WATER-RIGHT DOCKET

Death Valley National Park

Docket No: 4

FURNACE CREEK WASH WELL. REVOKED PERMIT 5739

Preliminary Docket Information

05-03-1996: notes to the 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

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 Supplemental Irrigation - Furnace Creek Wash

STATE California COUNTY Inyo DOCKET NO WR #4

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

REGIONAL BASIN Great Basin LOCAL BASIN

ACQUIRED BY Appropriation

APPLICATION 10002 PERMIT 5739 CERTIFICATE

ACTION DUE see remarks PRIORITY Sept. 13, 1940 RESERVATION

QUANTITY USE

STATUS Inactive SOURCE Well

REMARKS State cancelled Permit No, 5739, March 22, 1976.

NARRATIVE: On Sept. 13, 1940, the National Park Service filed Application No. 10002 (Permit No. 5739) with the State of California to appropriate 0.50 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 irrigation purposes at Texas Spring Campground.

The development of the Furnace Creek water system, of which Application No. 10002 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 indicate 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. 5739 was cancelled by the State.

Compiled by Kevin Kidder

Approved by W. Werrell

State Water Rights Documentation

Werrell

Witucki

Kilgore

L54(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

03-02-1976: it is ordered that this permit is hereby revoked and canceled ; march 02, 1976

WR #4

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 10002

ORDER REVOKING PERMIT

PERMIT 5739 (APPLICATION 10002)

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' ; 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:10002

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 5739 (APPLICATION 10002)
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

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 5739 (APPLICATION 10002)
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.

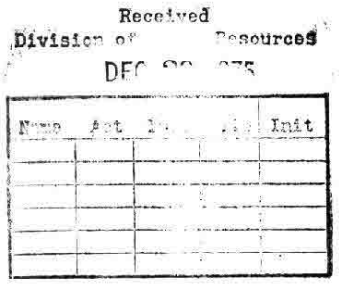
PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER, UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD 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

12-00-1975: a stamped box; december, 1975



STATE OF CALIFORNIA — THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BD.
DIVISION OF WATER RIGHTS
2125 Nineteenth Street, Sacramento, California 95818

PROGRESS REPORT BY PERMITTEE FOR 1974

OWNER OF RECORD — **APPLICATION** 10002

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

AMOUNT: 0.5 CU FT/SEC
PURPOSE: IRRIGATION

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.

PERMIT: 5739 — 12-01-70
IRRIGATION OF: 20 ACRES

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: See Remarks
4. What percent of construction work remains to be done to complete the project? _____ Explain: _____

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, Water Resources Division

1974

9WRCB 15(9/74) — (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 the area so as to develop a water supply in conjuntion with full Federal development. This system will incorporate all water appropriated under Applications 10001, 10002, 10018, &10119.

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

[redacted]
~~Werrell~~, ww
~~Wituckiy~~

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

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

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

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

02-19-1974: this is in response to your letter of february 19 ; march 13, 1974

#10 3/20/74

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#4

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)

STATE OF CALIFORNIA—THE RESOURCES AGENCY RONALD REAGAN, Governor
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
24-Permit 4645 (Application 8423) Permit 11423 (Application 17839)- 25
3-Permit 5738 (Application 10001) Permit 11424 (Application 15539)- 22
4-Permit 5739 (Application 10002) Permit 11924 (Application 18489)- 1
5-Permit 5754 (Application 10118) Permit 14533 (Application 21646)- 21
21-Permit 11421 (Application 16096) Permit 15363 (Application 22366) WR-9
22A-Permit 11422 (Application 16138) Permit 15721 (Application 22979) WR-34
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 10002

WR4

TELEPHONE NUMBER

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

SOURCE: FURNACE CREEK WASH

AMOUNT: 0.5 CU FT/SEC
PURPOSE: IRRIGATION

PERMIT 5739 EXPIRATION DATE: 12-01-70 IRRIGATION OF: 20 ACRES

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
4. What construction work remains to be done to complete the project?

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 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, & 10119. Petitions for Extension of Time are enclosed.

Date March 7, 1973 Sign Here GERARD S. WITUCKI, Chief, Division of Water Resources, Western Region

1972

WRCB-15 (7-72)

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

Application 10002 Permit 5739

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 XX No

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

3. The project is not yet complete and I request an extension of time. X 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 .5 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: _____
See progress report for permittee 1972

Date March 7, 1972 Signature Gerard S. Witucki
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

E OF CALIFORNIA—THE RESOURCES AGENCY
RONALD REAGAN, Governor
E WATER RESOURCES CONTROL BOARD
/ISION OF WATER RIGHTS
M 1015, RESOURCES BUILDING
. NINTH STREET • SACRAMENTO 95814

Witucki

May 16, 1972

RECEIVED
MAY 19 1972
ACT. INFO. INITIALS DATE
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. # 4

Previous State identification #s _____

App. # 10002 Permit # 5739

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:

.5 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:

Irrigation
(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

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

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 10002

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-4

AMOUNT: 0.5 CU FT/SEC
PURPOSE: IRRIGATION

PERMIT 5739 EXPIRATION DATE: 12-01-70 IRRIGATION OF: 20 ACRES

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

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 If 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? 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? ____

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 REQUEST OF EXTENTION OF TIME.

Date DECEMBER 1, 1970 Sign Here (SGD) GERARD S. WITUCKI
GERARD S. WITUCKI , CHIEF, WATER RESOURCES SECTION, WESTERN SERVICE CENTER
(Title)

WRCB 15 (6-70) 1970

02-17-1969: enclosed are reports of licensee for 1966, 67, 68. ; february 17, 1969

J.W. ROSER

FIELDS

GRAY

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/cc
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 10002

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: 0.5 CU FT/SEC
PURPOSE: IRRIGATION

PERMIT 5739 IRRIGATION OF: 20 ACRES

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 All water developments under applications 10,001; 10,002 and 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.
(If more space is needed, use reverse side)

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

WRCB 15 (6-68) 1968

REMARKS

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10002 PERMIT 5739 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 5739; 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 30 1967

/S/ L. C. Spencer

L. C. SPENCER
CHIEF ENGINEER

80182-957 7-65 SM OSP

PETITION FOR EXTENSION OF TIME

Application 10002 Permit 5739
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 [signature]
John W. Stratton, Superintendent
Death Valley National Monument

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

WRB
OC (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 10002 Permit 5739

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 Feder Developments in the area. Studies are continuing to determine the maximum need 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 progress reports for 1966

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

L54 SSCLW
DEVA - WR #4

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Room 1164, Resources Building
1416 Ninth Street
Sacramento, California 95814

Dear Mr. Hill:

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

Application 18489	Permit 11924
Application 10001	Permit 5736
Application 10002	Permit 5739
Application 10118	Permit 5754
Application 16096	Permit 11421
Application 15539	Permit 11423
Application 16138	Permit 11422
Application 8423	Permit 4345
Application 17839	Permit 11423
Application 21046	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; 17839/25; 21046/31

57

ST. E OF CALIFORNIA—RESOURCES AG. .CY
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 10002

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 5739

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? Yes 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? No
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 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 15, 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** 74197-987 7-66 5500 ⓒ GSP

12-21-1965: enclosed are progress reports for 1965 ; december 21, 1965

Springer
Morris

Western Region
450 Golden Gate Avenue, Box 36064
San Francisco, California 94102

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."

FILE COPY

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,

(Sgd) Manuel Morris

Manuel Morris
Hydraulic Engineer

Enclosures (11)

cc:
Director

HASpringer:vm

51

STATE OF CALIFORNIA—RESOU' ES 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 10002

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 5739

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? Yes 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?
   No
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? N/A 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 comingled water supply for the Federal developments in that area.

Date December 13, 1965 Sign Here William N. Burgen
William N. Burgen Permittee Acting Superinten
Post Office Address Monument

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

YEAR 1965

SWRB 15 (REV. 7-65) 81662-867 7-65 6M ⓒ OBP

03-05-1965: enclosed are progress report by permitee for the year1964 ; 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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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: APPLICATION 10002

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY,
CALIF 92328

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

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

PERMIT 5739

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? Yes 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? N/A 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 27960-887 5-64 5M ① OSP

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10002 PERMIT 5739 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 5739, 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

08-09-1964: letter stating: enclosed are extension petitions and an order-invoice ; august 09, 1964

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

~~Ketcham~~
~~Siler~~

L54

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

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STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10002 Permit 5739

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 (~~three~~), (~~five~~), (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 $[illegible].

