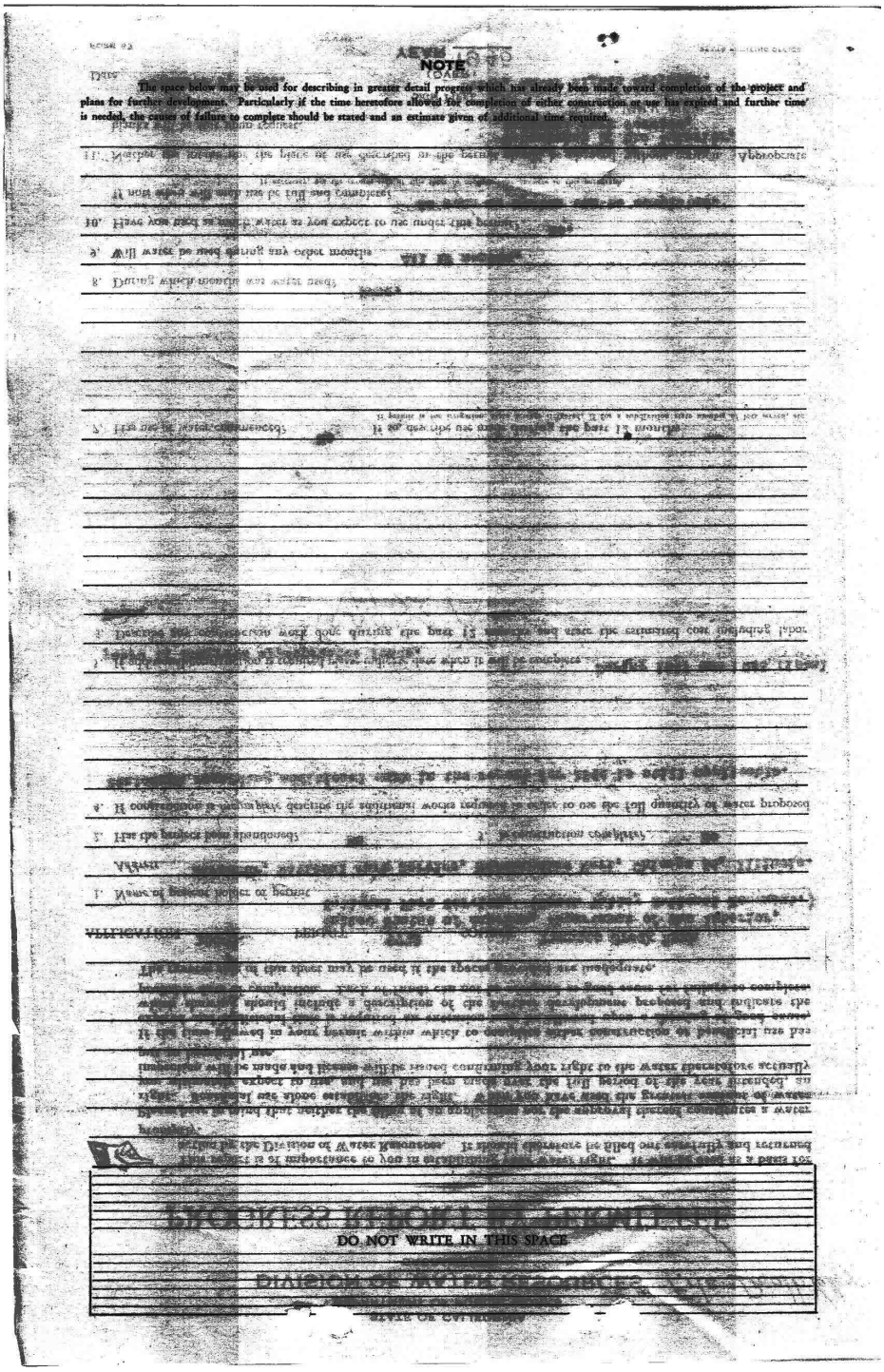
SIGN HERE (SGD.) A. VAN V. DUNN
Permittee

Date November 6, 1945. Chief, Water Rights Division.

(OVER)

FORM 67 YEAR 1945 STATE PRINTING OFFICE

11-02-1945: progress report for 1945 cont. ; november 02, 1945



NOTE

The space below may be used for describing in greater detail progress which has thusly been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

10-27-1944: progress report for 1944 ; october 27, 1944

Copy to Death Valley - Head 7
Sent 11/1

FORM 67

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5735 SOURCE Furnace Creek Wash

1. *Name* of present holder of permit United States of America, Department of the Interior, National Park Service

Address Death Valley National Monument, Death Valley, California.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
A pump is needed at the well, and a diversion pipe must be constructed from the pump to a connection with the distribution system which is already in operation under Permit No. 5735.

5. If additional construction is required please indicate date when it will be complete After the war.

6. Describe any construction work done during the past 12 months and state the estimated cost including labo
None.

7. Has use of water commenced? No If so, describe use made during the past 12 months —
If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

8. During which months was water used? None.

9. Will water be used during any other months All 12 months of year when system is complete.

10. Have you used as much water as you expect to use under this permit? No.

If not, when will such use be full and complete? Several years after close of war.
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America,
Department of the Interior,
National Park Service.
(SGD.) A. W. V. Dunn
Chief, Water Rights Division Permittee

Date October 27, 1944.

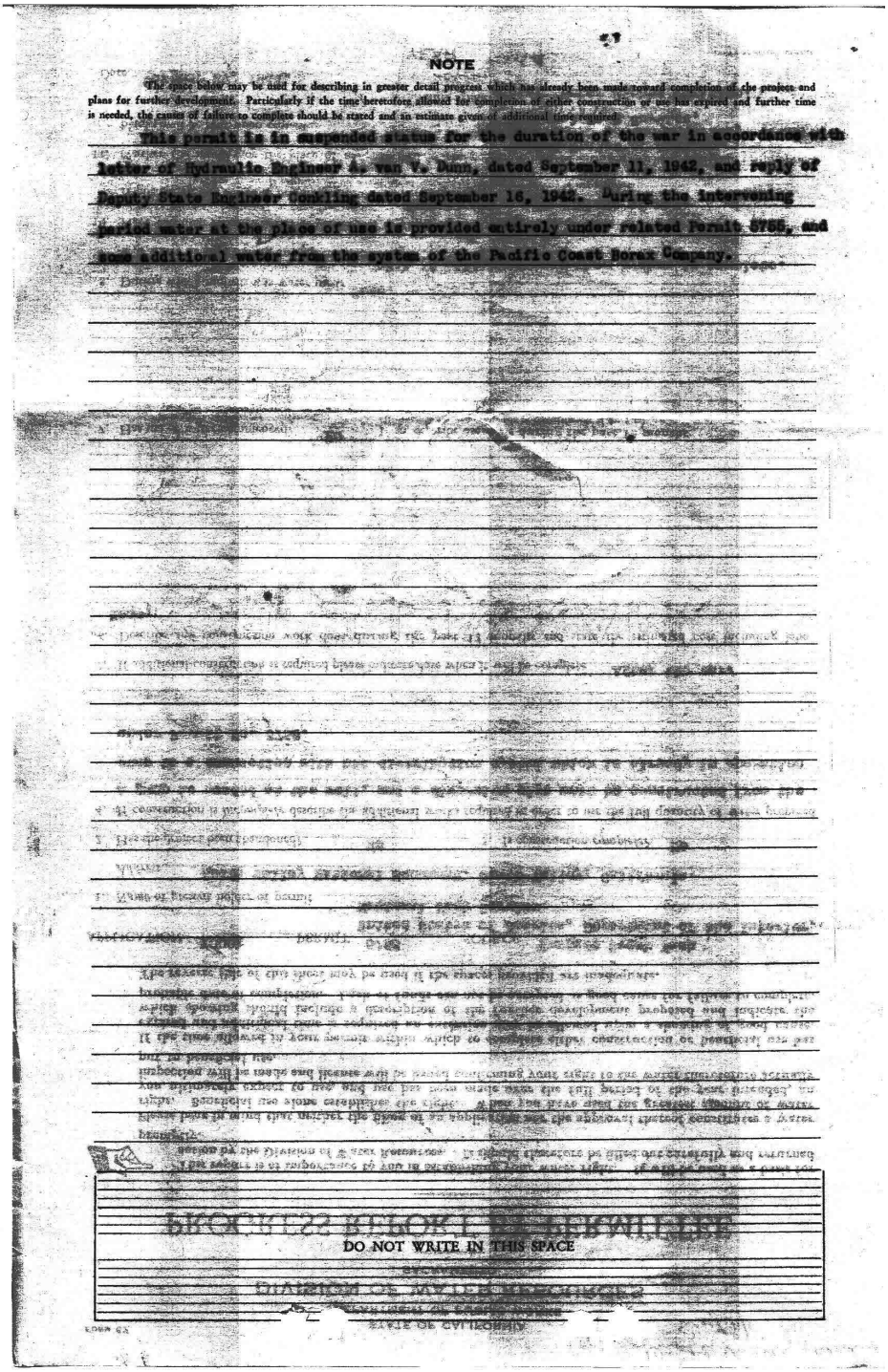
SIGN HERE

(OVER)

YEAR 1944

STATE PRINTING OFFICE

10-27-1944: progress report for 1944 cont. ; october 27, 1944



NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of actual construction work has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

This permit is in suspended status for the duration of the war in accordance with letter of Hydraulic Engineer A. von V. Davis, dated September 11, 1942, and reply of Deputy State Engineer Gordon, dated September 16, 1942. During the intervening period water at the place of use is provided entirely under related Permit 6788, and some additional water from the system of the Pacific Coast Borax Company.

DO NOT WRITE IN THIS SPACE

10-03-1943: progress report for 1943 ; october 03, 1943

FORM 67

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

DO NOT WRITE IN THIS SPACE

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5720 SOURCE Furnace Creek Wash, etc.

1. *Name* of present holder of permit United States of America, Death Valley National Monument.
   Address Death Valley Junction, California
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

No progress has been made on this water development due to the war requiring a suspension of activity. Please refer to County State Engineer Conkling's letter of Sept. 16, 1942 addressed to Mr. A. Van V. Nims, Hydraulic Engineer, U. S. Dept. of the Interior, National Park Service, Water Rights Section, 601 Sheldon Bldg., San Francisco

5. If additional construction is required please indicate date when it will be complete
6. Describe any construction work done during the past 12 months and state the estimated cost including labo

None

7. Has use of water commenced? None No If so, describe use made during the past 12 months
   If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.
8. During which months was water used?
9. Will water be used during any other months
10. Have you used as much water as you expect to use under this permit?
    If not, when will such use be full and complete?
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

SIGN HERE _____ Permittee

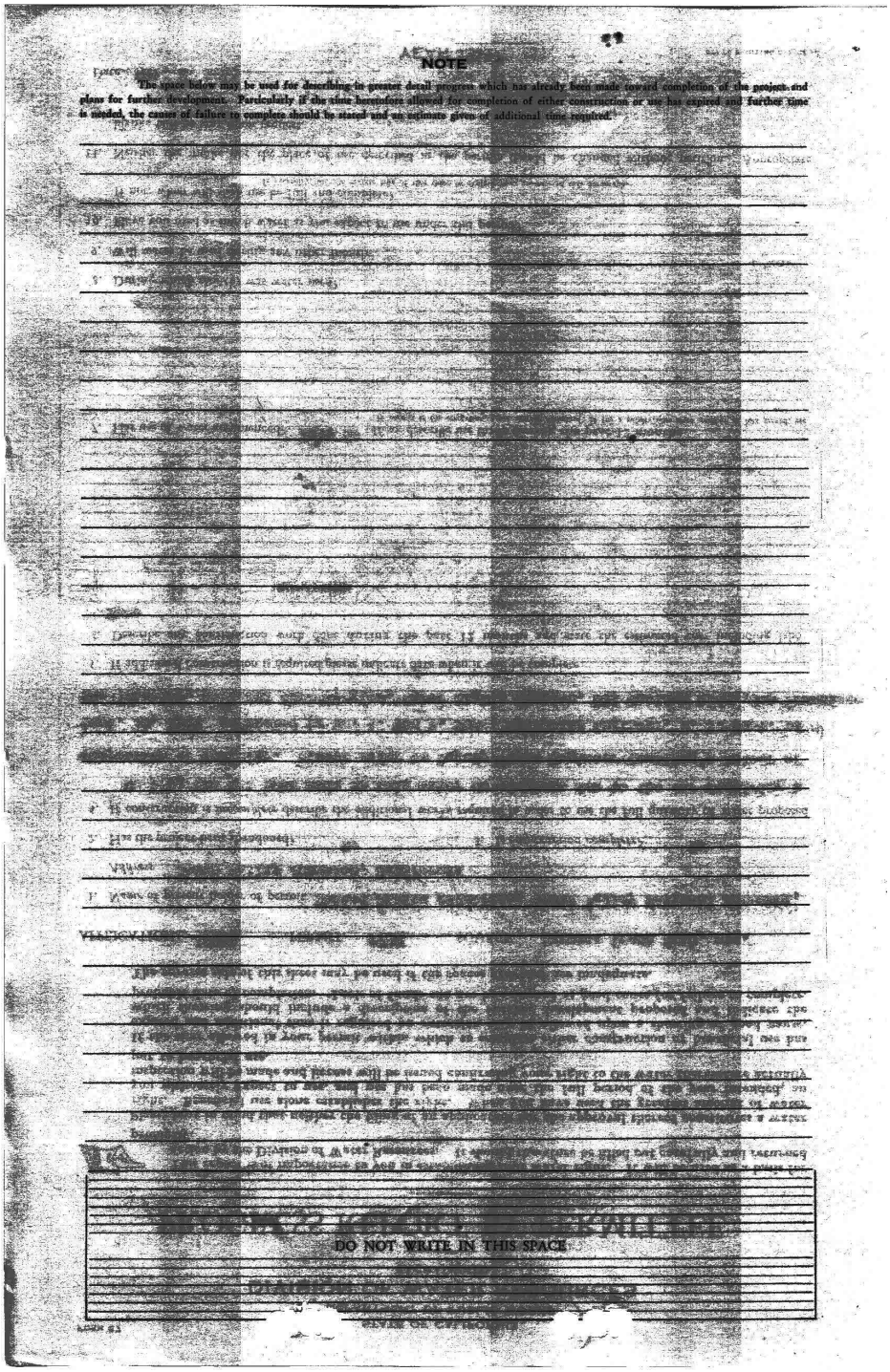
Date Oct. 3, 1943

(OVER)

YEAR 1943

STATE PRINTING OFFICE

10-03-1943: progress report for 1943 cont. ; october 03, 1943

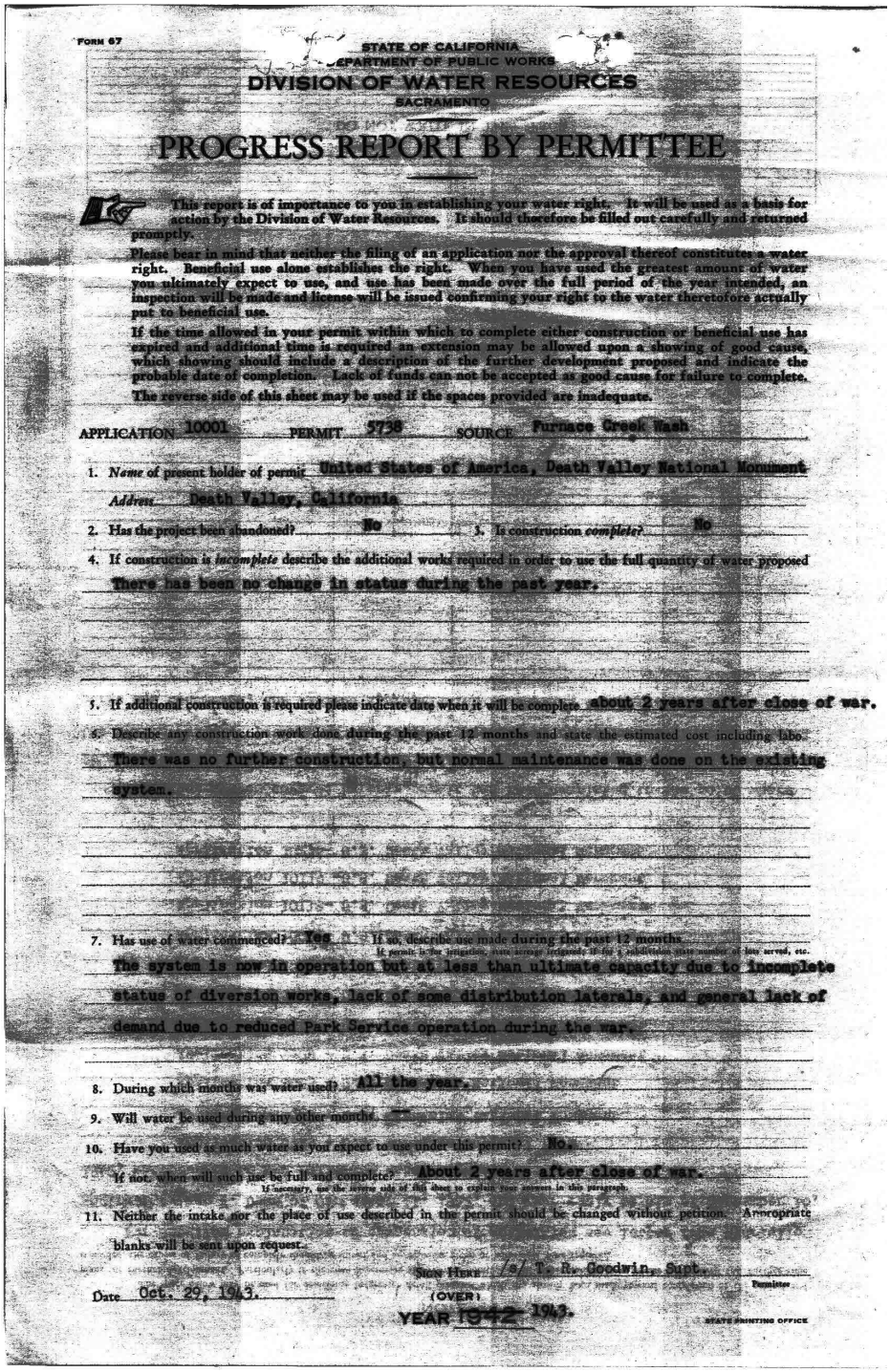


NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

10-29-1943: progress report for 1943 cont. ; october 29, 1943



FORM 67

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the space provided are inadequate.

