WATER-RIGHT DOCKET

Death Valley National Park

Docket No: 25

BLUE CLIFF WATER SYSTEM

Preliminary Docket Information

09-15-1978: water right/source docket information ; september 15, 1978

WATER RESOURCES/WATER RIGHTS DATE: September 15, 1978

WATER RIGHT/SOURCE DOCKET INFORMATION

REGION Western AREA Death Valley National Monument

SITE Blue Cliff Water System - South Fork Middle Branch Trail Canyon

STATE California COUNTY Inyo DOCKET NO WR #25

LOCATION SE¼ of SW¼ & SW¼ of SE¼, Sec. 2, T19S, R45E, MDB&M

REGIONAL BASIN LOCAL BASIN

ACQUIRED BY

APPLICATION 17839 PERMIT 11423 CERTIFICATE

ACTION DUE PRIORITY October 1, 1957 RESERVATION 1933

QUANTITY 0.035 cfs USE mining, domestic, recreational

STATUS Inactive SOURCE Surface Water

REMARKS hydrologic unit #18090302

NARRATIVE:

In 1957 the U.S. filed Application 17839 with the State of California to appropriate 0.035 cfs from two unnamed springs in the Blue Cliff Springs Area. The water was to be used for mining, domestic, and some recreational purposes by miners in the vicinity. Mining eventually ceased in the area in 1965 and the original pipeline was removed. Some water was used off and on for recreational purposes until 1970, but a field check of the area in 1975 revealed that the site was no longer active. It was also discovered that there were no natual springs in the area. Rather, a stream was found, with two dams several hundred yards apart located on the stream. Both dams were eroded and incapable of retaining water, and the existing pipeline was not in usable condition. In 1976 the State of California cancelled Permit 11423 for failure to apply the water to a beneficial use. The Monument has no current plans for the use of this source.

Compiled by T. Kern

Approved by W. Werrell Page of

State Water Rights Documentation

2425

EDMUND G. BROWN JR., [redacted] 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 17839

ORDER REVOKING PERMIT

PERMIT 11423 (APPLICATION 17839)

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

06-01-1976: memorandum to superintendent regarding revoking of the following permits: 5733, 5739, 5754, 11422, 11423, 11924,

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

12-18-1975: letter to u.s. death valley national monument regarding 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 17839

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 11423 (APPLICATION 17839)
BLUE CLIFF SPRINGS IN INYO COUNTY

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

J. M. PAGE
SUPERVISING ENGINEER

ENCLOSURE

CERTIFIED

STATE OF CALIFORNIA—THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET

SACRAMENTO, CALIFORNIA 95818

NOTICE OF PROPOSED REVOCATION

PERMIT 11423 (APPLICATION 17839)
BLUE CLIFF SPRINGS IN INYO COUNTY
PERMITTEE: U. S. DEATH VALLEY NAT'L. 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 23, 1975 AND THE REPORT INDICATES THAT (A) THE WATER CONVEYANCE SYSTEM WAS REMOVED IN 1967, (B) NO USE OF WATER HAS BEEN MADE SINCE THAT TIME, AND (C) THERE ARE NO PLANS TO RE-ESTABLISH THE DIVERSION.

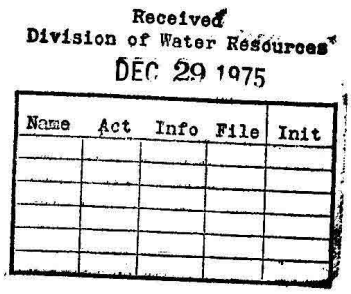
PERMITTEE MAY REQUEST A HEARING BEFORE THE STATE WATER RESOURCES CONTROL BOARD FOR THE PURPOSE OF PRESENTING EVIDENCE OR TESTIMONY TO SHOW CAUSE WHY THIS PERMIT SHOULD NOT BE REVOKED. HOWEVER, UNLESS A WRITTEN REQUEST FOR HEARING, SIGNED BY OR ON BEHALF OF PERMITTEE, IS DELIVERED OR MAILED TO THE BOARD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

12-29-1975: stamp of receival ; december 29, 1975



STATE OF CALIFORNIA — THE RESOURCES AGENCY

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 Nineteenth Street, Sacramento, California 95818