6. Approximate amount spent during last extension period $ None.

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

8. Estimated date of completion of construction work 1968.

9. Estimated year in which full use of water will be made 1975.

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 some assingled water supply for the Federal developments in the area.~~

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

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

Form 67-H

w/memo 4/9/64

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

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
Death

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

00-00-0000: notice of expiration

ST E OF CALIFORNIA - STATE WATER R. .HTS BOARD

Application 10002 Permit 5739

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 (~~////~~), (~~////~~), (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 affect of National Park diversions upon other diversions in the area and provide one comingled water supply for the Federal Developments in the area.

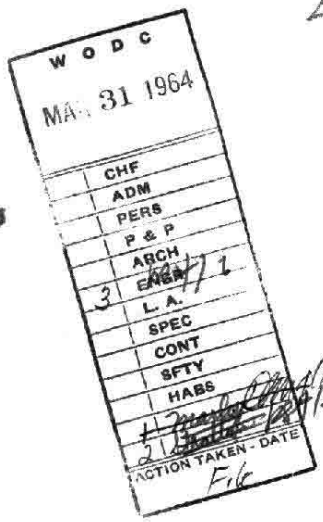
REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date _____ SIGNATURE by Granville B. Liles

Form 67F

Granville B. Liles, Superintendent
Death Valley National Monument

03-30-1964: we note that the 'order granting extension of time ; march 30, 1964



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

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 - #4
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.

Sincerely yours,

(SGD) JAMES M. SILER

James M. Siler
Regional Chief of Land
and Water Rights

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

12-11-1963: enclosed are progress reports for the year 1963 ; december 11, 1963

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

L-54
Dockets 1,3,4,5,6
21,22,24,25,27,28

December 11, 1963

Mr. L. K. Hill
Executive Officer
State Water Rights Board
P. O. Box 1388
Sacramento, California

Dear Mr. Hill:

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

Application 16499, Docket 1 - Navares 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 15539, Docket 22 - Covered Spring, Wee Spring
Application 16130, Docket 24 - Gunsher Spring
Application 9423, Docket 25 - Unnamed Spring
Application 17039, Docket 27 - Blue Cliff Spring
Application 19488, Docket 27 - Ranger Spring
Application 19538, Docket 28 - Mesquite Spring

Sincerely yours

(SGD) JAMES M. S[illegible]

James M. Siler
Regional Chief of Lands

Enclosure
Progress Reports

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

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: APPLICATION 10002

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

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

PERMIT 5739

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? Yes
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? Not Applicable 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

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

82898 7-63 4M ⓘ SPO

12-11-1963: enclosed are the progress reports for the year 1962 ; december 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

39

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21ST STREET, P. O. BOX 592
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 10002

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

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

PERMIT 5739

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 portion of 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 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

66115 7-62 4M ① SPO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10002 PERMIT 5739 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 5739, 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

02-14-1962: receipt number 15213 check for $5.00 for permit fee ; february 14, 1962

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

Receipt No. 15213

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 10002

☐ 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
47108 11-56 20M QUIN ① 6PO

RECEIVED
DEC 22 1961
Death Valley Nat'l Mon



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
180 New Montgomery
San Francisco 5, California

IN REPLY REFER TO:
L54
Docket-DEVA
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 5738, Furnace Creek Wash
✓Application 10002, permit 5739, Furnace Creek Wash
Application 10118, permit 5754, Furnace Creek Wash
Application 10119, permit 5755, Texas Spring

We are also enclosing our Purchase Order No. 34-330 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
cc: Director
Superintendent, Death Valley National Monument
Chief, WODC, (2)

Docket 4 RS

STATE OF C. .IFORNIA—STATE WATER RIGH ; 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 Furnace Creek Wash APPLICATION 10002

PERMIT 5739

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 $5,500

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

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

6. Has use of water commenced? see remarks State maximum rate of use 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 1961? 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 remakrs

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? does not apply

Sign Here /s/ Granville B. Liles
Permittee

Date

Granville B. Liles
Superintendent
Death Valley National Monument

(OVER)

YEAR 1961

FORM 67

44092-F 6-61 4M © 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 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

03-16-1960: order granting extension of time within which to complete construction and use ; march 16, 1960

Docket 4

STATE OF ALIFORNIA—STATE WATER RI fS BOARD

ORDER

See memo 3/25/60

APPLICATION 10002 PERMIT 5739 LICENSE

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

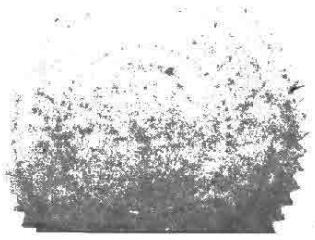
The State Water Rights Board having determined that good cause has been shown for an extension of time within which to complete construction work and application of water to the proposed use under Permit 5739 ; said Board having approved such extension and having directed that this order be issued;

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



00-00-0000: notice of expiration

STATE O. JALIFORNIA - STATE WATER RIGHTS ARD

Application 10002 Permit 5739

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 $ 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 /s/ Granville B. Liles

Form 67F

Granville B. Liles, Superintendent
Death Valley National Monument

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

W O D C
DEC 23 '60
CHF
ADM
PERS
P & P
ARCH
ENGR
L. A.
SPEC
CONT
SFTY
ACTION TAKEN - DATE
mjr

Death Valley National Monument
Death Valley, California

LS4

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 – 4
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

FILE COPY

2/3

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 10002

PERMIT 5739

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

See remarks

6. Has use of water commenced? 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

Date 12-19-60

Granville B. Liles, Superintendent
Death Valley National Monument

(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

STATE C CALIFORNIA—STATE WATER HTS BOARD

ORDER

APPLICATION 10002 PERMIT 5739 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 5739 ; 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

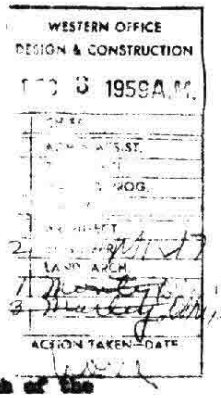
12-02-1959: attached are the following, progress reports, request for extension.... ; december 02, 1959

154

Region Four
100 New Montgomery Street
San Francisco 5, California

December 2, 1959

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



Re: Application 10,001 Furnace Creek -3
Application 10,002 Furnace Creek -4
Application 10,118 Furnace Creek -5
Application 10,119 Texas Spring -6
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 $80.00 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.

Very truly yours,

John B. Wesky
Regional Chief of Operations

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

STATE OF CALIFORNIA—STATE WATER RIGHTS 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 10002

PERMIT 5739

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, California.
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
   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 See remarks
   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)
   (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 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? ____

Sign Here (SGD) JOHN B. WOSKY
(Permittee) John B. Wosky
Regional Chief of Operations

Date December 2, 1959

(OVER)

YEAR 1959

FORM 67

93948-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, 10002, 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 Spri ng System to the Furnace Creek Visitor Center was constructed.

5. Remaining work a. Construction of 500,000 gal reservoir and portion of pipeline. bids opened October 15,1959 low bid $63,307.00

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

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10002 Permit 5739

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 ~~[illegible]~~ (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 $ ~~33,500~~ 30,700 ESS 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.

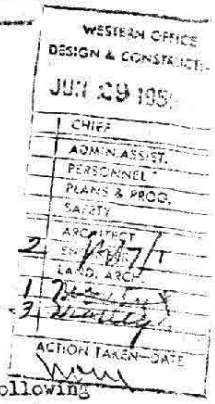
REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date December 2, 1959

SIGNATURE (SGD) JOHN B. WOSKY

John B. Wosky
Regional Chief of Operations

L54-ODL



(3)

June 25, 1959

This should be one docketing item with the work

Memorandum

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.

Check 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.

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 W. Dunn
Chief, Water Resources Section

Attachments 5

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

06-04-1959: orders have been entered granting extensions ; june 04, 1959

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 1382
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.

26

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Docket

ORDER

APPLICATION 10002 PERMIT 5739 LICENSE

Ltr. 6-25-59

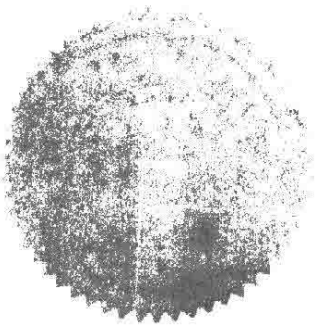
ORDER GRANTING EXTENSION OF TIME WITHIN
WHICH TO COMPLETE CONSTRUCTION AND USE

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 5739 ; 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



SUPT.	B
CH. RG.	
NATL.	
ENGR.	
ADM. ASST.	
SUP. CLK.	