APPLICATION 10001 PERMIT 5738 SOURCE Furnace Creek Wash

1. *Name* of present holder of permit United States of America, Death Valley National Monument
   Address Death Valley, California
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   There has been no change in status during the past year.
5. If additional construction is required please indicate date when it will be complete about 2 years after close of war.
6. Describe any construction work done during the past 12 months and state the estimated cost including labor.
   There was no further construction, but normal maintenance was done on the existing system.
7. Has use of water commenced? Yes If so, describe use made during the past 12 months
   If permit is for irrigation, state acreage irrigated; if for a subdivision, state number of lots served, etc.
   The system is now in operation but at less than ultimate capacity due to incomplete status of diversion works, lack of some distribution laterals, and general lack of demand due to reduced Park Service operation during the war.
8. During which months was water used? All the year.
9. Will water be used during any other months? —
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? About 2 years after close of war.
    If necessary, use the reverse side of this sheet to explain your answer in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

SIGN HERE /s/ T. R. Goodwin, Supt.
Permittee

Date Oct. 29, 1943.

(OVER)

YEAR 1942- 1943.

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

For detailed explanation of suspension of activities see letter from Hydraulic Engineer A. Van V. Dunn of September 11, 1942, and your reply to him of September 16, 1942, with regard to the following water rights:

Application 6729 - U.S. Yosemite National Park
Application 8969 - U.S. Pinnacles National Monument
Application 9083 - U.S. Pinnacles National Monument
Application 9509 - U.S. Death Valley National Monument
Application 9510 - U.S. Death Valley National Monument
Application 9712 - U.S. Lassen Volcanic National Park
Application 10001- U.S. Death Valley National Monument
Application 10002- U.S. Death Valley National Monument
Application 10118- U.S. Death Valley National Monument
Application 10119 -U.S. Death Valley National Monument
Application 10276- U.S. Death Valley National Monument

The water system covered by this permit had been completed to the point where it could be used when work was stopped because of the more urgent wartime needs of the United States. Because of the general curtailment of operations in the national parks and monuments, the limited appropriation is serving immediate needs.

DO NOT WRITE IN THIS SPACE

00-00-0000: progress report for 1942

FORM 67

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the Division of Water Resources. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 10001 PERMIT 5738 SOURCE

1. *Name* of present holder of permit United States of America, Death Valley National Monument
   Address Death Valley Junction, California.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   No progress has been made on this water development due to the war requiring a suspension of activity. Please refer to Deputy State Engineer Conkling's letter of Sept. 16, 1942 addressed to Mr. A. Van V. Dunn, Hydraulic Engineer, U. S. Dept. of the Interior, National Park Service, Water Rights Section, 601 Sheldon Bldg., San Francisco.
5. If additional construction is required please indicate date when it will be complete
6. Describe any construction work done during the past 12 months and state the estimated cost including labo
   None
7. Has use of water commenced? No If so, describe use made during the past 12 months
   If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.
8. During which months was water used?
9. Will water be used during any other months
10. Have you used as much water as you expect to use under this permit?
    If not, when will such use be full and complete?
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

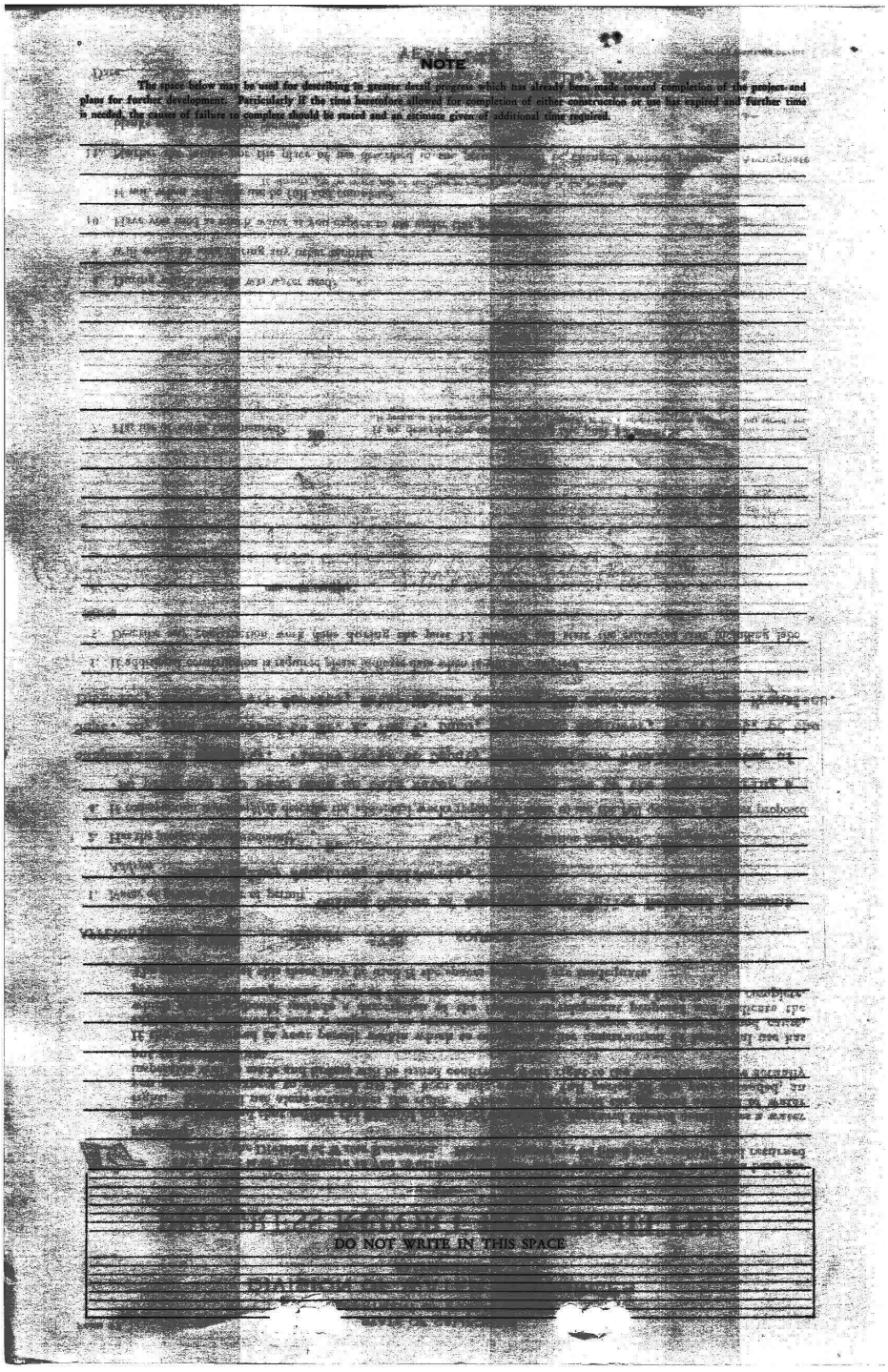
Date

SIGN HERE Superintendent
Permittee
(OVER) Death Valley National Monument

YEAR 1942

STATE PRINTING OFFICE

00-00-0000: progress report for 1942 cont.



NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or on the project and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

09-11-1942: in view of the statements made in your letter of september 11 ; september 16, 1942

COPY

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

September 16, 1942

Application 6729 - U. S. Yosemite National Park -
Applications 8969, 9083 - U. S. Pinnacles National Monument
Applications 9509, 9510 - U. S. Death Valley National Monument
Application 9712 - U. S. Lassen Volcanic National Park
Applications 10001, 10002, 10118, 10119, 10276 - U. S. Death Valley National Monument

Mr. A. van V. Dunn
Hydraulic Engineer
U. S. Department of the Interior
National Park Service
Water Rights Section
601 Sheldon Building
San Francisco, California

Dear Mr. Dunn:

In view of the statements made in your letter of September 11 action in connection with the above numbered approved applications will be temporarily suspended. However progress will be requested each year as usual.

Apparently there has been no filing in connectionwith the "Progress Gulch Water System for Sequoia National Park" as a search of our files fails to reveal that any applications have been filed for an appropriation from Progress Gulch or in the name of Sequoia National Park.

Yours very truly,

EDWARD HYATT, STATE ENGINEER

By /s/ Harold Conkling
Deputy State Engineer

cc: Frank A. Kittredge, Superintendent, Yosemite National Park, Calif.
U. S. Pinnacles Nat'l Monument, c/o W. I. Hawkins, Custodian, Pinnacles
U. S. Death Valley Nat'l Monument, c/o T. R. Goodwin, Supt., Death Valley
U. S. Lassen Volcanic National Park, Mineral, Calif.

09-11-1942: we have the following incomplete water rights in california ; september 11, 1942

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

WATER RIGHTS SECTION
601 Sheldon Building
San Francisco, Calif.

September 11, 1942.

State Engineer,

Sacramento, California.

Dear Sir:

We have the following incomplete water rights in California, all in the name of the United States:

Application 6729, Permit 3549,
Mariposa Water System at Yosemite National Park, with further proof due Dec. 1, 1942.
(An extension of time has been requested).

Application 9083, Permit 5047,
Bear Gulch Headquarters Water System at Pinnacles National Monument, with further proof due Dec. 1, 1942.

Application 9509, Permit 5380,
Cow Creek Hydroelectric System at Death Valley National Monument, with further proof due Dec. 1, 1942.

Application 9510, Permit 5381,
Cow Creek Headquarters Water System at Death Valley National Monument, with further proof due Dec. 1, 1942.

Application 9712, Permit 5449,
Spring Supply for supplemental use at Headquarters of Lassen Volcanic National Park, with further proof due Dec. 1, 1942.

Application 10,001, Permit 5738,
Furnace Creek domestic and recreational water system for Death Valley National Monument, with further proof due Dec. 1, 1943.

Application 10,002, Permit 5739,
Furnace Creek irrigation system for Death Valley National Monument, with further proof due — Dec. 1, 1943.

Application 10,118, Permit 5754,
Furnace Creek irrigation system for Death Valley National Monument, with further proof due — Dec. 1, 1943.

Application 8969, Permit 4957,
Chalone Creek water system for Pinnacles National Monument, with further proof due — Dec. 1, 1944.

Application 10,119, Permit 5734,
Texas Springs Water System for Death Valley National Monument, with further proof due — Dec. 1, 1945.

Application 10,276, Permit 5891,
Wildrose Spring Water System for Death Valley National Monument, with further proof due — Dec. 1, 1945.

Application ——, Permit ——,
Progress Gulch Water System for Sequoia National Park, with application number and permit pending.

We wonder if it is possible to obtain a blanket extension of time for all these claims until two years after the close of the war. For over a year now, almost all Park Service construction funds have been impounded as a war measure. Where funds have been available we have found our priority too low to obtain necessary materials. CCC activity was all terminated on July 1 of this year and from about the time of the first draft the personnel in these camps has been so far below normal that little more than emergency maintenance has been possible with them.

Full beneficial use is also impossible. The abandonment of each CCC camp is a decrease of about 10,000 gpd in water demand. Much of the regular Park Service staff has joined the armed forces and moved their families out of the Park Service areas and all temporary crews are far below normal strength. Public attendance has also decreased to only about 50% of that for last year. Some consideration is being given to re-opening part of the CCC camps for use as Civilian Public Service camps, but the effect on water use is still uncertain.

We have tentative plans for unusually heavy construction projects at the close of the war to help stabilize the economic situation. Thus it is anticipated that the construction program and water use will soon reach their normal position on the trend of development, but due to possible delays in releasing or appropriating the first funds, the time that may be required to restore manufacturing facilities and reassemble labor crews, we feel that two years should be provided in which to report completion of projects.

Yours very truly,

A. van V. Dunn,
Hydraulic Engineer.

cc: Director.
Region Four.
Supt., Yosemite Nat. Park.
Supt., Sequoia Nat. Park.
Supt., Lassen Nat. Park.
Supt., Death Valley Nat. Mon.
Custodian, Pinnacles Nat. Mon.

COPY

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Division of Water Resources
401 Public Works Building

May 8, 1941

Application 10001 - Permit 5738
Application 10002 - Permit 5739

U. S. Death Valley National Monument
c/o T. R. Goodwin, Superintendent,
Death Valley Junction, California

Gentlemen:

Permits 5738 and 5739, which have been issued in approval of your Applications 10001 and 10002, will be found endorsed on the reverse side of the attached copies of the applications. As prescribed by law thepermits fix a definite time schedule within which to begin construction, complete construction, and make full beneficial use. Extensions of time can be allowed only upon a showing of good cause and you will observe the permits prescribe that unless development proceeds promptly and is prosecuted diligently to completion the permits may be revoked.

Annual reports of progress will be required upon forms which will be provided for the purpose, and if and when use is reported full and complete an inspection of the project will be made by an engineer of this office. Following the inspection licenses will be issued to confirm the right to that amount of water found at the time of inspection to have been beneficially used in accordance with the terms and conditions of the permits. After that time there can be no further increase in the use under these rights.

Very truly yours,

EDWARD HYATT, State Engineer

By /s/ Harold Conkling
Deputy State Engineer

Encl.
Reg.

COPY

Edward Hyatt, State Engineer
Chief of Division

Frank W. Clark
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Division of Water Resources
401 Public Works Building

January 25, 1941

Applications 10001 and 10002

Pacific Coast Borax Company
510 West Sixth Street
Los Angeles, California

Gentlemen:

At your request an additional extension of time until March 26 next has been granted within which to file protests against the approval of Applications 10001 and 10002. It is our understanding from your telegram of January 24 that Superintendent T. R. Goodwin is agreeable to this extension.

We trust that the matter may be amicably settled without the necessity of filing protests.

Very truly yours,

EDWARD HYATT, State Engineer

By HAROLD CONKLING
Deputy State Engineer

WES:m

cc: T. R. Goodwin
Superintendent,
U.S. Death Valley National Monument
Death Valley Junction, California

A. van V. Dunn, Hydraulic Engineer,
U.S. Dept. of the Interior, National Park Service
Region 4, 601 Sheldon Bldg., San Francisco

01-25-0941: the extension heretofore allowed you is advanced to january 25,1941 ; november 26, 1940

COPY

Edward Hyatt, State Engineer
Chief of Division

Frank W. Clark
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Division of Water Resources
401 Public Works Building

November 26, 1940.

Applications 10001 and 10002

Pacific Coast Borax Company
510 West Sixth Street
Los Angeles, California

Attention: F. M. Jenifer, Pres.

Gentlemen:

The extension heretofore allowed you is advanced to January 25, 1941, in response to the request contained in your letter of November 22. It is understood that this extension is agreeable to Mr. Goodwin.