PROGRESS REPORT BY PERMITTEE FOR 1974

OWNER OF RECORD — **APPLICATION** 17839

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: BLUE CLIFF SPRINGS

AMOUNT: 0.035 CU FT/SEC
PURPOSE: MINING, DOMESTIC & RECREATIONAL

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: 11423 — 12-01-70

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

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

CONSTRUCTION WORK

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

USE OF WATER

5. Has use of water commenced? YES [X] 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) — (f) [ ] Recreational _____ (Method of water use)
(c) [ ] Industrial _____ (Nature of Use) — (g) [ ] Recreational _____ (Nature of use)
(d) [X] Domestic unknown (Number of persons, area of garden, lawn, etc.) — (h) [ ] Power generation _____ (Installed horsepower capacity)
(e) [ ] Municipal _____ (Approximate population) — (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
					See Remarks							

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 [ ]. 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)

Sign here: (SGD) GERARD S. WITUCKI
Permittee

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

1974

SWRCB 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:

Original pipeline has been removed as miners have suspended operations. As future use of permit is unknown at this time, retention of this permit is desired.

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

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 17839

WR 25

TELEPHONE NUMBER

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

SOURCE: BLUE CLIFF SPRINGS

AMOUNT: 0.035 CU FT/SEC
PURPOSE: MINING, DOMESTIC & RECREATIONAL

PERMIT 11423 EXPIRATION DATE: 12-01-70

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

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

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

CONSTRUCTION WORK

1. Has construction work commenced? YES
2. Has all construction work been completed? NO If not, describe briefly the portions of the project completed including cost of work done:
3. If not completed, give estimated date of completion UNKNOWN
4. What construction work remains to be done to complete the project? REPLACE PIPE AND IMPROVE COLLECTION SYSTEM.

USE OF WATER

1. Has use of water commenced? YES 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 Unknown ____ 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? 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
			NONE									

STORAGE PROJECTS ONLY

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

REMARKS ORIGINAL PIPELINE HAS BEEN REMOVED AS MINERS HAVE SUSPENDED OPERATIONS. AS FUTURE USE OF PERMIT IS UNKNOWN AT THIS TIME, RETENTION OF THIS PERMIT IS DESIRED. PETITION FOR EXTENSION OF TIME IS ENCLOSED.

(If more space is needed, use reverse side)

Date March 7, 1973 Sign Here

Permittee

1972 GERARD S. WITUCKI, CHIEF, DIVISION OF WATER RESOURCES, WESTERN REGION

WRCB-15 (7-72)

72 8.200 © OSP

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

Application 17339 Permit 11h23

To Water User:

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

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

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

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

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

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

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

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

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

PETITION FOR EXTENSION OF TIME*

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

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

_____

_____

2. Estimated date construction work will begin_____

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

_____

* A fee of $5 must accompany this petition.

WRCB 20C (.2-70)

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

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

5. How much water has been used? _____ AF/year .035 cfs

6. How many acres have been irrigated? _____

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

8. Extent of past use of water for any other purpose _____

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

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

11. Estimated date construction work will be completed _____

12. Estimated year in which water will be fully used _____

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

Date March 7, 1973 Signature Gerard S. Wituski

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

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 17839

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: BLUE CLIFF SPRINGS WR-25

AMOUNT: 0.035 CU FT/SEC
PURPOSE: MINING, DOMESTIC & RECREATIONAL

PERMIT 11423 EXPIRATION DATE: 12-01-70

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

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

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

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:
3. If not completed, give estimated date of completion UNKNOWN
4. What construction work remains to be done to complete the project? REPLACE PIPE AND IMPROVE COLLECTION SYSTEM.

USE OF WATER

1. Has use of water commenced? YES It was used for:
   - (a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each
   - (b) ☐ Stockwatering ____ Number of animals
   - (c) ☐ Industrial ____ Nature of use
   - (d) ☐ Domestic UNKNOWN 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? NO
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 (If more space is needed, use reverse side.) ORIGINAL PIPELINE HAS BEEN REMOVED AS MINERS HAVE SUSPENDED OPERATIONS. AS FUTURE USE OF THIS SOURCE IS UNKNOW, RETENTION OF THE PERMIT IS DESIRED; PLEASE FORWARD THE NECESSARY FORMS FOR REQUESTING AN EXTENTION OF TIME.