L54-OBL 76-
Ltr 54 Enviro

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

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.

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.

Docket: 4 LS

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

Docket 4

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

Governor

L 54

1959 JAN 13 AM 9:40

STATE OF CALIFORNIA

State Water Rights Board

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

1401 21st STREET
P. O. BOX 1388
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

Docket 4 LS

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

L54-L

Curreo (4)

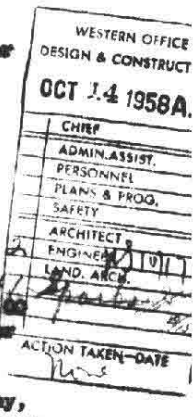
October 10, 1958

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
Application 10,002, Permit 5339 - Furnace Creek - 4
Application 10,118, Permit 5754 - Furnace Creek
Application 10,119, Permit 5755 - Texas Springs
Application 15,381, Permit 9604 - Lower Emigrant and Pioneer Springs



Also enclosed are a purchase order and voucher for [illegible] 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 100 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.

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

3

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

FILE R.I. Side DEVA Docket 4

STATE CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10002 Permit 5739

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 1965.

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 OF 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 10002

PERMIT 5739

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 - June 1958 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 S. Obrien
Sign Here (Permittee)
Chief, Water Resources Section

Date OCT 10 1958

(OVER)

YEAR 1958

FORM 67

25561 4-58 5500 ① 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 one commingled water supply for the Federal developments in that area. The study includes a water resources investigation by the Geological Survey, exploratory trenching, and boring in Furnace Creek; and one or more test wells in the combined area, which have been recommended 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 bores 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 0.078 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

11-06-1958: receipt number 2886 for 5.00 and in check for permit extension fee ; november 06, 1958

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

Receipt No. 2886

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. 10002

☐ 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 Jeanie Brennan
Title

FORM 300
47168 11-56 20M QUIN ⓢ SPO

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 1925
SACRAMENTO 7, CALIFORNIA

L. K. HILL
Executive Officer

MAY 26 '58

Applications	Permits	
15381	9604 DV	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 4 LS

05-26-1958: orders granting extension of time within which to complete construction and use ; may 26, 1958

File L54 DEVA
Docket 4

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 10002 PERMIT 5739 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 100

52465 1 58 1M SPO

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

154-4

Oct 29, 1957

Mr. Harvey O. Banks, State Engineer
State Water Rights Board
1421 - 21st Street
P. O. Box 1388
Sacramento, California

Re: Applications 6423; 9509; 10,001; 10,008; 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 6423, 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,

A. van W. Dunn
Chief, Water Resources Section

Enclosures 14

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

12-12-1957: receipt number 1423 for $5.00 check for permit extension fee ; december 12, 1957

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

Receipt No. 1423

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. 10002

☐ 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
47188 11-56 20M QUIN ⓑ SPC

10-23-1957: notice of expiration ; october 23, 1957

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 10002 Permit 5739

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 (xxxxxxxxxxxxxx, (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
A. van V. Dunn
by A. van V. Dunn, Chief, Water Resources Sec
National Park Service

Form 67F

2

STATE OF CAL.. ORNIA—STATE WATER RIGHT BOARD
1401 21ST STREET
P. O. BOX 1592
SACRAMENTO

4

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 10002

PERMIT 5739

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

United States of America
Sign Here (S) D. A. VAN [illegible]
by A. van V. Dunn, Chief, Water Resources Sec.
National Park Service

Date October 23, 1957

(OVER)

YEAR 1957

FORM 67

51166 4-57 3500 ⓘ SPD

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

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 10002 PERMIT 5739 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

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

Application 10002 Permit 5739

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

SIGNATURE Gordon W. Robertson
Acting Chief, Water Resources Sec., Natl. Park Service

DATE OCT 14 1955

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

STATE OF CAL. ORNIA—DEPARTMENT OF PUBL. 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 10002

PERMIT 5739

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 1957

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? Well 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 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? Not applicable

(SGD) GORDON W. ROBE

Sign Here Acting Chief, Water Resources Sec., Natl. Park Service

OCT 1 4 1955

Date

(OVER)

YEAR 1955

FORM 67

22229 8-55 4M ⓘ 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.

Requested funds for 1956 Fiscal Year, beginning July 1, 1955, were not appropriated by Congress.

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 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 10002 PERMIT 5739 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 1957

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? Well 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 1965

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

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 1956 budget, for period from July 1, 1955 to June 30, 1956, now includes an item of $38,000 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 10,001, 10,002, 10,118 and 10,119, will not be possible until related irrigation ditches, a museum and public comfort stations are completed, probably by degrees over the subsequent 10 years.

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 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 inadequate.

APPLICATION 10002 PERMIT 5739 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
(SGD.) A. VAN V. DUNN.
By: Chief, Water Resources Branch
National Park Service
Permittee

SIGN HERE

Date October 16, 1953

(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
Death Valley Docket No. 4

ORDER

APPLICATION 10002 PERMIT 5739 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 10002, Permit 5739,

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 COPY FOR FIELD ENGINEER 73906 1-53 5M SPO

Docket 4.

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 10002 PERMIT 5739 SOURCE Furnace Creek Wash

1. *Name* of present owner of permit United States of America (for Death Valley National Monumon
   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
   1953 add statement drafted for dated 3

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. van V. Dunn
Permittee
Chief, Water Resources Branch
National Park Service

(OVER)

YEAR 1952

FORM 67

65476 7-52 3M 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.

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

10-12-1951: progress report for 1951 ; october 12, 1951

STATE OF C...IFORNIA—DEPARTMENT OF PI ..IC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

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 10002 PERMIT 5739 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

SIGN HERE By: (SGD) GORDON W. ROBERTSON
(OVER) Acting Chief, Water Resources Branch,
National Park Service
Department of the Interior

Date October 12, 1951

FORM 67

YEAR 1951

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.

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

STATE OF ALIFORNIA—DEPARTMENT OF BLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

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 10002 PERMIT 5739 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 or this page.)
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None.
   (copy returned on Docket 3)
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

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.

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. 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 5739 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 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.)
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

SIGN HERE By: (SGD.) A. VAN V. DUNN.
Permittee

Date October 20, 1949

(OVER)

YEAR 1949

Chief, Water Resources Branch
National Park Service
Department of the Interior

FORM 67

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 163,700 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

11-01-1948: progress report for 1948 ; november 01, 1948

STATE OF CA' 'FORNIA—DEPARTMENT OF PUBLIC WORKS
DI SION 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.

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 5739 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

Date November 1, 1948. Chief, Water Resources Branch.

(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 for 1947 ; january 06, 1948

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 10002 PERMIT 5739 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
   A pump unit 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.

Date January 6, 1948.

SIGN HERE By United States of America, Department of the Interior, National Park Service. (SGD.) E. VAN V. OLIVE Chief, Water Resources Branch. Permittee

(OVER)

YEAR 1947

FORM 67

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 project has been suspended during the war because of other Federal needs for the labor and strategic materials. The resumption 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

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. 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 5739 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, 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
See statement in report for 1944, which is still applicable.

5. If additional construction is required please indicate date when it will be complete When 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. Such funds as were appropriated for construction by the National Park Service during 1947 fiscal year are now impounded under Directive No. 128 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 this directive on Mariposa Water System at Yosemite National Park, Application 6729, Permit 3549.

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 when 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 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.

SIGN HERE United States of America,
Department of the Interior,
National Park Service,
(SGD.) A. VAN V. DUNN
Chief, Water Rights Division. Permittee

Date October 9, 1946.

(OVER)

FORM 67

YEAR 1946

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.

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

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 10002 PERMIT 5739 SOURCE Furnace Creek Wash

1. *Name* of present holder 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
   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 if Congress appropriates funds.
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.

United States of America,
Department of the Interior,
National Park Service,
(SGD.) A. VAN V. DUNN
SIGN HERE Chief, Water Rights Division. Permittee

Date November 2, 1945.

(OVER)

FORM 67

YEAR 1945

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.

DO NOT WRITE IN THIS SPACE

10-27-1944: progress report for 1944 ; october 27, 1944

Death Valley - Deed 8

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 10002 PERMIT 5739 SOURCE Furnace Creek Wash

United States of America, Department of the Interior,

1. *Name* of present holder of permit 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. 5755. The area to be irrigated needs clearing, grading, and distribution system when labor is available.