Very truly yours,

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy State Engineer

MSE:GG
Enc.
Reg.

cc: Mr. T. R. Goodwin, Superintendent
Death Valley National Monument
Death Valley Junction, California

13

11-20-1940: reference is made to water right applications numbers 10001 and 10002; november 20, 1940

COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
November 20, 1940

Mr. Edward Hyatt,
State Engineer,
Department of Public Works,
Sacramento, California.

Dear Sir:

Reference is made to water right applications Nos. 10,001 and 10,002 for Death Valley National Monument, and to Mr. Conkling's letters of October 23 to Superintendent Goodwin and of November 15 to Associate Attorney Albert L. Johnson.

Superintendent Goodwin's reply is forwarded, herewith, through this office, for the inclusion of the requested map with as much detail regarding the irrigation use as is possible at this time. As Mr. Goodwin states, the final plans are not complete for all areas, a preliminary plan for the museum site now being in Washington for administrative approvals, and only the site and general ideas for the school having been considered.

In your letter to Mr. Johnson you advise that you authorized Mr. Goodwin to amend his application No. 10,001 to include the irrigation of 44 acres, but until your last letter arrived we did not construe instructions as authority to amend, so much as a request to explain. You also suggest that we might better submit a new application for irrigation.

There is no question but that more water might have been assigned to the irrigation application and less to that for domestic, recreational, and fire protection purposes; but I believe the reason for not so doing was the definition we assign to "recreational use". Perhaps, too, we should have qualified the term "irrigation" in the rider. Our definition of recreational use was accepted, without challenge, in a Colorado court as follows:

> Water for camp culinary purposes where the per capita daily demand is much lower than in a home, for drinking fountains, public comfort stations, swimming pools; to irrigate campground vegetation,

to provide normal needs, and an additional amount to act as a stimulant when that vegetation is suffering from the maltreatment of the trampling public and close proximity of camps; and to lay dust on unpaved roads, parking areas and at camp sites.

Irrigation as used in the rider to application 10,001 includes both irrigation and dust laying. Both irrigation and dust laying require more than normal quantities of water in Death Valley where evaporation and transpiration are high, and at 1 sec. ft. to 70 acres, except at the Indian Village, we have provided for a very low duty, or in reality for only scattered vegetation and irrigation.

All quantities of water are only estimates, but I believe they are only slightly in excess of what will be found at the time of final proof of application to beneficial use. However, both the development plan and trend of public attendance may change radically during the next five years, and can be cared for by later amendments and your administrative reduction of the quantity in the final license, if necessary.

Mr. Johnson will not be in the office for several days, but I am sure he will agree that we prefer not to introduce a new application at this time, with the resulting loss of priority, if not mandatory. We should appreciate your reconsideration of our use of water under application No. 10,001, and shall be glad to supply a more explanatory rider of justification if you wish.

Yours very truly,

(Sgd) A. VanV. Dunn

A. van V. Dunn,
Hydraulic Engineer.

Encl. 1943969.

cc Director.
Region IV.
Supt., Death Valley.
Reg. Atty. Taylor.

COPY

Edward Hyatt, State Engineer
Chief of Division

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Frank W. Clark
Director

Division of Water Resources
401 Public Works Building

November 23, 1940.

Applications 10001 and 10002

Mr. van V. Dunn, Hydraulic Engineer
Department of the Interior
601 Sheldon Building
San Francisco, California

Dear Sir:

Your letter of November 20 with enclosure of letter under date of November 14 from Mr. Goodwin, is acknowledged.

It is agreeable to accept your interpretation of the word "recreational" as covering uses for various beautification purposes, but if water is to be used on any extensive areas such as parks, golf courses or for productive irrigation, it is believed that a new filing should be made for these uses. It would not be necessary to reduce the amount of water filed on under Applications 10001 or 10002 and therefore no priority would be lost. The new application would be for excess water over and above the amounts stated in these two filings.

Blanks for a new application are going forward to you under separate cover. If a new filing is made the acreage to be irrigated in each 40 acre subdivision should be shown on the map and in the application. The blue print recently received is returned to you for this purpose.

If, however, you elect to stand upon your present Application 10001 for domestic, recreational and fire protection purposes as first filed, it is not necessary to submit any further data relative to the place of use as the data now before this office are sufficient for that purpose.

Will you kindly advise promptly what is your pleasure in the matter?

Very truly yours,

EDWARD HYATT, State Engineer

By Harold Conkling
Deputy State Engineer

MSE:GG
cc:
Mr. T. R. Goodwin, Supt.
Death Valley Nat'l. Monument
Death Valley Junction,
California

12

11-15-1940: at the request of the pacific coast borax company an extension was allowed ; november 15, 1940

C O P Y

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

November 15, 1940.

Application 10001

Mr. Albert L. Johnson,
Associate Attorney
U. S. Department of the Interior
601 Sheldon Building
San Francisco, California

Dear Mr. Johnson:

At the request of the Pacific Coast Borax Company an extension was allowed that firm on October 9, terminating on November 29, to submit its protest. If no protest is filed within that time this office will be in a position to act upon the application in its present form.

This application was submitted for recreational, domestic and fire protection purposes. On October 23 Mr. Goodwin, Superintendent of the Death Valley National Monument, informed this office that it was desired to irrigate 44 acres of land under this filing. He was advised that the application might be amended to include this use. However, since no further information has been received it is believed that you would be in a better position to file another application for the irrigation purposes. This is for the reason that the present application has already been on file for two months and it is a cardinal principle that any increase after an application has been filed can be made only in case an error was made in the original filing and even then the change must be made promptly.

Very truly yours,

EDWARD HYATT, State Engineer

By /s/ Harold Conkling
Deputy State Engineer

10-23-1940: referring to mr. conklin's letter of october 23, 1940 ; november 14, 1940

COPY

November 14, 1940

Mr. Edward Hyatt, State Engineer
Department of Public Works
Sacramento, California

Dear Sir:

Referring to Mr. Conklin's letter of October 23, 1940, we return map of irrigated areas covered under water appropriation application No. 10001, marked as requested.

It should be born in mind however that it is proposed to develop and divert the water called for in the application before full development plans are complete, particularly as to the museum and school sites, and the irrigation of these sites may ultimately vary in detail although remaining within the designated acreage.

Very truly yours,

T. R. Goodwin
Superintendent

TRG:AW
cc Regional Attorney, Region IV

9

10-14-0000: your letter of october 14th, together with emended maps and rider is acknowledged ; october 23, 1940

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
Sacramento

C O P Y

October 23, 1940

Application 10001

Mr. T. R. Goodwin, Superintendent
U. S. Death Valley National Monument
Death Valley Junction, California

Dear Sir:

Your letter of October 14th, together with amended maps and rider is acknowledged.

Your original Application 10001 specified recreational, domestic and fire protection purposes and it is observed on the rider enclosed with your letter that a total of 44 acres will be irrigated under this application. Although the application has been advertised as originally filed it will be permissible to add the irrigation use provided the application is readvertised.

Will you please show on the enclosed map in red the location of the different parcels of land to be irrigated which are mentioned in the rider. When the corrected map is received the application will be amended accordingly and new notices will then be sent you for posting.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

BY (Sgd.) Harold Conkling
Deputy State Engineer

Enc.

C O P Y

10-09-1940: at your request, a thirty day extension of time is granted ; october 09, 1940

COPY

Edward Hyatt, State Engineer
Chief of Division

Frank W. Clark
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Division of Water Resources
401 Public Works Building

October 9, 1940

Applications 10001 and 10002

Pacific Coast Borax Company
510 West Sixth Street
Los Angeles, California

Gentlemen: Attention Mr. J. M. Gerstley
Assistant General Manager

Your letter of October 7th is acknowledged.

At your request, a thirty day extension of time is granted within which to file protests agains the approval of Applications 10001 and 10002 should protests be deemed necessary. Protests should therefore be filed on or before November 29, 1940. Answers to the protests may be filed within fifteen days of the receipt of the protests by the applicant.

Applications 10001 and 10002 and accompanying map have been sent to a local blueprinter with instructions to prepare photostats of them and forward them to you together with the bill for preparing them. Please remit direct to the blueprinter. Only one copy of the map will be sent as the maps filed in support of both applications are identical.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

BY HAROLD CONKLING
Deputy State Engineer

WES:MP

cc U. S. A.Death Valley National Monument
T. R. Goodwin, Superintendent
Death Valley Junction, California

6

10-30-1940: affidavit of posting notice ; october 30, 1940

Form 8-D

AFFIDAVIT OF POSTING NOTICE

In the Matter of Application 10001
Before the Division of Water Resources
of the Department of Public Works of
the State of California.

OCT 4 30

STATE OF CALIFORNIA
COUNTY OF Inyo } ss.

T.R. Goodwin, being first duly sworn, deposes and says:

Acting on behalf of the applicant, U.S. Death Valley National Monument
(Insert here "that he is the applicant" or "that acting on behalf of the applicant")

U.S. Death Valley National Monument, in the matter of Application 10001 before the
(Name of applicant)

Division of Water Resources of the Department of Public Works of the State of California, he did
("and did" or "he did")

on the 30th day of September, 1940, post two notices of said application of which

the annexed notice is a full, true and correct copy.

That he posted one of said notices in plain sight at the intake of the proposed pipe line
(Here describe how and where posted as accurately as possible)

beside State highway, Route 190 in Furnace Creek wash approximately 1/2 mile southeast

of Furnace Creek Inn.

and the other of said notices was posted at the reservoir at the discharge end of the proposed
(Here describe how and where posted as accurately as possible)

pipe line. This reservoir is located 1/4 mile east of the Texas Spring public campground,

in Death Valley National Monument.

That each of said notices thus posted occupied a conspicuous place in the locality to be affected by said proposed appropriation.

T.R. Goodwin, Superintendent

Subscribed and sworn to before me this
2nd day of October 1940
Raymond K. Lundell
Notary Public in and for said County
MY COMMISSION EXPIRES MAR. 14, 1943

DO NOT DETACH

0015

09-20-1940: your applications 10001 and 10002 have been found in form for advertising ; september 20, 1940

COPY

Edward Hyatt, State Engineer
Chief of Division

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Frank W. Clark
Director

Division of Water Resources
401 Public Works Building

September 20, 1940

Applications 10001-10002

Mr. T. R. Goodwin, Superintendent
U. S. Death Valley National Monument
Death Valley Junction, California

Dear Sir:

Your applications 10001 and 10002 have been found in form for advertising, notices of which are enclosed.

Under separate cover one of the maps is being returned. Please show the main distribution pipe lines especially to the 20 acre tract to be irrigated. The amended map should be returned to this office.

The 1 cubic foot per second or approximately 650,000 gallons per day under application 10001 appears to be excessive for the purpose described in the application. Will you please give the amount required for each use proposed under the application?

Very truly yours,

EDWARD HYATT, STATE ENGINEER

By (Sgd) Harold Conkling
Deputy State Engineer

Reg.
Enc.

2

09-20-1940: the application of yourselves to appropriate the waters of furnace creek wash had been found to be in form for adverti

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

DIVISION OF WATER RESOURCES
401 PUBLIC WORKS BUILDING

EDWARD HYATT, STATE ENGINEER
CHIEF OF DIVISION

September 20, 1940

Application 10001

U. S, Death Valley National Monument
Death Valley Junction, California

Gentlemen:

The application of yourselves

to appropriate the waters of Furnace Creek Wash

has been found to be in form for advertisement, and there are enclosed herewith three copies of a notice which is being sent to local postmasters and to interested parties whose names are known to the Division of Water Resources.

You are directed to post this notice on or before October 5th in at least two conspicuous places in the locality to be affected by the proposed appropriation. In case of inability to post the notice within the time allowed kindly advise this office immediately and new notices of a later date can be forwarded. On or before October 30th you should file with this office proof of such posting. IT IS REQUIRED THAT PROOF OF POSTING SHALL CONSIST OF AN AFFIDAVIT EXECUTED ON THE ENCLOSED FORM ATTACHED TO A COPY OF THE NOTICE OF APPLICATION TO APPROPRIATE.

This notice is designed for the mutual protection of applicant and prior claimants. Although vested rights to the use of water from the source from which the appropriation is sought can not be lost, prejudiced or impaired by failure to protest against the application, prior claimants are given this notice so that they may protest if it is felt the proposed appropriation will result in injury to them.

If protests are filed you will be furnished with copies thereof and you are required to file with this office and with the protestant a *brief* but *complete* answer to each protest. There is no prescribed legal form which such answer must take but anything which you may do toward placing this office in possession of all the facts relative to the objections raised to your application will expedite action thereon.

Very truly yours

JH:TA

Harold Conkling

Deputy in Charge of Water Rights

Reg.

Enc.

FORM SB. 47909 7-37 2M
CALIFORNIA STATE PRINTING OFFICE

Docket 3.RS

Form 8-A

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 10001

NOTICE IS HEREBY GIVEN, That U. S. Death Valley National Monument
Death Valley Junction, California

has under the date of September 13, 1940 applied to the Division of Water Resources, Department of Public Works, State of California, for a permit to appropriate unappropriated *water, subject to existing rights.*

Description of Project

Water to be appropriated from Furnace Creek Wash tributary to Salt Creek

County of Inyo

Amount applied for: 1 cubic foot per second

Diversion season named: January 1 to December 31 of each season

Water to be used for recreational, domestic and fire protection purposes

Point of diversion within SE¼ of SW¼ of Sec. 23, T. 27 N, R. 1 E, S.B.B.& M.

Place of use described: within S½ SE¼, SE¼ of SW¼ Sec. 15, NW¼ of NE¼ and NW¼ SW¼ Sec. 22, SE¼ of NE¼, NW¼ SE¼ and NE¼ of SW¼ of Sec. 21, all in T. 27 N, R. 1 E, S.B.B.& M.

Relative to Protests

Blanks upon which to submit protests will be supplied free upon request by the Division of Water Resources.

Any person desiring to protest against the granting of such permit shall within 40 days from date hereof file with the Division of Water Resources, Sacramento, California, a written protest. Such protest shall clearly set forth the protestant's objections to the granting of the application and shall contain the following information:

(1) Statement of the injury which would result to protestant from such appropriation and use.

(2) The basis of protestant's water right.

(3) Protestant's past and present use of water both as to amount used and land irrigated, or use made of water if other than irrigation.

(4) The approximate location of protestant's land or place of use and point of diversion of the water.

A copy of the protest should be sent to the applicant and this office notified that the same has been done.

EDWARD HYATT
State Engineer

Dated: Sacramento, California
Sept. 20, 19 40

JH:TA

74216 6-39 5M
STATE PRINTING OFFICE

COPY

RIDER FOR APPLICATION NO. 10,001

Estimated Water Use
from
Texas Spring Campground Water System

Fire Protection

There is no specified quantity estimated for this need. The supply is available from the regulatory reservoir of 100,000 gallons. This capacity may have to be increased, but the reservoirs will be filled by the unused portion of the normal diversion during midweek and other periods of minimum monument attendance.

Texas Spring Campground Recreational Use

This campground has had past over night occupancy by 750 guests, and as many as 100 picnickers. Approximately 5 acres of the area are in trees and shrubs for shade purposes, and we hope to provide considerably more shaded area. The estimated water demand is as follows:

Present 5 acres irrigated at 1 s.f. per 70 acres...	0.071 s.f.
Additional 25 acres to be irrigated at same rate...	0.357 s.f.
Present Domestic Camp Demand:	
750 overnight campers at 35 gpc)	
100 picnickers at 12 gpc).....	0.055 s.f.
Estimated future additional domestic demand.....	0.055 s.f.
Total campground demand.....	0.538 s.f.

Proposed Museum Area

This use will be at comfort stations, drinking fountains, and for incidental irrigation of shade trees as follows:

Present potential sanitary use by 1000 at 12 gpc...	0.019 s.f.
Possible increased demand by 2000 at 12 gpc.....	0.038 s.f.
Irrigation of 2 acres at 1 s.f. per 70 acres.....	0.030 s.f.
Total museum area demand.....	0.087 s.f.

Ranger Station Area

This demand is estimated for 2 home sites with shade trees, and a possible public comfort station and drinking fountain, at.....0.030 s.f.

Proposed School Site

This is estimated as 25 gpc for 25 pupils and teachers, and irrigation of shade trees and shrubs on a 1-acre playground as follows:

25 pupils and teachers at 25 gpc.....0.001 s.f.
Irrigation of 2 acres at 1.0 s.f. per 70 acres.....0.030 s.f.

Total school area demand.....0.031 s.f.