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

1970

WRCB 15 (8-70) 45870-903 8-70 5M ⓘ OSP

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 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: BLUE CLIFF SPRINGS

AMOUNT: 0.035 CU FT/SEC
PURPOSE: MINING, DOMESTIC & RECREATIONAL

PERMIT 11423

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 Unknown
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? Replace pipe and improve collection system.
5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)?
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
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? 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? N/A Have you emptied the reservoir? N/A If not, how many feet below spillway vertically was it drawn down at end of season? N/A
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 Camping, hiking, picnicking (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: Original pipeline has been removed as miners have suspended operations due to market conditions (If more space is needed, use reverse side)

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

WRCB 15 (8-68) 1968 24115-983 8-68 5M ⓘ OSP

REMARKS

STATE OF CALIFORNIA—RESOURCES AGENCY

STATE WATER RIGHTS BOA.

ORDER

APPLICATION 17839 PERMIT 11423 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 11423; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

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

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

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

DATED: NOV 3 0 1967

/S/ L. C. Spencer

L. C. SPENCER
CHIEF ENGINEER

50192-957 7-65 5M OSP

02-08-1968: progress report for the year 1967 ; february 08, 1968

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

PROGRESS REPORT BY PERMITTEE FOR 1967

OWNER OF RECORD: APPLICATION 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: (1) BLUE CLIFF SPRINGS (2)
(3) (4)
(5) (6)
(7) PERMIT 11423

AMOUNT: 0.035 CU FT/SEC PURPOSE: MINING, DOMESTIC & RECREATIONAL

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 Unknown
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? Replace pipe and improve collection system.
5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)?
6. What quantity of water was used each month in 1967 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? 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? N/A Have you emptied the reservoir? N/A If not, how many feet below spillway vertically was it drawn down at end of season? N/A
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 camping, hiking, picnicking — 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 Original pipeline has been removed as miners have suspended operations due to market conditions.
(If more space is needed, use reverse side)

Date February 8, 1968 Sign Here John W. Stratton, 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 to the State Water Rights Board, Room 1140, Resources Building, 1416 Ninth Street, Sacramento, California 95814.

Rec'd W Fields' SSC Memo 2-21-68

06-13-1967: petition for extension of time ; june 13, 1967

PETITION FOR EXTENSION OF TIME

Application 17839 Permit 11423
Blue Cliff Spring

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 $ 5,200

6. Approximate amount spent during last extension period $ none

7. Approximate per cent of construction work complete to date unknown

8. Estimated date of completion of construction work unknown

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

10. Reasons why construction and/or use of water was not completed within time previously allowed: Miners have temporarily suspended operations due to poor market conditions. Water continues to be used by Monument visitors and prospectors during all months of the year.

Date June 13, 1967 Signature John W. Stratton

John W. Stratton, Superintendent
Death Valley National Monument

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

SWRB
20C (2-65)

STATE OF CALIFORNIA—RESOURCES AGENCY

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 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: (1) BLUE CLIFF SPRINGS (2) (2)
(3) (4)
(5) (6)
(7) PERMIT 11423

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 Unknown
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? Replace pipe and improve collection system.
5. Has use of water commenced? Yes What was the maximum rate of diversion (if known)?
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
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? 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? N/A Have you emptied the reservoir? N/A If not, how many feet below spillway vertically was it drawn down at end of season? N/A
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 camping, hiking, picnickir — 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 Original pipeline has been removed as miners have suspended operations due to market conditions. (If more space is needed, use reverse side)

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 8500 ① OSP

STATE OF CALIFORNIA—RESOURCES 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 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF 92328

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

SOURCE: (1) BLUE CLIFF SPRINGS (2)
(3) (4)
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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 1966
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?
   Replace pipe and improve collection system.
5. Has use of water commenced? Yes Amount (if known)
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? All year (Intermittently)
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? N/A Have you emptied the reservoir? N/A If not, how many feet below crest vertically was it drawn down at end of season? N/A
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 2-6 people; prospectors — Number of persons, Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☒ Mining Engine cooling, concentration table. — Method of water use
    (g) ☒ Recreational Camping, exploring, picnickin — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☒ Other Auto radiator refills
12. The project has been abandoned and I request revocation of this permit. ☐ Yes ☒ No