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,

SIGN HERE (SGD.) A VAN V. DUNN

Chief, Water Rights Division. Permittee

Date October 27, 1944.

(OVER)

YEAR 1944

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 permit is in suspended status for the duration of the war in accordance with letter of Hydraulic Engineer A. van V. Dunn, dated September 11, 1942, and reply of Deputy State Engineer Conkling dated September 16, 1942. During the intervening period water at the place of use is provided entirely under related Permit 5755, and some additional water from the system of the Pacific Coast Borax Company.

DO NOT WRITE IN THIS SPACE

10-29-1943: progress report for 1943 ; 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 spaces provided are inadequate.

APPLICATION 10002 PERMIT 5739 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.

5. Describe any construction work done **during the past 12 months** and state the estimated cost including labo

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 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 /s/ T. R. Goodwin, Supt.
Permittee

Date Oct. 29, 1943.

(OVER)

YEAR 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 topped 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

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 10002 PERMIT 5739 SOURCE Furnace Creek Wash

1. *Name* of present holder of permit United States of America, Death Valley National Monument
   Address DEATH VALLEY JUNCTION, CALIF.
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., SanFrancisco
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 Oct. 8, 1943.

SIGN HERE
Permittee

(OVER)

YEAR 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.

DO NOT WRITE IN THIS SPACE

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 10002 PERMIT 5739 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 labo
   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 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 Oct. 29, 1943.

SIGN HERE /s/ T. R. Goodwin, Supt.
Permittee

(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

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 10002 PERMIT 5739 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

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

09-11-1942: in view of the statements made in your letter of september 11 ; september 16, 1942

C O P Y

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 connection with 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.

C O P Y

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.

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 Shelden 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 connection with 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.

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.

Applications 10,001 and 10,002 were protested by the Pacific Coast Borax Company. For negotiations, see Deed 7.

FORM 8-A

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 10002

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: 0.5 cubic foot per second

Diversion season named: January 1 to December 31 of each season

Water to be used for irrigation purposes

Point of diversion within SE¼ of NW¼ of Sec. 33, T. 27 N, R. 1 E, S.B.B.& M.

Place of use described: 20 acres within the N½ of SW¼ of NE¼ of Sec. 28, 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, 1940
JHiTA

4216 8-39 3M
STATE PRINTING OFF CE

10-04-1949: affidavit of posting notice; october 04, 1949

Form 8-D

AFFIDAVIT OF POSTING NOTICE

In the Matter of Application 10002
Before the Division of Water Resources of the Department of Public Works of the State of California.

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 10002 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, 19 40, 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 miles southeast of Furnace Creek Inn.

and the other of said notices was posted at thereservoir 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

T.R. Goodwin, Superintendent

Subscribed and sworn to before me this
2nd day of October 1940
Raymond K Rundell
Notary Public in and for said County

DO NOT DETACH

COPY

Edward Hyatt, State Engineer
Chief of Division

Frank M. Clark
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

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.

COPY

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 10002

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 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,

Harold Conkling
Deputy in Charge of Water Rights

JH:TA
Reg.
Enc.

FORM 1 FILE IN DUPLICATE

[For full information concerning the filing 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. 10002 Filed Sept. 13, 1940 at 6:30 P.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
~~xx~~ by T. R. Goodwin, Superintendent
Name of applicant

of Death Valley Junction County of Inyo
Post office

State of California does ~~xdo~~ 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 0.50 cubic feet per second
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

, to be diverted from January 1 to December 31 of each season.
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
1 acre-foot equals 325,851 gallons

, to be collected between and of each season.
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 irrigation
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

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 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 SW¼ NE¼, of Sec. 21, 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.
10" 5266

(*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.

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 recreational 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 within 6 months after approval of this application.

Construction work will be completed within 1 years after approval of this application.

The water will be completely applied to the proposed use within 3 years after approval of this application.

Description of Proposed Use

11. **Place of Use.** N½ SW¼ NE¼ Sec. 21, T 27 N, R 1 E, S.B.B.M. (unsurveyed)
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: ____
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 20 acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice ____ acres; alfalfa 20 acres; orchard ____ acres; general crops ____ 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 January 1 and end about December 31 of each year
Beginning date each season — Closing date each season

The land to be irrigated has ~~xxxhcx~~ 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.

RIDER FOR APPLICATION NO. 10,002

Explanation of Irrigation Use

The irrigation of the 20 acres in the N 1/2 SW 1/4 NE 1/4 of Section 21, T27N, R1E, SBM is to provide alfalfa for the mules and horses used by the saddle livery serving the people of Texas Spring Campground and Furnace Creek Inn. The string has numbered 40 head in 1939 and must be increased with park attendance to approximately 100 head. With approximately a 200 day season, on the basis of 20 pounds per head, the total need is 200 tons. Present needs are thus 4 tons per acre increasing to 10 tons, or a possible enlargement of the field as needed, for which there is ample adjacent federally owned area.

The ultimate crop, soil conditions, arid conditions, and excessive evaporation and transpiration all require a more than normal duty of water. This water use will also include incidental stock watering which will be negligible at 12 gallons per head or 0.002 sec. ft.

3

21. What is the name of the post office most used by those living near the proposed point of diversion?

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 ..... (Describe nature and method of use)

The amount for which application is made was determined by ..... (Describe basis of estimate of quantity needed)

.....

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

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Pacific Coast Borax Company (?) (only possible power claimant).

.....

.....

.....

UNITED STATES OF AMERICA,
DEATH VALLEY NATIONAL MONUMENT

[SIGNATURE OF APPLICANT] By T. R. Goodwin, Supt.

4

IMPORTANT
(Please read carefully)

1. Note the terms and conditions of this permit. Construction work must be prosecuted diligently, and the water promptly applied to the beneficial uses intended. Annual reports of progress will be expected from you upon printed forms which will be forwarded from time to time. When the water has been fully applied to the beneficial uses intended the law prescribes that notice shall be given to the Division of Water Resources.
2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water -- the extent of the right to be determined by a field inspection which will be made by an engineer of the Division of Water Resources.
3. No change in point of diversion or place of use can be made under this application and permit without the consent of the Division of Water Resources.
4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the division of Water Resources, Sacramento, California.
5. Please advise immediately of any change of address. Until otherwise advised communications to you will be addressed as was the letter transmitting this permit.

5

(Form 62-1773)
INCORPORATED

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 5739

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 five tenths (0.5) 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 /s/ Harold Conkling
Deputy

77150 9-39 6M
STATE PRINTING OFFICE

6

Other Supporting Information

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

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 GENERAL
WR # 1, 4, 21, 22, 24, 25, 31 and 34

February 25, 1975

Memorandum

To: Chief, Division of Water Resources, Western Region

From: Hydrologist, Division of Water Resources, Western Region

Subject: Field Trip of January 20-24, to Death Valley

Purpose of the trip: Trip made to coordinate on site examination of several water sources which are on file with the State of California, Division of Water Rights. The on site examinations were made with a representative of the State in order to determine the current use status of these sources. (State Division of Water Rights letter of February 19, 1974 suggests joint NPS, State examination -- trip postponed several times by State request).

Itinerary: Left San Francisco and arrived at the park on January 20, 1974. On site examinations conducted on January 21-23. Departed the park and returned to San Francisco on January 24.

Companions: None.

Accomplishments and or observations: Met with Mr. Wilbert T. Chung, representative for the State of California Water Rights Division, Los Angeles Office. Jointly visited with Superintendent Jim Thompson, Robert Mitcham, Mining and Minerals; Milo Bonifield, Maintenance Supervisor; Roger Weber, Administrative Officer; and Peter Sanchez, Resource Management Specialist. The following water sources were visted with Mr. Chung:

1. Well in Furnace Creek Wash - Permit #5739 (Water Right Docket #4). We were unable to locate any evidence of a well in this area. Well is shown as "test well" on NPS drawing of area. We concluded that upon completion of the well that all casing was removed and that subsequent sedimentation has obliterated the site. Permit requests 0.5 cfs for irrigation of 20 acres. In view of the above findings, Mr. Chung stated that the State may move to revoke the permit.

CONSERVE AMERICA'S ENERGY

Save Energy and You Serve America!

Mr. Glen Miller of the U.S. Geological Survey was telephoned on the following day in regards to this source. It appears that the "well" is actually a 4' x 4' concrete box (such was located in the field during our inspection) which had an unknown number of drain lines which extend out under the adjacent wash. Mr. Miller was uncertain as to where the water was used - he believes that possibly the water is joined with that of Texas Spring and is used by NPS. Mr. Chung was informed of the above.