Indian Village Area

The Indian Village has been in existence for many years, but the Park Service has, and is, raising its standards of living and means of livelihood. The Indians are being provided with new adobe huts, and have been provided with 8 toilets, 8 lavatories, 6 showers, and 8 laundry tubs. The area slso includes a store ortrading post, and is visited by the public which also uses the sanitary facilities. With water available it is hoped that agriculture will increase in the area. Estimate:

Present 40 Indians at 50 gpc)
Ultimate 60 Indians at 110 gpc).....0.011 s.f.
Public Comfort Station use as at museum.....0.057 s.f.
Irrigation 10 acres at 1 s.f. per 40 acres.....0.250 s.f.

Total Indian Village demand.....0.318 s.f.

Summary

Texas Spring Campground.....0.538 s.f.
Proposed Museum.....0.087 s.f.
Ranger Station.....0.030 s.f.
Proposed School.....0.031 s.f.
Indian Village.....0.318 s.f.

Total estimated demand, as requested in Application No. 10,001.....1.000 s.f.



FORM 1 COPY FILE IN DUPLICATE

[For full information concerning the filling out and filing of this form refer to Regulation 4 of Rules and Regulations of the Division of Water Resources Governing the Appropriation of Water]

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES

Application No. 10001 Filed Sept. 13, 1940 at 6:30 M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

This application involves in no way the right to construct a dam

The United States of America, Death Valley National Monument
by T. R. Goodwin, Superintendent
Name of applicant

of Death Valley Junction County of Inyo
Post office

State of California, does hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO EXISTING RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. **The source** of the proposed appropriation is Furnace Creek Wash
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Inyo County, tributary to Salt Creek

2. **The amount of water** which applicant desires to appropriate under this application is as follows:

(*a*) For diversion to be directly applied to beneficial use without storage 1.00 cubic feet per second, to be diverted from January 1 to December 31 of each season.
(1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day)
(Beginning date each season) (Closing date each season)

(*b*) For diversion to be stored temporarily and later applied to beneficial use _____ acre-feet per annum, to be collected between _____ and _____ of each season.
(1 acre-foot equals 325,851 gallons)
(Beginning date each season) (Closing date each season)

NOTE.—Answer (*a*) or (*b*) or both (*a*) and (*b*) as may be necessary. The amounts stated must be in definite terms of some established unit of measurement. Neither these amounts nor the season may be increased after application is filed.

3. **The use** to which the water is to be applied is recreational, domestic, and fire protection purposes.
Domestic, irrigation, power, municipal, mining, industrial, recreational

4. **The point of diversion** is to be located S. 45° 17' 30" E. 10,748.34 ft. from the W¼ corner of Section 15, T 27 N, R 1 E, S.B.B.M.
State bearing and distance or coordinate distances to section or quarter section corner

being within the SE¼ of the SW¼
State 40-acre subdivision of U. S. Government survey or projection thereof

of Section 23, Tp. 27 N, R. 1 E., S.B.B. M., in the County of Inyo

5. **The main conduit** terminates in SE¼ SE¼, of Sec. 15, Tp. 27 N, R. 1 E, S.B.B.M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application can not be approved for an amount grossly in excess of the estimated capacity of the diversion works

6. **Intake or Headworks** (fill only those blanks which apply)

(*a*) Diversion will be made by pumping: Capacity of plant _____ gallons per minute.

(*b*) Diversion will be by gravity, the diverting ~~dam~~ well being 21.0 feet in ~~height~~ depth (stream bed to level of overflow); _____ feet long on top; and constructed of _____
(Concrete, earth, brush, etc.)

(*c*) The storage dam will be _____ feet in height (stream bed to overflow level); _____ feet long on top; have a freeboard of _____ feet, and be constructed of _____
(Concrete, earth, etc.)

7. **Storage Reservoir** 100,000 gallons, for regulating purposes
Name

The storage reservoir will flood lands in _____
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of _____ acres, and a capacity of _____ acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. **Conduit System** (describe main conduits only)

(*a*) **Canal, ditch, flume: Width on top (at water line)** _____ **feet; width at bottom** _____ **feet; depth of water** _____ **feet; length** _____ **feet; grade** _____ **feet per 1,000 feet; materials of construction** _____
Cross out two not used
Earth, rock, timber, etc.

(*b*) **Pipe line: Diameter** 8" **inches; length** 1000 **feet; grade** 4.97 **feet per 1,000 feet; total fall from intake to outlet** 70.56 **feet; kind** No. 12 gauge welded steel, dipped
Riveted steel, cement, wood-stave, etc.

10" 5266

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. **The estimated capacity** of the diversion works proposed is 1.50 sec. ft. (see also application for irrigation purposes)
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $10,395.00
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. **Construction work** will begin ~~on or before~~ within 6 months after approval of this application.

Construction work will be completed ~~on or before~~ within 1 years after approval of this application.

The water will be completely applied to the proposed use ~~on or before~~ within 3 years after approval of this application.

Description of Proposed Use

11. **Place of Use.** (SEE SUPPLEMENT)
State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing all 40-acre tracts, describe area in a general way and show detail upon map. These blanks need not be filled in when municipal use is proposed.

Does applicant own the land whereon use of water will be made? Yes
Yes or No

If applicant does not own land whereon use of water will be made, state what arrangements have been made with owner.

12. **Domestic Use.** Domestic use is proposed as follows: 50 hydrants in campground and ranger station -- if water secured, probably 40 more hydrants in campground extension. (see supplement)
Describe nature of use which may include stock water and the irrigation of domestic gardens not exceeding one-half acre each in area connected with places of residence.

The amount for which application is made was determined by _____
Describe basis of quantity needed

13. **Irrigation Use.** The area to be irrigated is separate filing for 20 acres acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ **and end about** _____
Beginning date each season — Closing date each season

The land to be irrigated has another / no other **water right or source of water supply other than that herein applied for. The nature and amount of the additional supply referred to is** _____

14. **Power Use.** The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of nozzle to be used is _____ inches.

The water **will / will not** be returned to _____ in _____ of
Name stream — State 40-acre subdivision

Sec. _____, Tp. _____, R. _____, _____ M.

SUPPLEMENT TO APPLICATION 10001

11. Place of use.

NE¼SE¼ Section 15, T 27 N, R 1 E, S.B.B.M. Texas Spring Campground
SE¼ SE¼ Section 15, T 27 N, R 1 E, S.B.B.M. do
SW¼ SE¼ Section 15, T 27 N, R 1 E, S.B.B.M. do
SE¼ SW¼ Section 15, T 27 N, R 1 E, S.B.B.M. do

NW¼ NE¼ Section 22, T 27 N, R 1 E, S.B.B.M. do
NW¼ SW¼ Section 22, T 27 N, R 1 E, S.B.B.M. Museum
SW¼ NW¼ Section 22, T 27 N, R 1 E, S.B.B.M. do and Ranger Sta.

SE¼ NE¼ Section 21, T 27 N, R 1 E, S.B.B.M. Ranger Sta & School
NW¼ SE¼ Section 21, T 27 N, R 1 E, S.B.B.M. Indian Village
NE¼ SW¼ Section 21, T 27 N, R 1 E, S.B.B.M. do

12 & 18.

Fire protection: The supply is available from the 100,000 gallon regulatory reservoir.

Texas Spring Campground recreation use. 750 overnight campers and picknickers.

Museum area: Comfort stations, drinking fountains and incidental irrigation of shade trees. Approximately 3000 persons.

Ranger Station area: 2 homesites with shade trees, public comfort station and drinking fountain.

Proposed School Site: 25 pupils and teachers. Playground and shade trees.

Indian Village area: 100 Indians, 8 ~~toilets~~ comfort stations, 8 lavatories, 6 showers, 8 laundry tubs and a store or trading post.

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. Municipal Use. This application is made for the purpose of serving _____ (Name city or cities, town or towns. Urban areas only) _____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

_____

_____

_____

16. Mining Use. The name of the mining property to be served is _____ (Name of claim) _____ and the nature of the mines is _____ (Gold placer, quartz, etc.)

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____ (Cubic feet per second, gallons per minute. State basis of estimate)

The water will / will not be polluted by chemicals or otherwise _____ (Explain nature of pollution, if any)

and it will / will not be returned to _____ (Name stream) _____ in _____ (State 40-acre subdivision) _____ of Sec. _____, Tp. _____, R. _____, _____ M.

17. Industrial Use. The nature of the use proposed is _____ (Describe nature and method of use)

_____

The amount for which application is made was determined by _____ (Describe basis of estimate of quantity needed)

_____

18. Recreational Use. Water will be used for public campers and picnickers. (Describe nature and method of use)

The amount for which application is made was determined by amount used by public in past seven years, (Describe basis of estimate of quantity needed)
with allowance for increased facilities and travel. (see supplement).

General

19. Are the maps as required by the Rules and Regulations filed with Application? Yes (Yes or No). If not, state specifically the time required for filing same _____

20. Does the applicant own the land at the proposed point of diversion? Yes (Yes or No). If not, state what steps have been taken to secure right of access thereto _____

21. What is the name of the post office most used by those living near the proposed point of diversion?
Death Valley Junction, California

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Pacific Coast Boarx Company (?) (only possible lower claimant).

_____

_____

_____

UNITED STATES OF AMERICA,
DEATH VALLEY NATIONAL MONUMENT
By T. R. Goodwin, Supt.

[SIGNATURE OF APPLICANT] _____

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 5738

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions in addition to those enumerated in Chapter 586, Statutes 1913, as amended.

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed one (1) cubic foot per second from January 1 to December 31 of each season.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before July 1, 1941 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1943

5. Complete application of the water to the proposed use shall be made on or before December 1, 1944

6. Progress reports shall be filed promptly by permittee on forms appropriate to the purpose which will be provided annually by the Division of Water Resources until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Division of Water Resources in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Witness my hand and the seal of the Department of Public Works of the State of California this 2d *day of* April *19* 41

EDWARD HYATT
State Engineer

(SEAL)

By (Sgd) Harold Conkling
Deputy

10556 2-42 6M
STATE PRINTING OFFICE

Supporting Hydro Data

02-23-1956: record of well; february 23, 1956

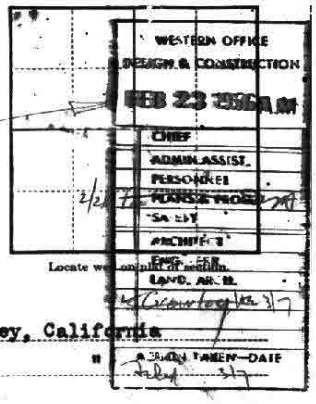
9-855 (Jan. 1927) Docket 3

For WDPC

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
WATER RESOURCES BRANCH

COPY

RECORD OF WELL



2/23/56

1. **Location:** State California County Inyo
   Nearest P. O. Death Valley, Calif. Direction from P. O. N.W.
   Distance from P. O. ... miles; ¼ sec. 22, T. 27N, R. 1E
   If in city, give street and number ...
   Locate well accurately on section plat.

2. **Owner:** Death Valley Hotel Company Address Death Valley, California
   Driller: " " " " Address " " "

3. **Situation:** Is well on upland, in valley, or on hillside? ...

4. **Elevation of top of well:** ... ft. (Above or below) the level of ... (Sea, depot, lake, or stream)

5. **Type of well:** Dug (Dug, driven, bored, or drilled); kind of drilling rig used ... (Solid tool, jetting, rotary, etc.)

6. **Depth of well:** 16 ft.; year in which well was finished 1935
   Does well enter rock? no; if so, at what depth? ... ft.; kind of rock ...

7. **Diameter:** At top 72 inches; at bottom 72 inches.

8. **Principal water bed:** Gravel (Gravel, sand, clay, or rock. If rock, state kind)
   Depth to principal water bed 12 ft.; thickness of bed ... ft.
   If other water supplies were found, give depth to each ...

9. **Casings:** Kind ...; size ...; length ... ft.; between depths of ... and ... ft.
   Kind ...; size ...; length ... ft.; between depths of ... and ... ft.
   Kind ...; size ...; length ... ft.; between depths of ... and ... ft.
   Packers (if any): Depth at which packers were used ...; kind ...
   Screen or Strainer: Was well finished with screen? ...; kind of screen ...;
   length of screen ... ft.; diameter ... inches; size of openings ...

10. **Head:** Does well at present overflow without pumping? no; did it overflow when new? no;
    if flowing, give pressure ... lb. per sq. inch; or height water will rise in a pipe ... ft. above surface;
    original pressure or head ...; if not flowing, give water level in well 11½ ft. below surface.

11. **Pump:** Is the well pumped? no; kind of pump ...;
    size or capacity of pump ...; kind of power ...

12. **Yield:** Natural flow at present (if any) none gallons per minute; original flow 157 gallons per minute;
    well has been pumped at ... gallons per minute continuously for ... hours;
    quantity of water ordinarily obtained from well ... gallons per day.

13. **Use:** For what purpose is the water used? Irrigation

14. **Quality of the water:** Hard, Fresh (Hard or soft, fresh or salty, etc.); is there an analysis? ...

15. **Cost of well,** not including pump: ... Temperature of water ... ° F.

Name of person filling blank (Sgd.) T.R. Goodwin

Date ... Address T. R. Goodwin, Superintendent, Death Valley Natl Mon, Death Valley, Calif.

6—9642

On the back of this sheet give the record of the beds through which the well passes and any other facts not given above.

02-23-1956: log of well; february 23, 1956

LOG OF WELL

KIND OF ROCK OR OTHER MATERIAL (Give color and tell whether hard or soft)	DEPTH, IN FEET From—	DEPTH, IN FEET To—	THICKNESS, IN FEET	REMARKS (Especially information as to water found)
This was a test well and since has been tunneled into and this water is now taken by gravity from the wash rather than pump the well.				

U. S. GOVERNMENT PRINTING OFFICE 6—9642

Other Supporting Information

07-16-1975: transmittal of forms relating to monument water dockets #s 1, 3, 4, 5, 6, 9, 17, 21, 22, 22a, 25, 26, 27, 28, 31, 34, an

United States Department of the Interior

NATIONAL PARK SERVICE

WESTERN REGION

450 GOLDEN GATE AVENUE, BOX 36063

SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

L54(WR)PSW

DEVA/WR Docket

Files #s 1,3,
4,5,6,9,17,21,22,
22A,24,25,26,27,
28,31,34 & AWR9

July 16, 1975

Memorandum

To: Superintendent, Death Valley

From: Chief, Division of Water Resources, Western Region

Subject: Transmittal of forms relating to monument Water Dockets #s 1,3,4,5,6,9,17,21,22,22A,24,25,26,27,28,31,34 and Alien Water Docket #9

Enclosed for your information and files (Water Dockets) are the State of California forms relating to:

Docket No.	Application No.	Permit No.	License No.
1	18429	11924	
3	10001	5738	
4	10002	5739	
5	10118	5754	
6	10119	5755	7854
9	15381	9604	6110
17	8183	4513	6343
21	16096	11421	
22	15539	11424	
22A	16138	11422	
24	8423	4645	
25	17839	11423	
26	18433	12100	6740
27	19482	12742	7577
28	19538	12743	7578
31	21646	14533	
34	22979	15721	
AWR 9	22366	15363	

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

These reports have been furnished to the State in the interest of comity according to procedures as outlined in "Administrative Policies" handbook. Please note that each report has been stamped with a declaration disclaiming the power of the State to regulate the rights of the United States to the use of water.

Gerard S. Witucki

Gerard S. Witucki

Enclosures

cc:
WASO, Natural Resources Division,
Attn: Water Resources

Subject: DEVA - Water Dockets

NATIONAL PARK SERVICE
Western Regional Office
MESSAGE RECORD
Date July 3, 1972

Routed for: ☒ Information ☐ Action

☐ Incoming Call
☒ Outgoing Call

To: Chief, Water Resources Division

Name and Title Paul Fodor, Ranger

Representing DEVA - Works with Water Rights Dockets

Telephone No. 714 786-2331

Address Death Valley National Park

NPS Personnel in on Call James M. Mize, Legal Assistant, Water Rights

Conversation: Information requested regarding current status of twelve DEVA Water Rights dockets. The following list was verified by Paul Fodor utilizing latest information available:

PERMIT #	APPLICATION #	N.P.S. W.R. #	N.P.S. USE	USES
4645	8423	24	Yes	Camping and Picnicking
11421	16096	21	No	Mining and Domestic
14533	21646	31	Yes	Domestic
11423	17839	25	No	Mining
15721	22979	34	No	Mining
15363	22366	AWR 9	Some	Mining and some radiator Water
11924	18489	1	Yes	Domestic, Recreation, Irrig.
5738	10001	3	Yes	Headquarters Facility
5739	10002	4	Yes	" "
5754	10118	5	Yes	" "
11424	15539	22	No	None
11422	16138	22-A	No	None

Follow-up Action to be Taken: Consult with Regional Solicitor re: operating procedure for water rights in communications with State Dept. of Water Rights. Reply to State Department of Water Rights letter of May 16 re: status of these permits.