REMARKS

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

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

YEAR 1965

SWRB 15 (REV. 7-65) 81662-907 7-65 6M ⓘ OSP

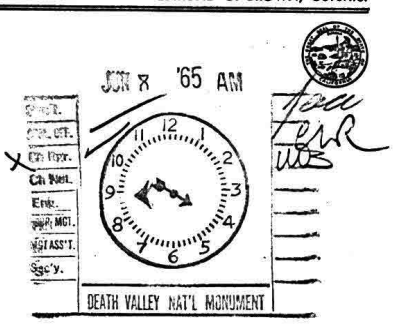
STATE OF CALIFORNIA—RESOURCES AGENCY

EDMUND G. BROWN, Governor

STATE WATER RIGHTS BOARD

RESOURCES BUILDING, ROOM 1140
NINTH AND O STREETS • SACRAMENTO 95814

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



JUN 7 1965

U. S. DEATH VALLEY NATIONAL MONUMENT
DEATH VALLEY
CALIFORNIA 92328

SUBJECT: APPLICATIONS 15539, 16096, 16138 AND 17839
PERMITS 11424, 11421, 11422 AND 11423

GENTLEMEN:

EXTENSIONS OF TIME UNDER THESE PERMITS HAVE BEEN APPROVED AS SHOWN ON THE ENCLOSED ORDERS.

PLEASE ATTACH THE ORDERS TO YOUR COPIES OF THE PERMITS.

SINCERELY,

L. K. Hill

L. K. HILL
EXECUTIVE OFFICER

ENCLOSURES

Bill; which springs are involved? Jan

11424- covered Sp., Wee Sp.
11422 - Choker Sp
11421 - unnamed (Tarantula Sp)
11423 unnamed (Blue Cliff Sp)

Docket 25 LS

02-01-1965: extension petition for application 17839 permit 11423 ; february 01, 1965

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 17839 Permit 11423

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_____

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 ~~(1-1-1969), (12-1-1969),~~ (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 $ 5,200.

6. Approximate amount spent during last extension period $ 200.

7. Approximate per cent of construction work complete to date Unknown.

8. Estimated date of completion of construction work Unknown.

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

10. Reasons why construction and/or use of water was not completed within time previously allowed: Miners have temporarily suspended operations because of poor market. Water continued to be used by Monument visitors and prospectors during all months of the year.

DATE February 1, 1965 Signature John A. Aubuchon Superintendent

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

Form 67-H

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 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) BLUE CLIFF SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11423

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 1966
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?
   Replace pipe and improve collection system.
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. During what months was water used in 1964 under this permit? All year (Intermittently)
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? N/A
10. Did your reservoir spill this year? N/A If not, how many feet below crest vertically was the water level at maximum storage? N/A Have you emptied the reservoir? N/A If not, how many feet below crest vertically was it drawn down at end of season? N/A
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) XXX ☐ Domestic 2-6 people; prospectors (Number of persons) (Area of garden, lawn, etc.)
(e) ☐ Municipal ____ (Approximate population)
(f) XX ☐ Mining Engine cooling, concentration table. (Method of water use)
(g) ☒ Recreational Camping, picnicking, exploring (Nature of use)
(h) ☐ Power ____ (Installed horsepower capacity)
(i) ☐ Other Auto Radiator refills

REMARKS

Date January 5, 1965

Sign Here William W. Durgen (Permittee) Acting 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

27960-987 9-64 5M ⓘ OSP

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 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) BLUE CLIFF SPRINGS (2)
(3) (4)
(5) (6)
(7)

PERMIT 11423

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? Replace pipe and improve collection syster.
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: 5 persons; Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☒ Mining — Method of water use: Engine cooling & concentration table.
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other

REMARKS

Date December 3, 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

92398 7-63 4M ⓘ SPO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17839 PERMIT 11423 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 11423, 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, 1964, 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 23st day of May, 1962

L. K. Hill

L. K. Hill
Executive Officer

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: APPLICATION 17839

U S DEATH VALLEY NATL MONUMENT
DEATH VALLEY, CALIF

Indicate Corrections Above If the Owner or Address Shown Are Incorrect

SOURCE: (1) BLUE CLIFF SPRINGS (2)
(3) (4)
(5) (6)

PERMIT 11423

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 1963
3. State approximate cost of construction work on this project during the past 12 months $200.00
   Describe briefly the portions of the project upon which the above amount was expended Repair pipe and fittings, clean and repair collection system.
4. What construction work remains to be done to complete the project? Replace additional pipe, continue improvement of collection system.
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 grwd and acreage of each
    (b) ☐ Stock watering — Number of animals
    (c) ☐ Industrial — Nature of use
    (d) ☒ Domestic 5 persons — Number of persons; Area of garden, lawn, etc.
    (e) ☐ Municipal — Approximate population
    (f) ☐ Mining Engine cooling; Concentration table — Method of water use
    (g) ☐ Recreational — Nature of use
    (h) ☐ Power — Installed horsepower capacity
    (i) ☐ Other