2. Naveras Spring - Permit #11024 (Water Right Docket #1). Spring collection box and adjoining area was inspected. A Hershey flow meter located in the pipeline was read and it was determined that 0.001 acre-feet of water was flowing per 85 seconds (0.51 cfs). Permit requests 0.25 cfs for domestic usage by 100 permanent and 50 seasonal employees. Mr. Chung noted that water was also utilized for irrigation of lawns, shrubs and trees. Mr. Chung requested past readings of the flow meter. Mr. Bonifield was asked about such data and it was learned that no readings had been made for the last several years - as suggested by Mr. Miller of the USGS. Independent discharge measurements by Mr. Miller indicated that the meter was inaccurate and, therefore, readings were unnecessary.

   During a phone conversation with Mr. Chung subsequent to the field trip, he stated that this permit should be revoked since NPS already has a license for 0.446 cfs (Application #9510, License #4621, Water Right Docket #1). This license is for water obtained by "French Drains" downstream, to the west, of property owned by Mr. Naveras (1939).

   It appears that since 1939 the park has bought Mr. Naveras' property and by Permit #11024 has changed the point of diversion and essentially raised the appropriated amount by 0.25 cfs.

   Mr. Bonifield was called to inquire of the present physical conditions of this water source. He stated that all of the water is now derived from the inspected springs and pipeline. Disuse of the "French Drain" system apparently dates back a number of years.

3. Surprise Spring - Permit #14533 (Water Right Docket #31). Difficulty was encountered in locating this spring due to : (a) the Grapevine Ranger Station is no longer at the site shown on the U.S. Geological Survey Topo Map, Tin Mountain, 1957. The station is presently

about one mile north of its old location, being situated on the west side of the highway in Section 14 - T 11 S, R 42 E, at approximately 2240 feet elevation, and (b) field map located spring in canyon on eastern edge of Section 18, T 11 S, R 43 E. This canyon was examined and found to contain no water source. The chlorinator house for the Ranger Station water supply is located in the SE-1/4, SE-1/4, SE-1/4 of Section 13, T 11 S, R 42 E. Evidence of a pipeline from the chlorination house extended in the direction of N 15 E up a canyon. About 3/4 of a mile up this canyon, a hundred feet or so of tall green grass, etc., was found indicating the presence of water. However, water from this point is apparently not piped to the Ranger Station because no pipeline could be found. It is believed that a pipeline of undetermined length extends up the canyon and terminates in a French Drain system somewhere between the chlorinator house and the grassy area. Permit requests 0.03 cfs for eight persons and lawn. At present the Ranger Station site has 13 persons.

4. Nameless Spring - Permit #4645 (Water Right Docket #24). This spring is known by park personnel as Thorndike Spring because water from this source is used at Thorndike Campground. Due to the high elevation and thus coldness, the pipeline is presently disconnected to allow free drainage and thus prevent water freezing damage. The discharge was volumetrically determined at one gpm. From inspection it appears that two French drains are situated along the streambed, being situated only a few feet apart - one appears to be upstream of the other. Permit requests 0.05 cfs for irrigation and domestic. The campground has four camp sites, no irrigation area was observed.

5. Green Spring - Permit #15721 (Water Right Docket #34). An inspection of the Nemo Silver Company millsite was made. At present the millsite is in all but total ruin. Only one building has a roof - the "mill" portion of the site is reduced to concrete foundation only. The two large water storage tanks are dry. There is no evidence of operation of any type at this location for an extended period of time. In view of the above, the disuse of Green Spring (and other springs up the canyon to the South) is obvious. No inspection of the spring sites was made.

   Note: Roy C. Troeger (license on Burro Spring AWR #34) requested the use of this spring in conjunction with Burro for his millsite. The monument allowed such a use with the permit filed in the name of the NPS.

6. Wee Spring, Covered Spring, Burnes Spring, and Chucker Spring - These water sources are contained in two Water Dockets. Wee, Covered and Burnes Springs are in Water Right Docket #22. This docket contains Wee Spring and Covered Spring (Application #15539, Permit #11424) and Burnes Spring (Application #13852, Permit #8536, License #6559A). Chucker Spring is in Water Right Docket #22A (Application #16138, Permit #11422). All of the above springs and the adjoining millsite were visited. The millsite, although in somewhat better physical condition than the Nemo millsite, was in disrepair and there was no evidence of recent work. All of the above water sources were developed to supply water for the millsite, development for all was by excavation along a streambed of small drainage and placement of a collection pipe in a French Drain type of construction. Pipes from each source conveyed water to the mill, these pipes are now in non-operating condition having been busted by freezing water, etc. Storage tanks at the mill contain no water and pipelines at that point are empty. The broken pipeline just below Wee Spring is flowing about 1/4 gpm. Flow, if any, from the other sources was not determined - but it is reasonable to assume that Covered Springs and Burnes Spring are producing about the same amount. Chucker Spring is situated in a larger drainage area and may be producing several times as much water as Wee Spring.

7. Blue Cliff Spring - Application #17839 (Water Right Docket #25). Two springs are listed by this permit. Upon inspection of the site no natural springs were found in the listed area however, two dams across the stream have been built. These dams are about 100 yards apart, the upper dam appears to have been about 5-6 feet high while the lower dam was about 20 feet high. Both dams have been breached and eroded and are incapable of retaining water. A pipeline from the dam area is in need of repair. There is no evidence of water usage for months. Mr. Chung stated that such dams are illegal.

8. Tarantula Spring - Application #160996 (Water Right Docket #21). Two springs are listed by this permit. Tartantula Spring is a natural spring with discharge of about three gpm. A pipeline from the millsite to the immediate spring area apparently ends in the wet soil below the spring - collecting water as a "French Drain." Tracks, droppings, etc., indicate heavy use of this spring by wildlife - including sheep and burrows. About 200 feet downstream of the spring a dam exists. This dam is

about 40 feet high and in good condition, but does not impound any water. Spring flow not intercepeted by the French Drain probably seeps through the porous material at the dam base. Mr. Chung stated that the dam was illegal and in his opinion was dangerous should it ever fill and break. The pipeline to the spring appears in working condition and conveys water at least part way to the millsite.

The water sources of both Blue Cliff and Tartantula were filed upon in order to acquire water for the Morning Glory Millsite and Campsite. The Millsite shows no evidence of operation for several months, but is in acceptable condition. The Campsite is also in acceptable condition, reading material was found which was dated January 1972.

Recommendations: State of California records, for each of the above water sources, indicate that the current status is one of Permit. In each case an extension of time has been requested and granted in order to complete neccessary work and thus to proceed to State License.

Conclusions: After review of the information obtained, Mr. Chung will prepare the appropriate papers and forward them to National Park Service, Water Resources Division. Water Resources will then review the proposed State action and will take any necessary steps to properly protect the NPS legal position while maintaining comity with the State.

William L. Werrell

William L. Werrell

Approved:

Gerard S. Witucki

Gerard S. Witucki
Chief, Division of 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 Wate
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.

SUMMARY - DEVA: WR # 4: Furnace Creek Irrigation: JMM: 6/28/72

On Sept. 13, 1940, the U.SA.applied to appropriate .5 cfs from Furnace Creek Wash for Irrigation purposes. During and since the war it was impossible to complete the water system because of limitations on funds which had been imposed by Congress and the Bureau of the Budget. No water was used from 1942 through 1957. From 1958 to 1960, use fluctuated from .25 cfs to .35 cfs. Since that time there has been no use of water from this source as the four applications, 10,001; 10,002; and 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 the area.

APR 24 1968

ROBERTS
FIELDS
GRAY
KORNELIS

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

57

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
	✓	CHIEF		
		ASS'T. CHIEF		
		STAFF ASST.		
		SUPV. PARK R		
	✓	SUP. Hyd. Eng.		
		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

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

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).

/s/ Granville B. Liles

Granville B. Liles
Superintendent

In duplicate

Attachments

3+

L 54

November 27, 1959

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Death Valley

Subject: Water Rights Progress Reports, Death Valley

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.

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			

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
Acting Superintendent

In duplicate

WODC

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 0.076 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)

32

Copy

October 29, 1959

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Water Right Progress Report, Death Valley

My 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: Application 10,001, 10,002: 10,118: 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 Docket 21 and 25.