Follow-up Action Taken: July 20, 1972 consultation with Regional Solicitor, Mihan, who approved a draft of response to May 16, 1972 letter from State Department of Water Rights.

93

01-04-1971: enclosed is a form to petition for an extension ; january 04, 1971

TATE OF CALIFORNIA—THE RESOURCES AGENCY

TATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHT.
OOM 1140, RESOURCES BUILDING
416 NINTH STREET • SACRAMENTO 95814

January 4, 1971

U. S. Death Valley National Monument
c/o U. S. National Park Service
Office of Land and Water Rights
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

Attention: Mr. Gerard S. Witucki, Chief
Water Resources Section

Gentlemen:

Permit 15363 (Application 22366), Ibex Spring No. 1;
Permit 4645 (Application 8423), Unnamed Spring;
Permit 5754 (Application 10118), Furnace Creek Wash;
Permit 5738 (Application 10001), Furnace Creek Wash;
Permit 5739 (Application 10002), Furnace Creek Wash;
Permit 11424 (Application 15539), Covered and Wee Springs;
Permit 11422 (Application 16138), Chucker Spring;
Permit 11421 (Application 16096), Tarantula Springs;
Permit 11924 (Application 18489), Nevares Springs;
Permit 11423 (Application 17839), Blue Cliff Springs;
Permit 14533 (Application 21646), Surprise Springs;
Permit 15721 (Application 22979), Green Spring
in Inyo County

Enclosed is a form to petition for an extension of time to complete the projects authorized by the subject permits. During the 1971 season, an engineer from our staff will inspect the projects and at that time, subsequent action will be discussed with your representative with respect to an extension of time.

Sincerely,

J. M. Page

J. M. Page, Supervisor
Central Region

Enclosure

L&W

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
APR 26 1968
ACT. | INFO. | INITIALS | DATE
CHIEF
ASST. CHIEF
STAFF ASST.
SUPV. APPR.
FILE A.Q.
TI LE
SUPT.
DOCKET
FILE

L54
(WR)PC

April 25, 1968

L54 DEVD
Water Dockets
No 3, No. 4

Memorandum

To: Superintendent, Death Valley

From: Assistant to the Regional Director, Program Coordination

Subject: Water Rights - Death Valley Dockets 3 and 4

Forwarded for your information and action is a copy of Mr. Kornelis' memorandum of April 24 to Chief, Division of Land and Water Rights, WASO, about correction to be made in your copies of the subject dockets.

(SIGNED)

John L. Sansing

Enclosure

cc:
Chief, LWSSC

92

04-24-1968: memorandum to chief, division of land and water rights from the chief, office of land and water rights regarding water

APR 24 1968

L54 LWSSC

DEVA

Memorandum

To: Chief, Division of Land and Water Rights, WASO
Attention: Chief, Branch of Water Resources

From: Chief, Office of Land and Water Rights, SSC

Subject: Water Rights - Death Valley Dockets 3 and 4

You were correct in your memorandum of January 25, where you state that we have the application numbers and docket numbers reversed. Application 10002, Permit 5739, is for Docket 4; Application 10001, Permit 5738, is for Docket 3.

This correction has been made in our dockets and by copies of this memorandum, we are requesting the Superintendent through the Western Region to make this change.

(Sgd) THOMAS KORNELIS

cc:
Regional Director, Western

JWRoberts: ge 4/22/68

ROBERTS
FIELDS
GRAY
KORNELIS

91

01-00-1968: state water rights board - orders for application is death valley ; january, 1968

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

IN REPLY REFER TO:

L54-OLW

January 25, 1968

RECEIVED
San Francisco Planning and Service Center
Office of Land and Water Rights
NATIONAL PARK SERVICE
JAN 29 1968

ACT.	INFO.		INITIALS	DATE
	✓	BRIEF		
		ASS'T. CHIEF		
		STAFF ASST.		
		SUPV. AP. R.		
	✓	SUP. Hyd Eng.	WOF	1/31
		DOCKET		
		FILE		

Memorandum

To: Chief, Office of Land and Water Rights, SSC
Attention: Mr. Fields

From: Chief, Branch of Water Resources

Subject: State Water Rights Board - Orders for Application in Death Valley

This will acknowledge receipt of Mr. Roberts' memorandum of January 19 transmitting copies of State Orders approving water supply development schedules at Death Valley.

In placing the material in the dockets we note that our Docket No. 4 is for Application 10002, Permit 5739, and our Docket No. 3 is for Application 10001, Permit 5738, just the reverse of the information in Mr. Roberts' memorandum. This is probably just a transposition error in listing or typing but, nevertheless, please check this and let us know the correct dockets. We must be certain that the docket files here and in the field agree.

E. W. Reed

cc:
Superintendent, Death Valley

90

02-25-1965: enclosed are progress reports ; february 25, 1965

Docket 3

February 25, 1965

L54

Memorandum

To: Superintendent, Death Valley

From: Hydraulic Engineer, Division of Lands and Water Rights, Western Region

Subject: Progress Reports for 1964

Application	8,423,	Docket	24
"	10,001,	"	3 ✓
"	10,002,	"	4
"	10,118,	"	5
"	10,119,	"	6

Before forwarding the Progress Reports by Permittee for the Year 1964 for water use under subject applications, please advise if you have received for each an "Order Granting an Extension of Time within Which to Complete Construction and Use" from the State Water Rights Board.

The extension petitions were filed on April 9, 1964. If the Orders have been issued, please send them to us for reproduction and distribution following which they shall be returned to you.

We will hold the Progress Reports until we hear from you.

(Sgd) Manuel Morris

Manuel Morris

80

11-20-1961: enclosed are progress reports and notice of expiration ; november 20, 1961

Death Valley National Monument
Death Valley, California

L54 November 20, 1961

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Progress Reports for Water Rights Permits for:
Application 10001, Permit 5738, Furnace Creek Wash, Docket No. 3
Application 10002, Permit 5739, Furnace Creek Wash, Docket No. 4
Application 10118, Permit 5754, Furnace Creek Wash, Docket No. 5

Enclosed are Progress Reports and Notice of Expiration for the above listed Water Rights for Death Valley National Monument. These have been prepared in accordance with previous correspondence contained in the respective dockets in a sufficient number of copies to provide the proper distribution.

We believe that an extension of time should be requested for each of the rights, in which case purchase orders for the fee should be prepared by your office for the State Water Rights Board and should accompany the originals of the reports to the Board. We included all copies of the reports and would appreciate your returning one copy to this office and making the required distribution (One to WASO, two to WODC, one to Region Four Office).

7s/ Granville B. Liles

Granville B. Liles
Superintendent

In duplicate

Attachments

C7

10-31-1960: attached are originals and one copy of annual progress reports ; october 31, 1960

Spaulding
Whitworth
Wosky
Merriam
(Quist)

October 31, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Director, Region Four

Subject: Annual Progress Reports, Water Right Applications 10001, 10002, 10118 and 10119, Furnace Creek Area, Dockets 3, 4, 5, and 6. Death Valley National Monument.

Attached are originals and one copy of annual progress reports for each of the four subject applications. If satisfactory to you and to Mr. Dunn (whose views we are requesting by copy of this memorandum), the reports should be signed and dated and be mailed to the State Water Rights Board. The copies are for filing in your water right dockets.

The three reports covering the Furnace Creek Wash appropriations are identical except for application and permit numbers and have been prepared to reflect the fact that a portion of the water system has been constructed but that no use of the water has been made by the National Park Service.

The report on the Texas Spring application shows full use of 0.078 cfs (35 gpm) a rate we expect has been or will be reached during at least one week of peak use in the 1960 calendar year.

We suggest that you hold the reports until Mr. Dunn's comments have been received. Please let us know the date of signature and of any changes you make.

Regional Director

Attachments

Copy to: Director (w/copies of unsigned reports)
Chief, WODC (2)(w/copies of unsigned reports)

LSSpaulding:lq

65

file DEVA Docket 24 ; make spare copies for Dockets 5, 21, 22, 25

RECEIVED
NPS REGION FOUR OFFICE
NOV 30 1959

REPLY REFER TO:
L 54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
November 27, 1959

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
INTERP.		
RANGER ACT.		

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Death Valley

Subject: Water Rights Progress Reports, Death Valley

LSS 12/1

forms mailed to Stock 12/1 & 12/2

In response to Mr. Wosky's memorandum of November 24, we are listing below the information requested in his memorandum of October 29. We regret the delay in furnishing this information.

The proposal to change the mailing address of the Water Rights from Washington to the Regional Office is certainly agreeable with us.

Furnace Creek Group: Applications 10,001; 10,002; 10,118; 10,119 - Dockets 3,4,5,6.

Your information concerning this group is correct, but no money has yet been spent for the last item: Construction of Pipeline-Corner of 90 acre tract to site of Visitor Center. Originally planned for day labor, this item is now included in the recently awarded contract for construction of water system improvements for Visitor Center area.

Trail Canyon Group: Applications 17,839 and 16,096 - Dockets 25 and 21.

The status of these springs is about the same, as last year, but the pipeline from Blue Cliff Spring to the road has been out all this year, with the result that there has been no use of the spring. The Tarantula Spring report, application number 16,096, should be revised to correspond with the report of last year for Blue Cliff Spring. Visitor use is light, but continues throughout the year, rather than from April to November. Actual use by visitors and prospectors would probably average about 20 gallons per week throughout the year.

Emigrant Canyon Group: Applications 13,852, 15,539, and 16,138 - Docket 22.

The Greenes were in residence at their millsite from January to May. Water from Burns, Covered and Wee Springs was used by the Greenes through May and by caretakers at Detloff's Mill occasionally for the rest of the year. Water is still being used for irrigation, but we are not sure that any other use can be shown next Spring. However, we hope to use the complete flow during road construction in that area.

61

At the time of inspection on April 11, 1959, by Mr. Chesler of the State Water Rights Board, and District Ranger Matt Ryan, Chucker Spring appeared to be dry. No work was done on it and there was no use of water.

Thorndike Spring: Application 8423 - Docket 24.
Monthly travel, Mahogany Flat Road

	Travel	Visitor Day Use		Travel	Visitor Day Use
Nov.	Closed-Snow-15 days		May	200	61
	210	63	June	270	82
Dec.	20	6	July	540	164
Jan.	CLOSED * SNOW		Aug.	120	36
Feb.	" "		Sept.	160	49
Mar.	140	43	Oct.	260	80
Apr.	750	225		2670	809 (Nov. 1 - Oct 31)

Number of people in the campground on peak day 83 .

Spring flow - Approximately 1 quart per minute.

Work done - Spring cleaning and pipeline maintenance -
40 man hours @ 2.60 = $105.00

We plan to perform some work on this spring during next Summer with maintenance funds in an attempt to increase the flow and improve the collection system.

Saratoga Spring: Applications 8183 and 10171 - Docket 17.

Your suggestion to request licensing now on the basis of present visitor use plus some irrigation use by natural seepage and some reserved for wildlife is probably the practical step to take at this time. It will probably be some time before any funds will be available for development at this Spring. A considerable amount of water is used by campers and prospectors throughout the year, but it amounts to a very small percentage of the total flow.

Willard W. Danielson
Willard W. Danielson
Acting Superintendent

In duplicate

61

Spaulding
Whitworth
Manbey
Wosky

October 29, 1959

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Progress Reports, Death Valley

By memorandum of October 15, Mr. Dunn sent us the 1959 Progress Report forms and the forms for requesting extensions of time for water rights in Death Valley which are due at this time.

We will prepare the forms but we need certain information from you. Our questions and comments are contained in the attachments which group Applications by areas as follows:

→ Furnace Creek Group: Applications 10,001; 10,002; 10,115; 10119 - Dockets 3, 4, 5, 6.

Emigrant Canyon Group: Applications 13,852; 15,539; 16,138 - Docket 22.

Trail Canyon Group: Applications 16,096 and 17,839 - Dockets 21 and 25.

Thorndike Spring; Application 8423, Docket 24.

Saratoga Springs; Applications 8183 and 10,171 - Docket 17.

We suggest that for filing purposes the attachments be separated and the sheet pertaining to a particular group of springs be filed in the docket or file for that group.

A general comment we make is that we propose changing the mailing address of all the Water Rights from Washington to this Office. If agreeable with Mr. Dunn and you, this means that next year the forms will be sent by the State directly to this office.

Please let us have your comments on the particular questions asked in the attachments.

Sgd. John B. Wosky

Regional Chief of Operations

Attachments

Copy to: Director (2) w/attachments
LSSpaulding:hat

entitled cy file in 154_DEVA-60

10-29-1959: attached are copies of the progress reports; october 29, 1959

enter Copy

FURNACE CREEK GROUP

Applications 10,001; 10,002; 10,118 - Furnace Creek, Dockets 3, 4, 5.

Application 10,119 Texas Spring - Docket 6

Attached are space copies of the progress reports and requests for extension of time. (Reports for 10,001, 10,002 and 10,118 are identical).

Also attached is our estimate of money expended to date on Furnace Creek Water development. In reference to this last item, please supply the cost figure, as nearly as can be estimated, of the 6-inch pipeline from the corner of the 90 acre tract to the Visitor Center (the last item on the sheet), which we understand was done by day labor.

Please review the drafts of the reports and requests for time extension and let us know if any corrections are needed.

60

10-29-1959: money expended for investigations and development of water resources and for construction of water system; octobe

Region Four Office
October 1959

DEATH VALLEY NATIONAL MONUMENT
FURNACE CREEK WATER DEVELOPMENT

Money Expended for Investigations and Development of Water Resources and for Construction of Water System

(Inclusive direct Regional Office costs but not all Regional and Washington Office Overhead Costs)

Fiscal Year	Item	Account	Amount	Total for Yr.	Total To Date
Total to Date as of October 1955 per request for extension of time					$500
1956					500
1957	Test Trench 1st stage, Labor, materials & equipment		$2,500		
	USGS Investigation		5,500		
	Total			8,000	8,500 1/
1958	Test Trench, Extension April, May - Labor, Material and equipment	143.2	5,318		
	USGS Investigation (Est.)		500	5,818	14,318
1959	Test Well, Roscoe Moss Contract	15-NR-59	6,182		
	Test Well, USGS Supervision (est.)	WSP 550	1,000		
	Test Well, Regional Office, Supervision (portion)	15-NR-59	1,248		
	Test Well, Death Valley NM expenses	15-NR-59	12		
	Construction of Pipeline - Indian Village line to corner of 30 acre tract Contract		7,948		
	Construction of Pipeline - Corner of 30 acre tract to site of Visitor Center (day-labor)		unknown ~~est. $500~~	Not done see Davidson memo Nov 27 59	
				~~17,190~~ 16,390	~~31,508~~ 30,708

1/ $10,500 reported on request for extension of time dated October 23, 1957.

cc

L54 CEL

MAR 11 1959

Memorandum

To: Regional Director, Region Four

From: Assistant Director

Subject: New State Policy Concerning Water for Wildlife in California, and Effect on Rights to Springs, including Application 15,381, Death Valley

Attached are copies of a letter of February 6 from Mr. L. K. Hill, Executive Officer of the State Water Rights Board, with copies of three letters sent to other water claimants, and our reply. Although our reply was not requested within 10 or 15 days, we believe our reply is desirable to defer any limitation on the amount of water from Lower Emigrant and Pioneer Springs which may be used at the Emigrant Checking Station and Stovepipe Wells Hotel.

We suggest that you or the Superintendent supplement our reply, if possible, with a better explanation of water which may be available for wildlife nearer these springs, and any provision which may have been made for wildlife at the Lower Emigrant Spring diversion. We are particularly pleased to see California adopting the Washington policy, but believe that it will be more practical to allocate springs than part of the limited flow of all springs to wildlife in Death Valley.

(SGD) JACKSON E. PRICE

Assistant Director

Attachments 4

Copy to: Superintendent, Death Valley, w/c attachments
Chief, WODC, w/c attachments

WESTERN OFFICE DESIGN & CONSTRUCTION
MAR 13 1959 AM

51

154-GEL

MAR [illegible] 1959

3-11-59

Mr. L. K. Hill
Executive Officer
State Water Rights Board
1401 21st Street
P. O. Box 1592
Sacramento 7, California

Re: Application 10,001; 10,002; 10,118; 10,119; and 15,381 - Death Valley

Dear Mr. Hill:

We are particularly interested and in sympathy with the policy adopted by the Board, as described in your letter of February 6 to Mr. Dunn to approve water permits with a special condition there on to assure the public and wildlife of access to water.