REMARKS

Date October 5, 1962 Sign Here UNITED STATES /s/ Willard W. Danielson BY: Willard W. Danielson Acting Superintendent Death Valley National Monument

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

YEAR 1962

FORM 67

68113 7-62 4M © SPO

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

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1961

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

SOURCE Unnamed springs(designated as Blue Cliff Spring area) APPLICATION 17839

PERMIT 11423

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

1. Names of all parties who are owners of this permit United States of America for Death Valley National Monument
   MAILING ADDRESS Superintendent, Death Valley National Monument, Death Valley, 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 1963

4. State approximate cost of construction work on this project during the past 12 months $300.00
   Describe briefly the portions of the project upon which the above amount was expended Repair pipe line, replace fittings, restore flow to place of rise.

5. What construction work remains to be done to complete the project? Replace collection pipes, renew fittings.

6. Has use of water commenced? yes State maximum rate of use if known unknown
   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 5 persons (Number of persons) ____ (Area of garden, lawn, etc.)
   (e) ☐ Municipal ____ (Approximate population)
   (f) ☒ Mining engine cooling, concentration tabl (Method of water use) (No use in 1961
   (g) ☒ Recreational Monument visitors, picknicking and [illegible]tor
   (h) ☐ Power ____ (Installed horsepower capacity)
   (i) ☐ Other ____

7. During what months was water used in 1961? June - December
   Do you expect to use it over a longer or different season in the future? Yes
   If so, state other months of use All 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 1963

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

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you filled in your reservoir during the 1960-61 collection season—if not, do you expect to fill it in any one future collection season? ____ 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? ____

Sign Here Granville B. Liles, Superintendent
(Position)

Date December 6, 1961

(OVER)

YEAR 1961

INSTRUCTIONS

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

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

REMARKS

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

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 17839 Permit 11423

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

(b) Have you used the water for as long a season as you intend to? ____ Yes ____ 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

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/ 1/ 1/ year), (2/ 2/ 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 $ 5,000.
2. Approximate per cent of construction work complete to date 80.
3. Estimated date of completion of construction work 1962.
4. Estimated year in which full use of water will be made 1963.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

Miners had temporarily suspended operations because of poor market but have returned to the area dna are now gradually developing full use of water.

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

December 6, 1961

SIGNATURE Granville B. Liles, Superintendent

Regional Director

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 Unnamed springs (designated as Blue Cliff Spring) APPLICATION 17839

PERMIT 11423

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

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

   MAILING ADDRESS Superintendent, Death Valley National Monument Death Valley, 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 See reverse

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

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

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

   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 None during 1960 (Number of persons, Area of garden, lawn, etc.)

   (e) ☐ Municipal ____ (Approximate population)

   (f) ☒ Mining engine cooling. Concentration table (no use during 1960) (Method of water use)

   (g) ☒ Recreational Monument visitors, picnicking and radiators. (Nature of use)

   (h) ☐ Power ____ (Installed horsepower capacity)

   (i) ☐ Other ____

7. During what months was water used in 1960? Irregular use by Monument visitors

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

   If so, state other months of use All 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 See reverse

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 1959-60 collection season as you expect to store in any future collection season? ____ 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? ____

UNITED STATES OF AMERICA

Sign Here Granville B. Liles

By: Granville B. Liles (Printed)
Superintendent,
Death Valley National Monument

Date Dec. 2, 1960.

(OVER)

YEAR 1960

FORM 67

19207 5-60 3M ⓘ 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.

Miners have temporarily suspended operations because of poor market.

Water continued to be used by monument visitors and prospectors.

Water systems will require replacement of portions of pipelines when mining use is resumed.

DO NOT WRITE IN THIS SPACE

STATE O. CALIFORNIA—STATE WATER R. ITS 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 unnamed springs (designated as Blue Cliff Spring Area) APPLICATION 17839

PERMIT 11423

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

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

MAILING ADDRESS Regional Director, 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 See reverse

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

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

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

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 ____ (Number of employees)

(d) ☒ Domestic 2 residents in prior years. None during 1959. (Number of persons; Area of garden, lawn, etc.)