Thorndike Spring: Application 8423, Docket 24.

Saratoga Springs: Application 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 prepose 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.

/s/ John B. Wosky
Regional Chief of Operation

Attachments
Copy to: Director (2) w/attachments
LSSpaulding: hat

28

Copy

FURNACE CREEK GROUP

Applications 10,001, 10,002, 10,118 - Furnace Creek, Docket 3,4,5.

Application 10,119 Texas Spring - Docket 6

Attached are agree copies of the progress reports and requests for extension of time, (Report for 10,001,10,002 and 10,118 are indentical.)

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 reviwe the drafts of the reports and requests for time extension and let us know if any corrections are needed.

28

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

(Includes 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-WR-59	6,182		
	Test Well, USGS Supervision (est.)	WASO 550	1,000		
	Test Well, Regional Office, Supervision (portion)	15-WR-59	1,248		
	Test Well, Death Valley NM expenses	15-WR-59	12		
	Construction of Pipeline - Indian Village line to corner of 90 acre tract Contract		7,948		
	Construction of Pipeline - Corner of 90 acre tract to site of Visitor Center (day-labor?)		unknown est. $800	17,190	31,508

1/ $10,500 reported on request for extension of time dated October 23, 1957.

02-00-1959: attached are copies of a letter of february ; march 11, 1959

L54 OBL

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.

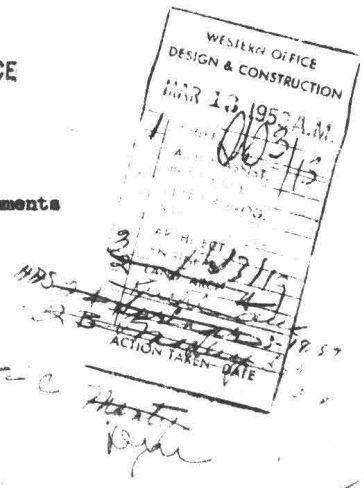
We suggest that you or the Superintendent supplement our reply, if possible, with a better explanation of water which may be available for wildlife nearer these springs, and any provision which may have been made for wildlife at the Lower Emigrant Spring diversion. We are particularly pleased to see 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



L54-CBL

MAR
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 estab lished 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.

H wever, 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 Applica tion 13,581; 13,582; 15,539; and 16,138. In granting the use of water to miners and prospectors under those of the rights which

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are federally owned, by water use permits, a priority No. 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

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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.

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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

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 maintain 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

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12-10-1958: the state water rights board has considered your above numbered ; december 10, 1958

COPY

December 10, 1958

Applications 18108, 18109, 18110,
18111, 18112, 18133, 18134

Harry S. and Edith C. Knight
Route 3, Box 361
Yuma, Arizona

Dear Mr. and Mrs. Knight:

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

"Permittee shall not construct or maintain 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 10 days, it will be assumed that you have no objection to the special condition, and we will proceed with the issuance of the permits accordingly.

Very truly yours,

/s/ L. K. Hill

L. K. Hill
Executive Officer

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COPY

January 12, 1959

Applications 18299, 19300

U. S. Bureau of Land Management
2730 L. Street
Bakersfield, California

Gentlemen:

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

"Permittee shall not construct or maintain 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 10 days, it will be assumed that you have no objection to the special condition, and we will proceed with the issuance of the permits accordingly.

Very truly yours,

/s/ L. K. Hill

L. K. Hill
Executive Officer

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	SUPT.	
	CHIEF CLK.	
	ENGR.	
	ADM. ASST.	
	SUP. CLK.	

L54-L Sen.

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 5380	Docket 2, Cow Creek Power
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
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.

Docket 4

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, 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 97,755 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.

Docket 4 LS

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.

SIGNED
A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Superintendent, Death Valley, w/c attachments
Chief, WCDC, w/c attachments

L-54

Spaulding
Whitworth
Manley
Maier

March [illegible], 1953

Memorandum

To: Regional Chief of Operations

From: Hydraulic Engineer, Region Four

Subject: Report on Travel to Death Valley National Monument

This report covers my travel to Death Valley from February 26 to March [illegible]. The main purpose of the trip was to assist in the extension of the Furnace Creek test [illegible]. While waiting for approval to proceed, I carried out work [illegible] Harper Springs, the Grand Springs and [illegible] the springs in Hidden Canyon above Hotloff Ranch. The test trench was eventually completed.

Harper Springs

Two days were spent [illegible] the property of Charles Keeling, on measurement of the lesser springs. A report will be prepared on my findings.

Operation of Cow Creek Water System

An investigation was made to determine if the wastage of water at the [illegible] at the upper end of the 6-inch main to the residential area could be avoided. It was found that the capacity of the 6-inch line (laid about 1940) was sufficient to carry the main flow of the main Navares Springs. By adjusting the valve on the pipe discharging water to the pump house sump, which returns surplus water to the swimming pool (fire reservoir) and to irrigation ditches, it is possible to convey full spring flow.

The setting on the valve is delicate since opening too far lowers the pressure on the pump to the point where the water enters the drinking water line passing through the hypochlorinator. A setting so that 130 psi shows on the pressure gauge in the pump house gives adequate pressure and permits full flow. The increased flow resulting from a proper valve setting filled Navares Lake, the pond near the headquarters entrance, for the first time in several years.

The difficulty in maintaining the proper valve setting led to a consideration of the operation of the proposed distribution system which will eliminate the pump house sump. Construction of the distribution system, programmed for 1953, will require special valving devices to

regulate the flow to avoid (1) wasting water at the 6x8 box and (2) excessively lowering the pressure by heavy irrigation use. Without special devices one or the other of these conditions would occur unless someone constantly adjusted hand valves. Construction of the reservoir above the residential area and a separate irrigation system would make the system simpler by allowing reservoir overflow to flow into irrigation ditches. However, protection would still be required to prevent completely emptying the reservoir by heavy use into the swimming pool and by irrigation of lower areas.

I suggest the use of two pressure controlled valves on the proposed system. One valve at the lower end of the residential area on the main leading to the swimming pool (fire reservoir) would be set to close when the line pressure drops below say 60 psi. This valve would act to prevent reducing pressure in the residential area below that required for fire protection. A pressure regulated blowoff valve could be set at the upper end of the residential area. This valve to be set to open and deliver water to the irrigation ditch whenever line pressure exceeded say 100 psi. This valve would be used until the time a reservoir is constructed and would prevent wastage of water at the upper end of the 6-inch line (at the 6x8 box).

The use of pressure regulated valves is an alternate to a system conveying all irrigation water in separate conduits.

Water Use and Travel Records

Actual quantities of water delivered to various irrigation ditches were measured. Length of ditches were measured and number, size and type of trees were counted. Detailed visitation figures were collected.

Emigrant Springs

Flow of the spring was found to be 2.5 galls per minute. Wet ground and growth below the intake, in addition to the condition of the intake itself, indicate much of the flow is being lost.

Springs above Detloff Mill

Five springs above Detloff Mill were located by stadia traverse. Sketches were made of collection works and where possible flow measurements were made. A map of the spring area and a report on spring flow will be prepared.

Thad and Jo L. Greene are in residence at the mill as caretakers. There is no evidence of removal of any of the mill. The Greenes reported that Mr. Detloff was no longer active and that Mr. Dobbins was handling affairs.

21

Furnace Creek

Invitations for bid on perforated pipe for the test trench were issued. On notice from Washington that the project was cancelled the Superintendent prepared to reject all bids.

Water continues to be collected by the present section of pipe in the test trench at the rate of about 100 gallons per minute. This water is conveyed to the NPS lined ditch which prevents the water from flooding State Route 190.

It was noted that water is standing in the NPS well downstream from the test trench and that the USGS has installed a recording float meter. Last summer the well was reported dry.

Furnace Creek Land

Regional Chief of Lands Manley requested by mail that I make a check on the description of lands to be granted to the United States by the Death Valley Hotel Company. I walked over the tracts looking for land corners and surveyed portions of section 16. Two corner monuments of the Desert Borate Deposit placer claim were discovered. Corners on fence lines of Furnace Creek ranch were found, but no evidence of official survey could be found. One visit to Inyo County court house at Independence were made to file, the [illegible] of the original patents and to determine the requirements for filing a Record of Survey [illegible].

The property now appears on [illegible] County tax rolls as described in the corporation deed recorded in vol. [illegible], page 103. This document records the granting of property in Death Valley to Death Valley Hotel Company by Borax Consolidated, Limited and is dated as of February 29, 1952.