The same policy you mention is observed in developing and using water in National Parks and Monuments, which have been established in part to preserve the fish and wildlife therein and to assure enjoyment of such areas by the visiting public. There have even been cases in which water has been appropriated for wildlife needs in states which recognize such needs as a beneficial use. In other cases, we have included similar needs in a claim to water for recreational purposes on the basis that recreational use of a park or monument includes the observation and protection of wildlife in its natural state.

However, there are times when a water system can be provided with wildlife watering facilities, and others in which we find it more practical to allocate adjacent sources to the respective human and wildlife needs. This is particularly true in the case of the limited spring flows in Death Valley, and we believe that state regulations might interfere with the park or monument administration in compliance with the laws under which they have been established.

Lower Emigrant and Pioneer Springs have been appropriated for human use under Federal Application 15,381. Rights to the waters of Lower Emigrant Spring have also been established for human use by the General Hotel Company under License 2430. These are only two of a number of small springs within a mile or so, of which some are unappropriated, and others have been appropriated under Application 13,981; 13,982; 15,539; and 16,130. In granting the use of water to miners and prospectors under those of the rights which

50

are federally owned, by water use permits, a priority N . 1 is reserved to the United States for incidental public needs. If the Park Service decides that human use of the water is jeopardizing wildlife needs, it will exercise the rights under the first priority to provide watering facilities for both the public and wildlife.

For these reasons, we do not believe that Application 15,371, Permit 9604, should be limited to reservations of water for wildlife. However, we are referring your letter to our Regional Director, Region Four, in San Francisco, for details as to water available for wildlife in the vicinity.

The Superintendent of Death Valley has also submitted a petition to change the point of diversion from Cow Creek under Application 9510, License 4621, and an application for the appropriation of a supplemental supply from the same source, both of January 2. The accompanying drawing NM-DV-6991 shows that a number of lesser springs to the south of the new diversion have been excluded from the spring area. The Superintendent specifically recommended their exclusion to provide water for mountain sheep which frequent the area, and we naturally do not wish those sheep to disturb the domestic supply, to the extent it can be prevented by fencing the designated spring area.

We should hate to have the petition and permit for the supplemental appropriation granted subject to reservation of all the other springs for wildlife without more study by our ecologists. However, we also believe that these rights should be perfected with no reservation of water from the specific sources for wildlife.

We believe that these examples will show the need for special consideration of wildlife needs in Federal applications for the appropriation of water in the National Parks and Monuments. We shall be pleased to include a statement in future applications to describe the wildlife facilities which are being reserved or provided.

Sincerely yours,

(SGD) JACKSON E. PRICE

Assistant Director

Copy to: Regional Director, Region Four
Superintendent, Death Valley
Chief, WODC

50

L 54 Furnace Creek
I 54 Emigrant

Docket 3

June 16, 1958

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Extension of Time, Water Rights

Please refer to Mr. Dunn's memorandum of June 2, 1958, to the Regional Director, Region Four, a copy of which was furnished this office. In the last paragraph of page 2, Mr. Dunn requests that certain information be obtained at Emigrant Ranger Station to support another extension of time. The information is identical with that supplied in our memorandum of May 17, 1957, and since there has been no appreciable change in water use we wish to inquire if it is necessary to make another check. Any such check made before September 1 would show a decrease in use by visitors and a corresponding increase in irrigation need but all available water is being put to beneficial use.

We are not adverse to making the check again but thought that the information already supplied might suffice.

Fred W. Binnewies
Superintendent

In duplicate

cc File ✓(2)
cc
FWB:ekm

Docket 3

06-02-1958: thee attached copies of orders granting extensions ; june 02, 1958

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:
L54-L

RECEIVED
REGION FOUR OFF
JUN - 6 58

June 2, 1958

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Extensions of Time, Water Rights, Death Valley

The attached copies of orders granting extensions of time until December 1, 1958, are for addition to the Death Valley dockets, which are indicated:

Application 9509, Permit 5360	Docket 2, Cow Creek Power
Application 10,001, Permit 5738	Docket 3, Furnace Creek
Application 10,002, Permit 5339	Docket 4, Furnace Creek
Application 10,118, Permit 5754	Docket 5, Furnace Creek
Application 10,119, Permit 5755	Docket 6, Texas Spring
Application 15,381, Permit 9604	Docket 9, Emigrant Spring

The originals are being sent to the Superintendent and copies are being sent to WODC.

Copies of the letter of transmittal of May 26 are also being distributed, and show that the extensions of time have been granted without comment. The correspondence will also show that we had to supply considerable extra support for our requests for extension of time, in order to prevent licensing of less than the authorized or available water, or the cancellation of permits.

We are now preparing an application to change the point of diversion under Applications 9509 and 9510, and a supplemental application for the appropriation of waters of Cow Creek in excess of the authorized 0.446 sec.ft. These may be sufficient to justify another extension of time under Application 9509 if we wish to provide hydroelectric capacity to use 0.446 sec.ft. or more. However, Mr. Binnewies or Mr. Spaulding suggested during my visit of mid-May that most additional electricity would probably be produced with a diesel until commercial power is available, and that proof for license under Application 9509 might be made on the present installations. Please supply your suggestions as soon as possible.

Another request for extensions of time will have to be made for water developments under Applications 10,001; 10,002; and 10,118. I have about all the information there is to offer in support, except as to flows. Mr. Spaulding should supply the records of measurements between now and September 1 on the trench diversion and those from the well points at Inn Tract. It would also help to have some records of the measurements for the same month, say August, for each year available for diversions from the well points. However, the latter records should not be obtained if they are likely to result in difficulties with the Death Valley Hotel Company.

It might be possible to make proof for licensing rights under Application 10,119 if we had accurate records of sufficient people using the campground for a week or week end this past winter. However, Mr. Kunkel weakens such proof by letter indicating that the Park Service was only using about 0.04 of the authorized 0.078 sec.ft. when he measured it. One way to justify a further extension of time is to construct a lateral from the Texas Spring Campground water system to the new museum site, and so report to me by September 1, if such lateral could take off at any convenient point on the line extending to the Indian Village.

The rights under Application 15381 are for only 0.0067 sec.ft. or 4330 gallons per day, by diversion, and 0.3 acre-foot or 97,735 gallons of storage. We seem to have only 7,000 gallons of storage capacity, and we shall possibly need some more even though not 100,000 gallons. To support another extension of time we should have counted the number of visitors using the comfort stations on one or more peak visitor days last winter (a laborer could be paid from Account 347 to sit and count for a few days). It is too late to do that before December 1 of this year, but should be scheduled next year. As an alternative by about September 1, I should like:

1. Either the count or best estimate of the number who stopped at the ranger station and probably used the facilities either to fill their car radiators or for personal reasons.

2. The area covered by all vegetation which is now irrigated by hose, with name of vegetation. The area of a tamerisk, or other bush or tree should be figured on the assumption that root system spreads over about the same area as the branches.

3. About how much water is used for dust laying per day. The state recognizes about 7.5 to 10.0 gallons per 100 square feet of surface.

4. About how many gallons per day do miners haul away?

5. Although chargeable to Putnam interests and not the Federal rights, the number of gallons per day that are hauled to Stove Pipe Wells Hotel.

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Superintendent, Death Valley, w/c attachments
Chief, WODC, w/c attachments

10-29-1957: attached are a copy of our letter of transmittal to the state water rights board ; october 29, 1957

IN REPLY REFER TO:
L54-L

RECEIVED
NPS REGION FOUR OFFICE
NOV - 4 '57

	SURNAME	DAT.
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

OCT 29 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 8423 (Docket 24); 9509 (Docket 2); 10,001 (Docket 3); 10,002 (Docket 4); 10,118 (Docket 5); 10,119 (Docket 6); and 15,381 (Docket 9), Death Valley

file orig. in Docket 3

Attached are a copy of our letter of transmittal to the State Water Rights Board, and your copies of our annual reports and requests for extensions of time as therein listed. The reports and requests for extensions of time should be filed in the dockets indicated above. Copies are being sent to the Superintendent and WODC for similar disposition.

It is my intention to notify the California Water Rights Board, Oregon State Engineer, and Washington Supervisor of the Division of Water Resources to send the forms for future reports to your office as soon as Mr. Spaulding becomes familiar with what each state requires and what I have done to date. He is in a much better position to assemble the data. He should review the applications and reports in all dockets, and start a follow-up record of when the next action is due under rights in all dockets for each area in the Region. The filing fees are small, and are paid from Account 347, from which his salary and other expenses are now paid.

Some of the reports may be based on obsolete data in this office. If I have omitted any construction during the past year, I should be advised in case more argument becomes necessary to obtain extensions of time, and should also be listed on a temporary attachment in the docket for inclusion in the next annual report.

In connection with the Furnace Creek applications, I have said as little as possible about conflicting interests of the Borax Company. There seems to be general agreement among those with whom I have talked that the Park Service will not wish to assert Federal claims superior to those which the Company can actually support by past beneficial use, as suggested by Mr. Burke. However, there are no official directives at this time, and I do not know what negotiations, if any, we may have with the Company.

40

The copy of letter of October 16 to Mr. Worts from Mr. Johnston has arrived while I was preparing the reports. The one omitted point is that Messrs. Worts and Kunkel should not be restricted in recommendations by the existence of conduit easements of the Borax Company. We are looking for undiverted water wherever it may be. I am quite certain we should extend the 120 foot trench to each side of the wash. I am not sure whether Mr. Kunkel will also recommend deeper exploration, by trench or wells, but consider it quite possible.

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Superintendent, Death Valley
Chief, WODC (2)
Field Solicitor McClellan (2)

4P

June 20, 1957

STATEMENT

All Federal rights to waters of Furnace Creek, and possibly of Texas Springs, are subject to undefined prior claims of Borax Consolidated, Ltd. For data on claims of Borax Consolidated, Ltd., now part of U.S. Potash and Chemical Company, see Alien Water Right No. 42.

Federal claims are based on applications in Dockets (3), 4, 5 and 6. Company claims are based on development and use, and terms in the Grant of Easements in Alien Water Right No. 42.

(SGD.) A. VAN V. DUNN

A. van V. Dunn
Chief, Water Resources Section

02-14-1957: attached letter of february 14 does not indicate that further extensions of time cannot be obtained ; february 20, 1957

154-L

WESTERN
DESIGN & CON
FEB 25 1
CHIEF
ADMIN. ASS
PERSONNE
PLANS & P
SAFETY
ARCHITECT
ENGINEER
LAND, AR
ACTION

February 20, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 9509; 9510; 10,001; 10,002; 10,118; and 10,119; Dockets 1 to 6, Death Valley

Attached letter of February 14 does not indicate that further extensions of time cannot be obtained for the permits under the subject applications, but we will have to be particularly careful about how we handle the matter this next September. It also seems to explain why forms were not received for reports on rights to be licensed as a result of 1956 inspections, which was last covered by memorandum of February 11 from Mr. Johnston.

In the first place Mr. Spencer has returned a copy of our 1955 report under Application 9509, of which we have a copy, and has returned no duplicate of the report on Application 9510, which we lack. It will be appreciated if you, the Superintendent and WODC will check their respective assemblies of Dockets 1 for the 1955 report we lack, and Docket 2 for a lack of the report which seems to have been missent to the State. The Superintendent and WODC should reply through you, and if no 1955 report on Application 9510 can be found, we shall appreciate a photostat copy of both sides of your copy.

The pending license on Application 9510 will authorize the domestic and irrigation use of 0.446 sec.ft. of Cow Creek water at the old Headquarters area. There has been no application to use the rest of that flow and the U.S. now has only the riparian rights of use on the formerly patented Nevares tract. For all practical purposes these rights are both safe for two years after the date of the license under Application 9510. During that time we should obtain plans for the new system to serve the new Headquarters, and file amended and supplemental applications as needed.

Further extensions under Application 9509 for the power use may be hard to obtain unless there is evidence of completing the system. The alternative is to make proof on the water use now made through existing hydroelectric units, or amend the application if supplemental power is to be developed along the conduit which appears to be planned, or even under construction, to convey Cow Creek water to the new Headquarters area. The ultimate plans for power should be supplied during the summer so that we may decide what water right action to take.

02-14-1957: attached letter of february 14 does not indicate that further extensions of time cannot be obtained cont. ; february 20,

Another extension of time under Applications 10,001; 10,002; 10,118; and 10,119 can probably be justified on the basis of work done during 1957 and the first two months of 1958 F.Y. However, we should obtain plans of the new system from Cow Creek, Texas Spring (PCECo. tunnel) and Furnace Creek or the test well to be drilled shortly, by about mid-August, with indications of approximate parts to be completed by about mid-September. The accomplished work should include the site of test well, and alternative points of diversion in Furnace Creek drainage if they have been selected by then. The well or alternative points of diversion should be tied to some corner shown on the two sheet of Drawing NM-BB-6967 which supported the grant of easements to the Borax Company. Accomplishments should also include reference to issued invitations for bids, bids, and contracts awarded for construction which has not started. Particular emphasis should be given to construction or planning for the supply line from Furnace Creek or the test well, but we should also have information on the storage and distribution system.

It is assumed that plans will not be sufficiently advanced to permit completion of amended applications and file them by the October 1 deadline. For that reason the requested plans can be photostats of working drawings. Ideally, a single sheet key drawing with elevations, and brief descriptions of reservoir elevations a d locations, pipe sizes, pump and motor capacities, will suffice if they permit us to describe the project.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: ~~Superintendent~~, Death Valley, w/c attachment
Chief, WCEC, w/c attachment

28

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

In reply refer to:
L 54 Pera
Docket #3

November 29, 1956

RECEIVED
REGION FOUR OFFICE
DEC-3'56

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RESEARCH		
INTERP.		
LEGAL		

Believe you should check with McCallum B/M

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Ammendment of Water Right Application 10001

We are currently planning on a water diversion from Furnace Creek Wash for use at the new residential and utility area site under Application 10001, and several questions have arisen concerning it:

1. Is the diversion limited to the well as stated in the Application to Appropriate Water or can this be ammended as soon as plans are completed.

2. Preliminary plans call for the installation of perforated tile in Furnace Creek Wash above the present NPS well location in order to place a pump out of the wash and away from possible flood damage. As long as this does not interfere with any of the Borax Company's diversion is it permissible otherwise?

3. A new place of use for 50 gallons per minute will have to be described. Can this also be an ammendment to the application or is a new application required?

The Borax Company is watching this development very closely and we would like to be sure of our rights under both Applications 10001 and 10002. As we understand it, our diversion can be parallel with the Company diversion or placed at any advantageous location in Furnace Creek Wash as long as it does not reduce the flow that the Company is entitled to. There is, of course, no intention to intrude on the Borax Company system but we would like to know just what we can do in order to plan accordingly.

2/6

Just as soon as detailed plans are far enough along we intend to submit them for ammendment of the water right application. Whatever we do, we want to retain the priority that we now have.

Mr. Fred Kunkel, USGS, arrived on November 27 to start the ground water survey in Furnace Creek and we will be guided by his recommendations on the location of the diversion.

Fred W. Binnewies
Superintendent

Copy to Director

02-28-1941: a telegram was sent by director ; february 28, 1941

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

February 28, 1941.

MEMORANDUM for the Regional Director, Region IV:

A telegram was sent by Director Drury to you yesterday, reading as follows:

"In meeting today with Jenifer and Albright a clear cut statement made of respective purposes of Borax Company and Service precluding necessity of developing cooperatively master plan suggested in Washington Office conference with you. Copy of statement being mailed to you."

There is enclosed a copy of the joint statement resulting from the conference on February 27. It is largely self-explanatory, and it removes the apprehension of this Service that we should be obliged to meet a protest against the pending applications for the appropriation of water from Furnace Creek Wash in Death Valley National Monument. It also removes the apprehension of the Pacific Coast Borax Company that it would be obliged to submit its claims to some kind of adjudication by reason of our filings. It therefore appears that there will be no contest at this time, and our plans for putting to beneficial use the water to be appropriated under the pending applications may proceed without further hindrance. Neither party intends to waive any claims which it may choose to advance in the future. That is, the Borax Company will be free to object later if our diversion interferes with a vested right claimed by it, and this Service will be free to take an adverse position with regard to such claims. If there is ample water in Furnace Creek Wash, there need be no contest within the foreseeable future. The Borax Company will remain free to consider its present claims as vested rights on any basis it chooses.

The third numbered paragraph in the statement is intended to leave open the possibility of changing the location of the diversion point specified in the pending applications, should later amendments for that purpose appear desirable.

(SGD) A. E. DEMARAY

Enclosure 2669469

Acting Director.

cc: Supt., Death Valley Natl. Monument (with copy of enclosure).
Associate Attorney Johnson - " " " "
Regional Attorney Taylor - " " " "
Chief of Engineering.
Chief of Planning.
Mr. Barton.

Placed in files by ALJ 6/23/41

17

02-27-1941: memo re: conference held at the suggestion of director drury in his office on feb 27, 1941 ; february 27, 1941

Mr. Taylor
Mr. Vint

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

Surnamed by
Moskey
Demaray

Mr. Barton mlb

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

February 27, 1941.

MEMORANDUM Re:

Conference held at the suggestion of Director Drury in his office on February 27, 1941, for the purpose of clarifying the positions of the National Park Service and the Pacific Coast Borax Company with regard to the pending applications for the appropriation of water from Furnace Creek Wash in Death Valley National Monument.

The conference was attended by Mr. F. M. Jenifer, President of the Pacific Coast Borax Company, Horace M. Albright, Director Drury, Associate Director Demaray, Chief Counsel Moskey, and Attorney Barton of the National Park Service.

It appears that each party had misunderstood the purposes and intentions of the other; the Park Service being under the impression that the Borax Company intended to protest its application for water and in turn the Borax Company believing from certain correspondence and statements made that the application contemplated an adjudication of all water rights at Furnace Creek and vicinity.

In order to clarify the situation:

1. The National Park Service stated that the application and amendments did not contemplate the diversion and use of more than approximately 1.5 second feet, including the 35 gallons per minute applied for from Texas Springs; that the application does not contemplate an adjudication of the waters of Furnace Creek and vicinity.

2. The Company stated that it did not propose to contest the granting of the National Park Service applications.

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3. In the event that the Park Service Engineer concludes that some more feasible or economical plan than that referred to in the applications is possible, the Company stated that it would be very glad to discuss and consider such a plan with a view to cooperating with the National Park Service.

Newton B. Drury
Director, National Park Service.

F. M. Smith
President, Pacific Coast Borax Co.

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C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Shelden Building
January 23, 1941

Mr. F. N. Jenifer,
General Manager,
Pacific Coast Borax Company,
510 West 6th St.,
Los Angeles, California.

Dear Mr. Jenifer:

In order to keep you informed on our water rights activities, we are presenting you with copies of the following:

1. Water Use Study in Furnace Creek Area at Death Valley National Monument (Revised January 15, 1941) by Hydraulic Engineer A. van V. Dunn. This engineering report has not yet been fully considered bythe proper officials, and therefore should not be considered as in anywise binding the National Park Service to a declared policy.

2. Water right application for the appropriation of 0.85 second feet of the waters of Furnace Creek Wash for irrigation purposes. This is a reclassification of use within the 1.5 second feet covered by applications Nos. 10,001 and 10,002. It is to simplify final proof of beneficial use of that quantity, and is limited to that amount by the capacity of the proposed pipe.

3. Water right application for the appropriation of 0.078 second feet of water from the Texas Springs. This is to permit the use of the original riparian diversion under increasingly non-riparian conditions.

4. Rider to attach to application No. 10,001 to correct the place of use in accordance with the latest master plan information.

In connection with the Water Use Study, we wish to call attention to our very limited knowledge of your company's diversion and use of water, and Mr. Dunn's values are only his best estimates. Before we attempt to arrive at any final agreement we should all have a complete record of your supply and demand figured by the same method which he has used, but with units amended as you feel they should be. Your use should be estimated for the same three dates which Mr. Dunn has used, and you should also provide the dates at which the first construction of each diversion, or enlargement thereof, was started.

We should also have some more reliable figures on the diversion by your 12" pipe; the capacity of your pump at the lower tunnel, and the length of time you pump each day; and a map of your pipe lines in the Inn area which will show the possible distribution and commingling of waters from the various sources. We should also appreciate any reliable data which you may have on the duty of water for dates and tamarisk in Death Valley.

When this data has been fully studied we wish to call a conference here at which both technical differences can be adjusted and an agreement can be formulated.

Sincerely yours,

Herbert Maier,
Acting Regional Director.

Enclosure 1943999.

cc: Director.
Supt., Death Valley Nat. Mon.
Assoc. Atty. Johnson.
Reg. Atty. Taylor.

10-28-1940: two important matters were discussed quite freely and frankly ; october 28, 1940

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
California

Air Mail October 28, 1940.

Memorandum to the Director, National Park Service:

The Superintendent had a long conference on October 25, 1940 with Mr. F. M. Jennifer, Vice President and General Manager of the Pacific Coast Borax Company and Harry P. Gower, General Superintendent for that company at Death Valley.

Two important matters were discussed quite freely and frankly, the first concerning the water situation and the second the question of lower cost accommodations in Death Valley National Monument.

WATER SITUATION:

First, regarding the cutting off of the Monument water supply at Texas Springs. This was entirely accidental and unexpected during their tunneling operation on the other side of the Texas Spring hill. A connection has been provided to their junction box, and we are authorized to connect our Texas Spring main to this connection. They will supply without charge 35 gallons per minute, the maximum amount we had developed previous to the interruption.

Regarding our pending water application in Furnace Creek, they expressed concern over this at the present time for the following reasons: their intake from the Furnace Creek source has not been completed as the present flow is only siphoned from the surface of the underground flow. A tunnel has been started to tap this flow at a greater depth. Fear was expressed that our appropriation, being higher up the wash, might reduce their present flow or at least prevent their securing any greater quantity than at present and make the work done on the lower intake wasted time and money.

Mr. Jennifer believes as we do that there is considerably more water in Furnace Creek than is being used, probably sufficient for all their anticipated needs and our own as well, but of course this is a surmise and no facts exist to support it.

He was frank to express thefact that rapid expansion of the Furnace Creek area will require more water for the Service as well as his company and proposed that we connect with their mains rather attempt a second development. When questioned as to whether they would oppose our application, he stated he doubted if they would consider such a step advisable even if we persisted in going ahead with the appropriation, but that they had asked for a 30-day delay in hopes that a plan could be worked out for joint development rather than rivalry.

He expects to go to Washington within a couple of weeks and discuss the matter, probably requesting us to postpone or delay our

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application until such time as they can further explore the water possibilities of the underground flow.

I agreed to submit these views without comment as while I fully appreciate the large amounts of money they are spending to provide increased facilities for Monument visitors and their need of additional water, I feel strongly that some agreement should be reached to protect our own future needs in the area if we do not go ahead with a parallel water development.

LOW COST HOUSING:

For several years past the Superintendent has viewed with increased concern the fact that most of the developments of the Pacific Coast Borax Company have been toward higher standards of housing and feeding; and while they have at the same time revised prices downward, there exists no provision for the visitor of the lower income brackets or the large family traveling on a limited budget. This matter has in the past been a subject of frequent conversations between the Superintendent and Mr. Jennifer without tangible results.

At the meeting of October 25, 1940, Mr. Jennifer was in a much more receptive mood and instructed Superintendent Gower to obtain costs on erection of tent or portable houses which could be rented at prices below the present minimum of $2.00 per night. He also made the statement that they proposed to construct in the near future a considerable number of modern stucco cabins; and when this was done, the present galvanized iron cabins would be moved into a different area and rented at lower prices.

These substantial proposals are gratifying, if carried out, as it has always been the opinion of the writer that continued educational efforts would sooner or later have their effect and obviate the possible necessity for ruinous competition to obtain the desires results. The Pacific Coast Borax Company are in a strong position with an investment of more than two million dollars in their Death Valley utilities. A Service sponsored competitor would find it very difficult to compete should they see fit to drive him out by price cutting, which they could well afford to do to obtain a clear field, and eventually they would again be in control of the situation. If they can be induced to cooperate more fully as time goes on, it would serve our purposes and policies, and a spirit of harmony and agreement would be far more desirable than continual antagonism.

Undoubtedly Mr. Jennifer will be in Washington early in November to discuss these matters with the Director.

(Sgd. T. R. Goodwin
Superintendent

cc: Regional Director, Region IV

(COPY)

C O P Y

Edward Hyatt, State Engineer
Chief of Division

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Frank W. Clark
Director

Division of Water Resources
401 Public Works Building

October 23, 1940

Application 10001

Mr. T. R. Goodwin, Superintendent
U. S. Death Valley National Monument
Death Valley Junction, California

Dear Sir:

Your letter of October 14th, together with amended maps and rider is acknowledged.

Your original Application 10001 specified recreational, domestic and fire protection purposes and it is observed on the rider enclosed with your letter that a total of 44 acres will be irrigated under this application. Although the application has been advertised as originally filed it will be permissible to add the irrigation use provided the application is readvertised.

Will you please show on the enclosed map in red the location of the different parcels of land to be irrigated which are mentioned in the rider. When the corrected map is received the application will be amended accordingly and new notices will then be sent you for posting.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

By Harold Conkling
Deputy State Engineer

Enc.

COPY

October 9, 1940

AIR MAIL

Memorandum for the Director:

Reference is made to Washington memorandum to Associate Attorney Johnson dated September 30, 1940 and the reply by air mail dated October 4, 1940 enclosing copy of a report by Hydraulic Engineer Dunn.

We are somewhat surprised at the apparent lack of information in the Washington Office on this subject as it was a matter which former Regional Director Kittredge considered of prime importance, and investigations were made at Mr. Kittredge's suggestion by Regional Geologist Volney Lewis, Park Naturalist Curry, and by Mr. Earl Traeger and Regional Attorney Taylor, and immediate action was recommended to preserve future needed water supplies vital to Death Valley National Monument.

Plans were prepared by Transitman Grunigen, who accompanied the technicians on their investigation, and from these plans Hydraulic Engineer Dunn prepared the water applications.

I can see no reason for any thought on the part of the Pacific Coast Borax Company that their interests are jeopardized; in fact, the reverse is the case: it is the future interests of Death Valley National Monument that are at stake, as it is obvious that their present use will be protected, and it is their action which has imperilled our supply, in fact, actually cut it off from the Texas Spring area.

In order that all facts may be before the Director, a short history of the situation is given.

In the Fall of 1933, when the Service originally occupied Death Valley National Monument, the Pacific Coast Borax Company was maintaining a public camp ground on the same site now occupied by our Texas Springs Public Camp.

An old iron tank served as a reservoir, and possible 5 gallons per minute from a spring nearby was piped to this tank and from there to the former Indian settlement north of Furnace Creek Ranch.

The entire set up was turned over to the Service and was so unsatisfactory as campers increased that immediate steps had to be taken to improve the conditions. About one-half mile east of the camp ground a travertine hill furnished water from the fault line on both sides of the hill. On the north side were numerous undeveloped seeps, including the small spring

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already furnishing water to the camp ground. On the south side springs furnished drinking water for Furnace Creek Inn by an open ditch.

Our investigations on our own side of the hill led to development of 35 gallons per minute, which was piped to a newly constructed 20,000 gallon reservoir, from which it was distributed.

During our development work, Mr. Harry P. Gower, General Superintendent of the Pacific Coast Borax Company visited the work and expressed concern that our operations might affect their own supply on the opposite side of the hill.

As we had considerably more water in sight than was then needed, we suspended further work, and the writer suggested to Mr. Gower testing out Furnace Creek Wash itself for a possible permanent flow of such proportions as to make the use of these small springs unnecessary.

In the summer of 1935, Mr. Gower put down a test well on Monument lands in Furnace Creek Wash, about 3/4 mile south east of Furnace Creek Inn. A splendid flow of water was encountered as the writer had predicted.

The following winter, presumably on advice of counsel, this well was abandoned and a new hole sunk on their own property directly in the rear of Furnace Creek Inn. Water was again found at about 18 feet. The well was cased and later a tunnel drilled through the cliff on which the Inn is located and a pipe line run through this tunnel to connect with the irrigation canal to Furnace Creek Ranch.

The water was siphoned from the well and flowed by gravity. We have never known the exact amount of flow, as apparently the Borax Company considers it a private well rather than an underground water channel and have not, to our knowledge, made a filing to protect the amount which they use to irrigate the Furnace Creek Ranch.

Frequent observations by the writer have not revealed any lowering of the water table, so it is apparent that the underground flow is considerably more than they had put to use.

In the intervening years use of Texas Springs Campground has grown so fast that two comfort stations have been built, a second unit added, and a third is proposed and needed. A large amount of mesquite restoration has been carried on, both by reviving existing trees and planting nursery stock.

Three years ago the Indian Village of ten houses, a laundry, and a trading post were added to the drain on our Texas Springs supply, and later a district ranger residence. There is now proposed a saddle horse corral also.

For some time past the Regional Director has been greatly concerned over failure of the Pacific Coast Borax Company to provide housing and meals for persons in the low to medium income brackets. While it has been the feeling of the writer that they will finally provide these accommodations rather than see an independent concession granted for this purpose, it seemed advisable to the Regional Director and the Superintendent to provide for such a contingency before all available water supplies had been appropriated.

Furthermore, the proposed Museum and Auditorium site was studied and will undoubtedly have to be located on this same water supply due to lack of sufficient water at Cow Creek or other points.

The entire matter was brought sharply to a head when the Pacific Coast Borax Company drilled a tunnel into the Texas Spring Hill and diverted the entire flow into their own mains, cutting our camp ground supply from 35 gallons to 4 gallons per minute in May of this year.

As our main was practically dry, I notified Superintendent Gower, who offered to supply us with water. Not wishing to in any way prejudice our rights, I accepted sufficient water for our ranger residence and the Indian Village and referred the matter to the Regional Attorney for advice. During the summer with scarcely any irrigation we have lost much of the planting in the camp ground as well as at the Indian Village.

Our filing is of no value unless funds are provided for the diversion and pipe line, estimated at approximately $10,000 if CCC labor is used. The plans went to the Regional Office and were passed by Engineer Mohl, but as no funds are at present available no CCC job application was made.

The project was also placed high up in priority on our six-year construction program. The matter is an extremely important one, second only in importance to purchase of the Nevares water. If we delay too long, undoubtedly good business men like the executives of the Pacific Coast Borax Company will apply and be granted increased supplies until we will be placed in the unenviable position of having to purchase back our own water from them.

Water is absolutely vital to our growth and existence here. Even if we condemn and secure all the Nevares supply, it will barely suffice to operate our residential and utility areas, and we are forced to turn to another source for camp ground, museum, or public utility expansion.

It is urgently recommended that steps be taken, not only to secure the water, but to procure the materials for the pipe line to validate the filing.

I might further state that the Director inspected both this and the Nevares problems on October 7 and is acquainted with the general situation.

T. R. Goodwin
Superintendent

TRG:AW
cc Regional Director
cc Regional Attorney

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Sheldon Building
October 3, 1940

Memorandum for Associate Attorney Albert L. Johnson:

Re: Texas Spring Water System,
Death Valley National Monument.

Reference is made to Acting Director Tolson's memorandum of September 30, 1940, requesting information for former Director Albright regarding the Park Service water right applications for Texas Spring area at Death Valley.

While you were in conference yesterday, Regional Attorney Taylor requested me to suggest that in your reply you request Mr. Tolson to discuss the matter with the Chief Counsel before sending any information to Mr. Albright.

The applications were prepared and submitted while I was away this summer, and I am not entirely familiar with the problems yet, but my first reaction, on reviewing the claims, was that a very large quantity of water had been claimed with inadequate explanation of use to justify it. Superintendent Goodwin has just sent us a letter of September 20, 1940, from the Deputy State Engineer which expresses the same opinion.

Anticipating this reaction, I wrote to Superintendent Goodwin on September 26, 1940, requesting more details of present and proposed use to evaluate and justify the claim. This information has not been received, so I am still somewhat in doubt as to the answer for Mr. Tolson's use.

I will have to make a complete analysis of the use for the information of the State Engineer, just as soon as I obtain requested data from Superintendent Goodwin. I may be able to justify the full claim, or I may find it necessary to cut the amount. If I justify the full amount, it is still only a claim and the final right will be the portion thereof actually used by a certain date about five years hence. The portion so used will be an imperative need of the monument, and only by the greatest luck would be for the full amount of the claim.

I believe that Mr. Albright is partially interested because of adjacent Borax Company water use. The relative merits of Park Service and Borax Company developments in the area is an administrative one.

The Borax Company may also feel real concern over an apparently excessive claim. Since only the portion of the claim actually used will matter, there is not so much reason for this concern.

I suggest that any final answer to Mr. Albright be postponed about a week until I complete may anslysis and expand the data on the map. A copy of this analysis will permit administrative officers to weigh the merits of Park Service developments before discussing conflicting Borax Company plans, and will also indicate the extent to which the original claim should or may be reduced in quantity.

Perhaps we should also explain, for those not familiar with water right procedure, that a final right may be for any amount less than the claim, but for no more. For this reason, an application must be conservatively large, but not "grasping" in its value. Any cut I may make in the application will be to eliminate the latter feature. The State Engineer is also at liberty to make further limitations as a matter of equity between conflicting claimants.