Incidentally, parcel 23 of the above deed describes water rights and refers to four appropriate county filings to waters of Texas Spring and Furnace Creek. The existence of these filings was previously unknown to me. Photostatic copies of the filings and of the corporation deed will be procured for distribution to the Furnace Creek alien water right dockets.

/s/ Linn S. Spaulding

Linn S. Spaulding
Hydraulic Engineer

Copy to: Supt., Death Valley
Chief, Water Resources Section
Chief, WOOC

Cleared for distribution:

/s/ H. Maier 3/26/53

Herbert Maier
Assistant Regional Director

3

LSSpaulding/eb

10-29-1957: attached are a copy of our letter of transmittal to the state water rights board ; october 29, 1957

L54-L

OCT 29 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

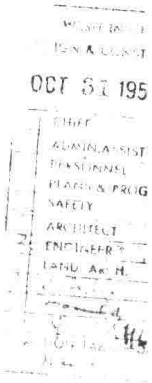
Subject: Water Right Applications 8423 (Docket 24); 9509 (Docket 2); 10,001 (Docket 3); 10,002 (Docket 4); 10,118 (Docket 5); 10,119 (Docket 6); and 15,381 (Docket 9), Death Valley

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 WCDC 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.



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.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Superintendent, Death Valley
Chief, WODC (2)
Field Solicitor McClellan (2)

20

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

02-20-1957: attached letter of does not indicate further extensions ; february 20, 1957

L54-L

WESTERN O
DESIGN & CONS
FEB 25 19
CHIEF
ADMIN. ASSI
PERSONNEL
PLANS & PR
SAFETY
ARCHITECT
ENGINEER
LAND. ARC
ACTION TAKE

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.

14

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 (PCBCo. 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-DB-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 and locations, pipe sizes, pump and motor capacities, will suffice if they permit us to describe the project.

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Death Valley, w/c attachment
Chief, WCDC, w/c attachment

Docket #4

L54-L

WESTERN C... DESIGN & CONST...
DEC 10 195...
CHIEF
ADMIN.ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN

December 6, 1956

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Amendment of Water Rights, Application 10001, 10002, 10118 and 10119, Death Valley

The memorandum of inquiry to you of November 29 from Mr. Binnewies was partially answered in my memorandum of November 27 transmitting prints of Drawings DV-6978 and 6979, but some further explanation seems desirable.

Mr. Binnewies refers to amendment of Application 10001 but all the designated applications are involved. In addition, some of the related problems concerning interests of the Borax Company require reference to Alien Water Right No. 42. My evaluation of water use and water rights of the Borax Company for the unsuccessful war time purchase will also be helpful if you have a copy.

At the time Application 10001 and Application 10002 were filed on September 13, 1940, the Borax Company was using only a part of the water from Furnace Creek Wash and its tributaries, under various dates of first use. Applications 10001 and 10002 were filed to claim 1.50 sec.ft. of the apparent unused flow under that priority. The Borax Company agreed to accept the appropriation after some discussion with this Service. The designated point of diversion was a well reported to have been drilled for test purposes. The well has now become useless and the applications only record the date of a Federal claim to water at a point which must be changed.

The applications and permits have been kept in good standing to the extent that we have obtained extensions of time in which to "complete" construction from the State Engineer. They have become progressively more subject to protest by conflicting claimants during the 16 years in which the United States has neglected to prosecute construction with proper diligence. The potential protestant is the Borax Company which has continued to use increasing amounts of the water.

During 1954 and 1955 the Grant of Utility line easements to the Borax Company was consummated. By mutual agreement, that instrument, which was dated July 1, 1955, and of which copies are filed in Part I of Alien Water Right No. 42, does not relate to water rights. However, the grant of easement reserves Federal rights to make diversions on any easement and at any source used by the Borax Company.

One of my main reasons for sponsoring the water resources study which Mr. Kunkel of the Geological Survey is now making, was to determine which sources are not fully diverted by the Borax Company, the quantity of water which is and is not diverted at each source, if possible, and the probable total quantity of undiverted water which probably passes the Borax Company well and goes to waste beyond Furnace Creek Inn. From these data, Mr. Kunkel and NPS engineers should determine where the best Federal water supply can be obtained with the minimum of damage to Borax Company interests.

Assuming that the United States will obtain less polluted water at the sources than in the bottom of the wash, some consideration should be given to Federal reconstruction of some diversion works of the Borax Company, in order to recover water which now goes to waste, and perhaps to obtain head for a gravity system. The next question would be whether the United States should share quite a number of the improved diversion works with the Company, or arrange to take over exclusive control of one or two, and give the Company exclusive control over the additional water which the United States may recover at others.

During the study and planning, an attempt should be made to arrive at a plan that will be agreeable to the Borax Company so that it will not protest the amendment of the water rights [illegible] to the selected point of diversion. One of the first questions to [illegible] under [illegible] is how much undeveloped water there is and how [illegible] it.

If the Borax Company does [illegible] Mr. Kunkel finds that the Company is [illegible] it may then be necessary to define the relative [illegible] and the Borax Company. The step will be to [illegible] which diverted water may be in excess of [illegible]. It might then be necessary to condemn or adjudicate [illegible].

We are in a vulnerable spot through failure to construct the water system within a shorter period after [illegible], but we may have prevented complete loss of rights through terms in the Grant of Easements. We are also at a disadvantage through failure to obtain Mr. Kunkel's study further in advance of present water system construction schedule.

Regardless of the outcome, I believe that the Borax Company should be fully advised of our intents, and of the value they may derive from Mr. Kunkel's study. This matter should be referred to the Regional and Field Solicitors, but I believe that the United States and the Company are both going to have to cooperate to resolve both of their water right problems. The Company is using a great deal of water which is not covered by county filings which should have been made since 1878 and appropriative applications which should have been filed with the State Engineer since December 19, 1914.

ASSIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Western Office of Design and Construction
Field Solicitor McClellan (2)

13

11-17-1954: attached are the copies of annual reports ; november 17, 1954

In reply refer to:
L54-L

Office of
Chief, Western Office
Div. of Design and Const.
NOV 22 1954 A.M
Supv. Architect
Supv. Engineer
Supv. Landscape Arch.
Safety Engineer

November 17, 1954

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Annual Reports on Water Rights (Dockets 1, 2, 3, 4, 5, 6, 7 and 9) Death Valley

Attached are the copies of annual reports for insertion in the indicated dockets at your office and Death Valley

By reference to the letter transmitting the originals to the State Engineer, copy of which is attached, of which copies are also being distributed, you will note that I have invited a field inspection of the Cow Creek Domestic and Lower Emigrant Spring water systems with a view to possible proof for final licenses. Mr. Binnewies can supply the details of water use at Cow Creek from past correspondence when the representative of the State Engineer calls. I am more doubtful that satisfactory proof can be made on the Emigrant Spring diversion, but it will do no harm to have the matter considered. In both cases, Mr. Binnewies should tell the State representative that we do not want proof at this time if such proof would be for less than the authorized quantity of water.

In connection with the use of water from Emigrant Spring, the ranger residence should require about 250 gpd. A flush toilet uses 3-5 gallons at a time. I guess that a car with a boiling radiator may have from ½ gallon to full tank used, depending on conditions. Barrels and water bags have standard capacities. It seems quite possible that the required 4,300 gallons per day may have been used at the Easter season of most years when the spring flow was adequate.

It is hoped that no serious inspection of Furnace Creek be made. If such is necessary, Mr. Binnewies should be prepared to explain that we are working out water claims of the U. S. and Company in a friendly manner, one step has been the clarification of rights-of-way for the Borax Company during the past year. He can also point out, if necessary, that the Company recognizes a Federal claim to water based on the test well and filings, but

ultimate point of diversion and respective water claims have not been worked out. He might also explain that the Company is getting rights-of-way subject to reservation of Federal rights to divert at same sources, and that both parties have agreed that related water rights are not to be settled or affected by the grant of easements to which no riparian rights shall attach.

[SGD.] A. VAN V. DUNN

A. van V. Dunn
Chief Water Resources Section

In duplicate

Attachments

Copy to: Western Office of Design and Construction

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 MS 10/19
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

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

Docket no 4

RECEIVED WITH MEMO OF 2/14/56
filed in corres folder

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

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

VLSheeVH

02-28-1941: a telegram was sent by director drury to you yesterday, reading as follows ; 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 2669489

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.

Plan in file by AEJ 6/23/41

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02-27-1941: conference held at the suggestion of director drury in his office ; february 27, 1941

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON

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.