I see no reason for the Borax Company to protest our filing as a compliance with the State Water Code. It should make its application as well, when it is ready to develop. Of course if both are relatively contemporary, the State Engineer may have to adjudicate and perhaps cut both claims proportionately to fit the supply. This might restrict future Park Service and Borax Company developments.

(SGD) A VAN V. DUNN

Hydraulic Engineer.

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C O P Y

June 5, 1940

Mr. Harry P. Gower, Superintendent
Pacific Coast Borax Company
Death Valley Jct., California

My dear Mr. Gower:

We are seriously concerned over the almost complete loss of water from the main spring above the Texas Springs Campground which has occurred since your tunneling operations on the other side of the hill from which this water originates.

For about six years this spring has averaged approximately 25 gallons per minute which supplied the Texas Springs Campground, the ranger residence at Furnace Creek Ranch and the entire Indian village.

At the beginning of your tunneling operations, this and the other small springs above the campground all showed increased flow but later began to fall off and recently the main spring gradually dwindled until at present there is only between three and four gallons per minute.

We dug out the intake to make sure there was no obstruction but the water is gone and apparently your operations have closed the rock crevice through which it flows or else it has been unwittingly diverted into your own supply.

The situation even now is very bad as, although the campground will not be occupied until Fall, there is not sufficient water for our ranger station and the Indian village.

You will recollect that four years ago I put a crew on these springs to develop them as fully as possible and at your request shut down this work as you were afraid it might reduce your own supply.

It appears now that the opposite situation has occurred and you have cut off ours.

Sincerely,

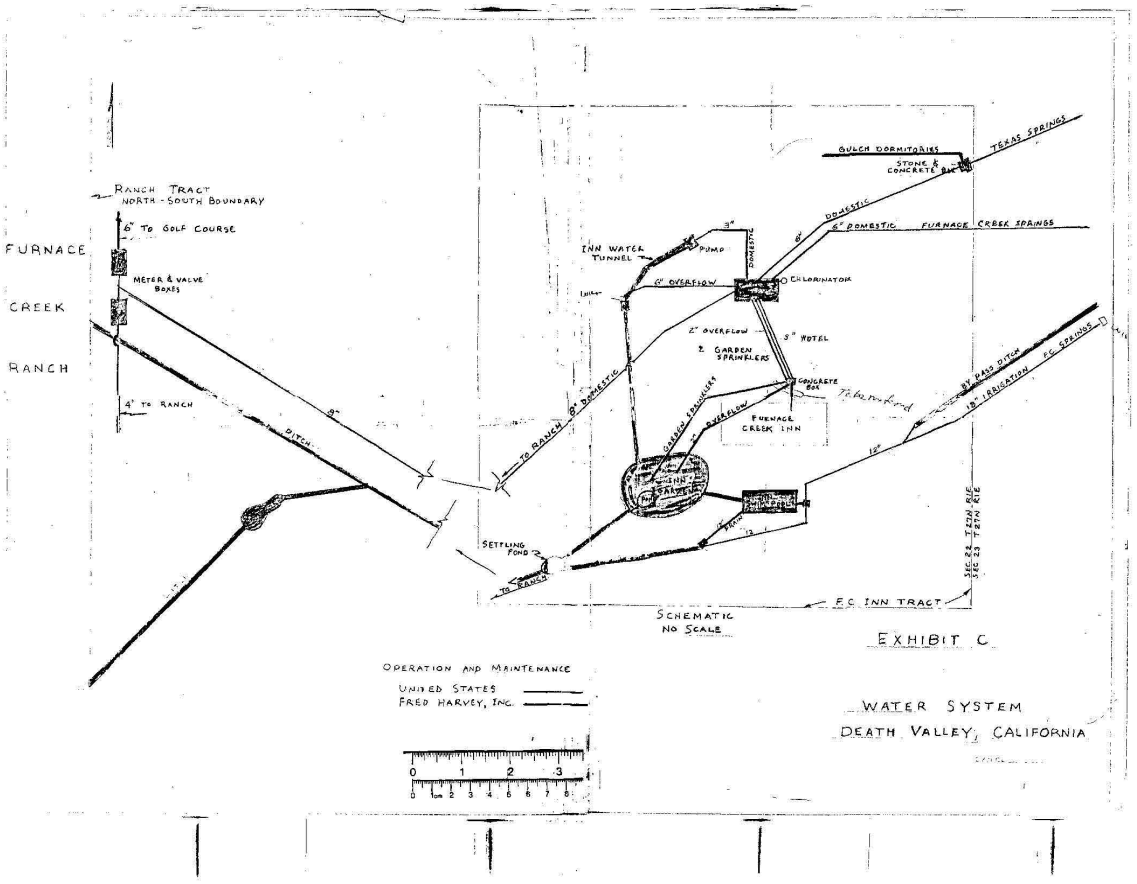
CC -Regional Attorney Jos. E. Taylor
Director

T. R. Goodwin
Superintendent

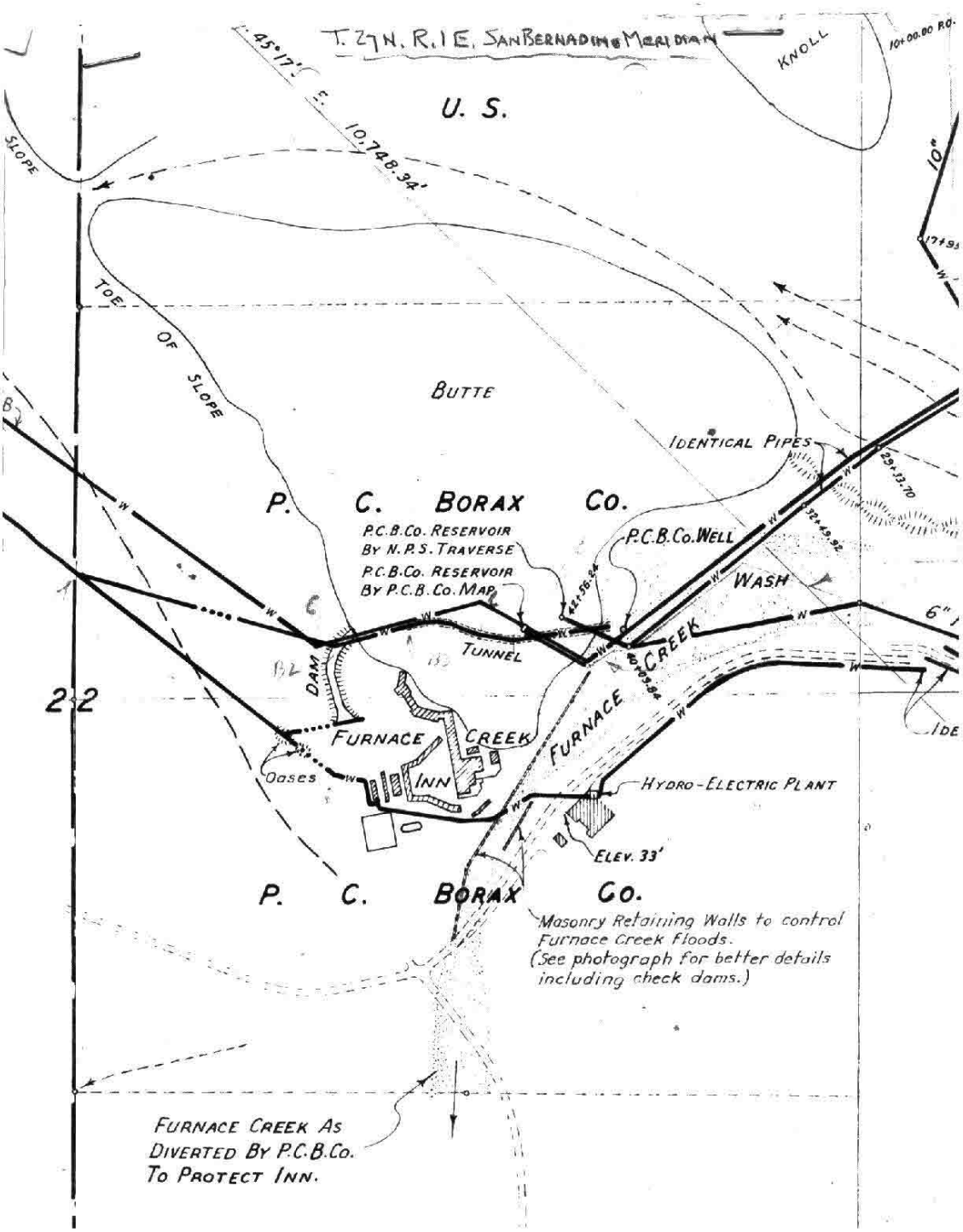
TRG:VG

Maps and Miscellaneous Information

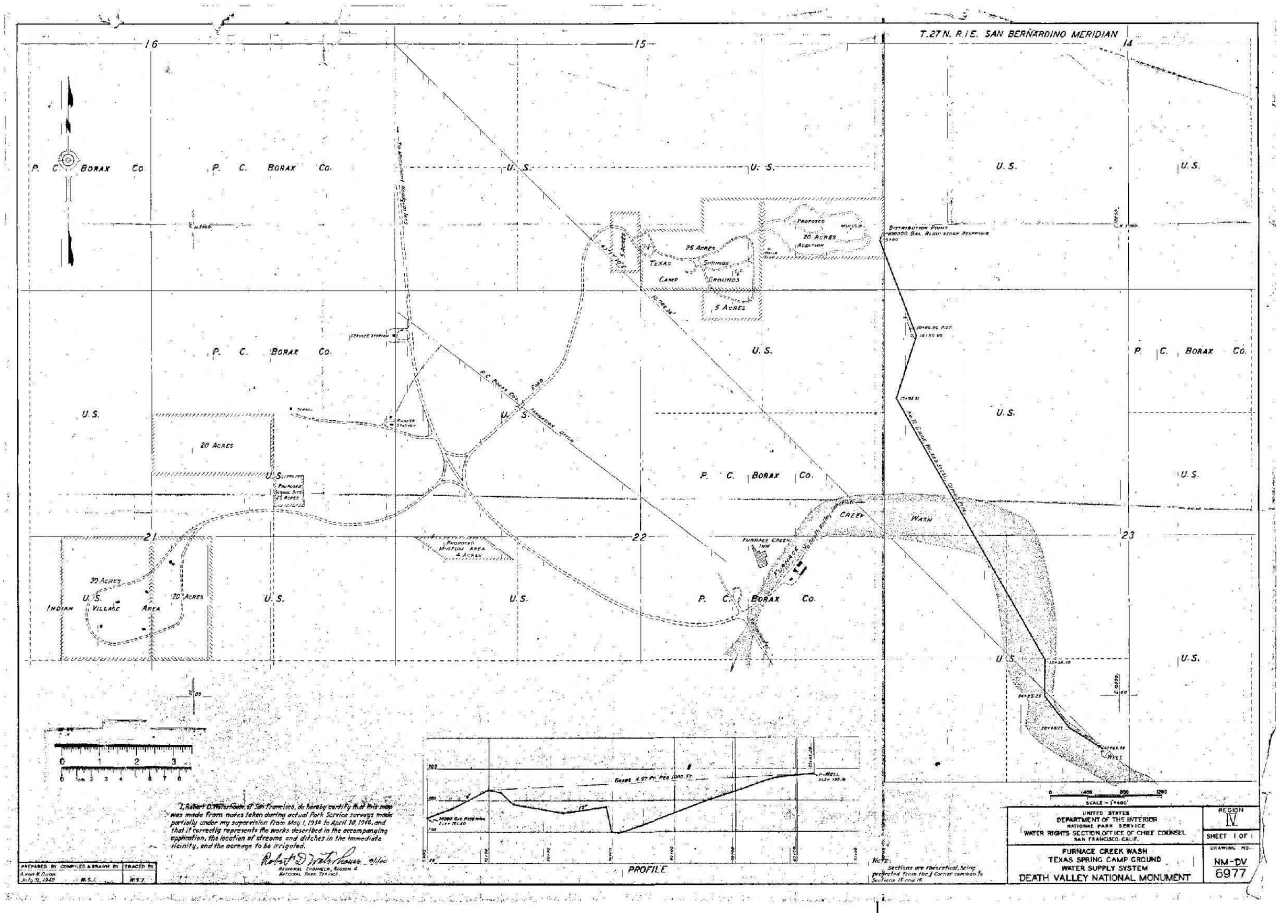
00-00-0000: water system - exhibit c



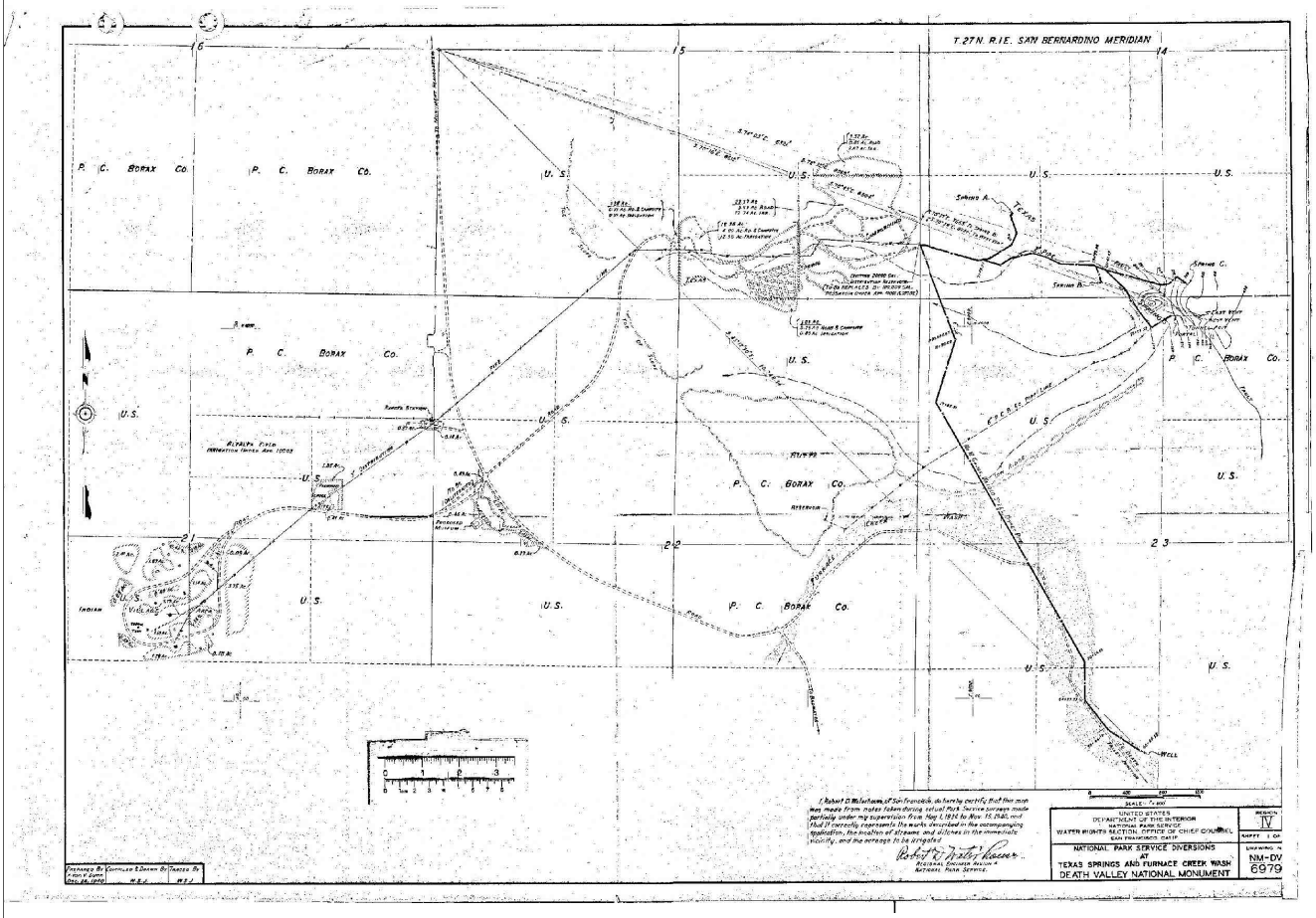
06-05-1940: map of furnace creek as diverted by p.c.b.co. to protect inn; june 05, 1940



00-00-0000: furnace creek wash; texas creek campground - water supply system



00-00-0000: nps water diversions at texas springs and furnace creek wash



Docket Information

Number of Documents in Docket 203

Documents Dated from 6/5/1940 to 5/3/1996

Docket Compiled: 2/16/2011