(Sgd) Newton B. Drury
Director, National Park Service.

(Sgd) F. M. Jenifer
President, Pacific Coast Borax Co.

aed:lm

14858

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

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

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA

601 Shelden 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 my analysis 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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06-05-1940: we are seriously concerned over the almost compete loss of water from the main spring above texas springs ; june 05

June 5, 1940

Mr Harry F. 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 opeations, this and the other small springs above the campground all showed increased flow but later began to fall off and recently the main sping 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

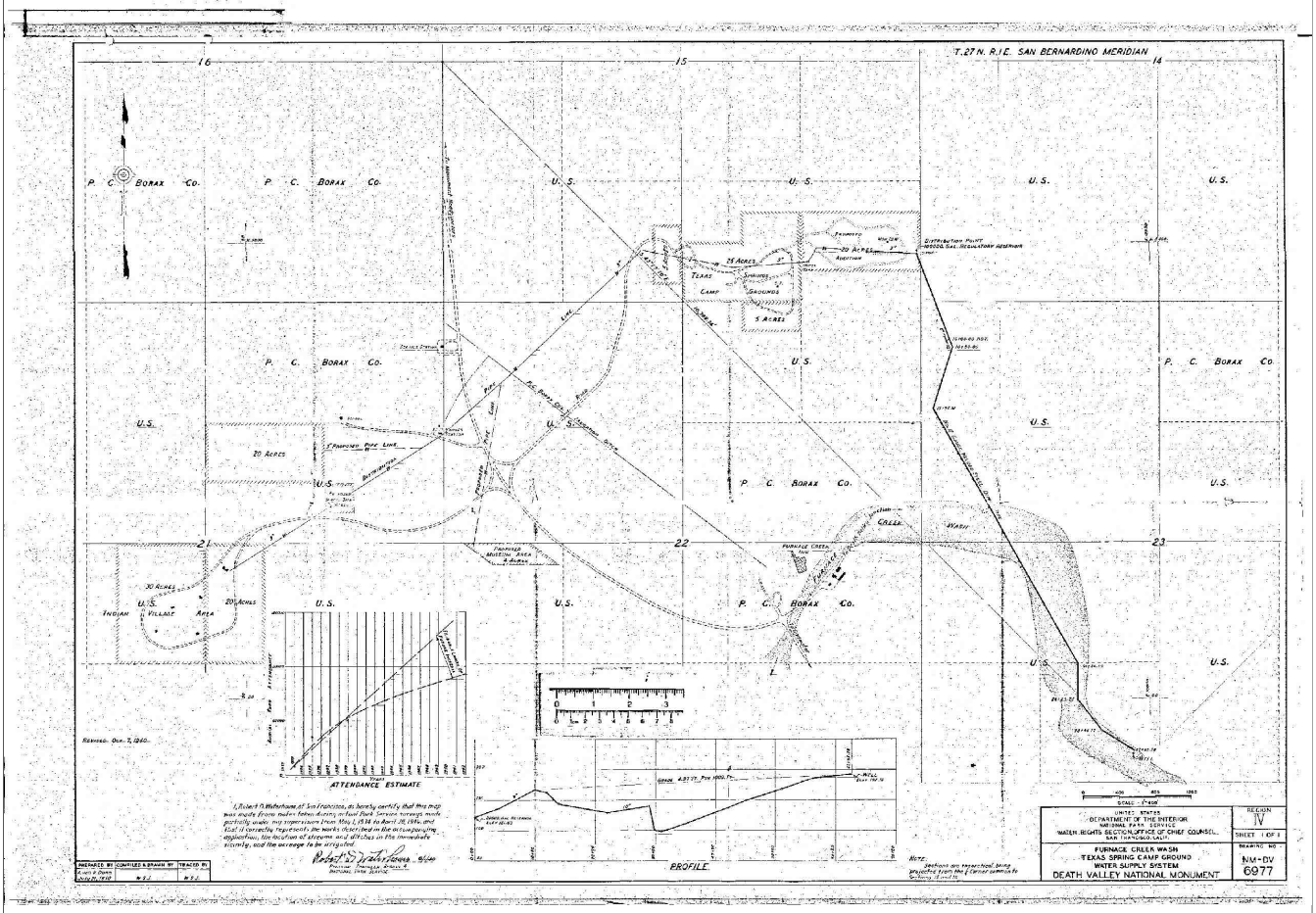
T. R. Goodwin
Superintendent

TRG:VC

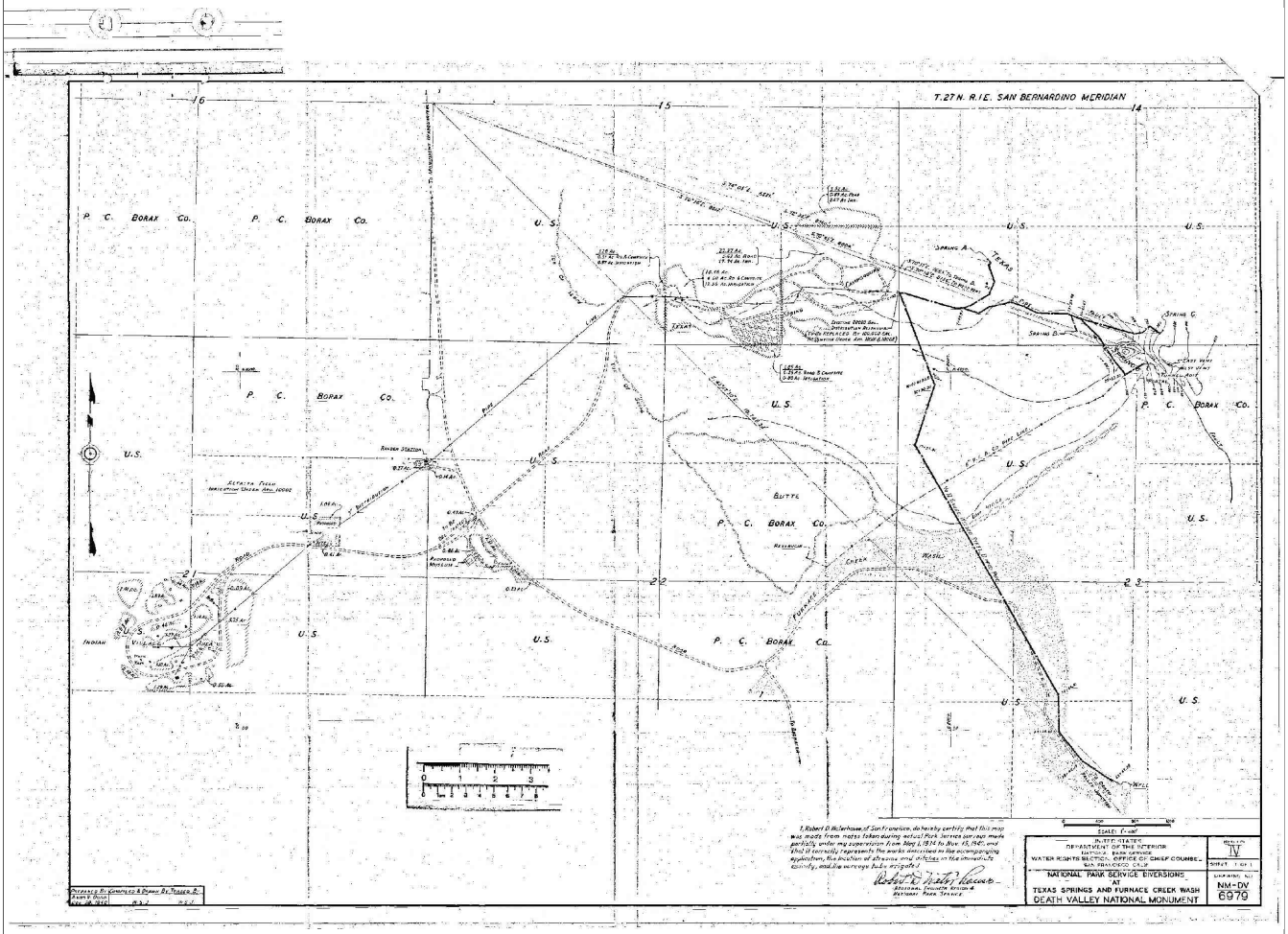
15858

Maps and Miscellaneous Information

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 193

Documents Dated from 6/5/1940 to 5/3/1996

Docket Compiled: 2/16/2011