(e) ☐ Municipal ____ (Approximate population)

(f) ☒ Mining engine cooling, concentration table. (Method of water use)

(g) ☒ Recreational Monument visitors, picnicking and radiators. (Nature of use)

(h) ☐ Power ____ (Installed horsepower capacity)

(i) ☐ Other ____

7. During what months was water used in 1959? All months

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

If so, state other months of use

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

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

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 1958-59 collection season as you expect to store in any future collection season? 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?

UNITED STATES OF AMERICA
(SGD) JOHN B. WOSKY
Sign Here John B. Wosky Permittee
Regional Chief of Operations
National Park Service, Region Four

Date December 1, 1959

(OVER)

YEAR 1959

FORM 67

53248-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.

Miners have temporarily suspended operations because of poor market. Water continued to be used by monument visitors and prospectors during all months of the year. Water systems will require replacement of portions of pipelines when mining use is resumed.

DO NOT WRITE IN THIS SPACE

File 1-56
Docket 25
right

STATE C CALIFORNIA—STATE WATER R. HTS 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 Unnamed Springs (designated as Blue Cliff Spring) APPLICATION 17839

PERMIT 11825

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 Death Valley National Monument, Death Valley, California

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

3. Has all construction work been completed? Uncertain If not, give estimated date of completion See reverse

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

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

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

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 2 residents (none after August 1957) Number of persons Area of garden, lawn, etc.

(e) ☐ Municipal ____ Approximate population

(f) ☒ Mining engine cooling, concentration table Method of water use

(g) ☒ Recreational Monument visitor use - picnic & restroom Nature of use water.

(h) ☐ Power ____ Installed horsepower capacity

(i) ☐ Other

7. During what months was water used in 1957? Mining & Domestic: January to August; Recreational: April- November

Do you expect to use it over a longer or different season in the future? Uncertain - see statement on reverse.

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?* Uncertain

If not, estimate year in which use will be full and complete See statement on reverse

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 1957-58 collection season as you expect to store in any future collection season? ____ 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? ____

UNITED STATES OF AMERICA

Sign Here By: (SGD) FRED T. JOHNSTON
Permittee

Fred T. Johnston
Regional Chief of Operations
National Park Service, Region Four

Date December 4, 1958

(OVER)

YEAR 1958

FORM 67

75361 4-58 3500 ⓘ SPO

INSTRUCTIONS

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

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

REMARKS

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

Miners have suspended operations because of poor market. Last date of operation was August 1957. Not known if assessment work was done in 1958. Water system will require replacement of portions of pipelines when mining use is resumed.

Recreational use of water by Monument visitors to the mining area was made from April to November.

DO NOT WRITE IN THIS SPACE

Docket 25
Part II

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 17839 Filed October 1, 1957 at 2:07 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

AMENDED APPLICATION RECEIVED DECEMBER 23, 1957

I, United States of America, by Fred W. Binnewies
Name of applicant

of Death Valley National Monument County of Inyo
Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS:*

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is unnamed springs, (designated as Blue Cliff Spring Area)
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 South Branch of Middle Fork of Trail Canyon thence Salt Creek in Death Valley

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 0.035 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between and of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is mining, domestic and recreational
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. The point of diversion is to be located (1) S 59°56' W 9225 feet and (2) S 61°28' W 8690 feet
State bearing and distance or coordinate distances from section or quarter section corner

from NE corner Section 1, T19S, R45E, MDB&M

being within the (1) NE¼ of SW¼ and (2) SW¼ of SE¼
State 40-acre subdivision of public land survey or projection thereof

of Section 2, T. 19S, R. 45E, MD B. & M., in the County of Inyo

5. The main conduit terminates in SE¼ of NE¼ of Sec. 2, T. 19S, R. 45E, MD B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot 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 from
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being 30 feet in height (stream bed to level of overflow); 50 feet long on top; and constructed of earth
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
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.

FORM 1

8. **Conduit System** (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) ____ feet; width at bottom ____
Cross out two not used

feet; depth of water ____ feet; length ____ feet; grade ____ feet per 1,000 feet; materials of construction ____

* Existing (b) Pipe line: Diameter ¾" 1" 1½" inches; length 1200 500 1000 feet; grade 320 26.25 5.78 feet per 1,000 feet; total fall lift from intake to outlet 403 feet; kind 1700' plastic, 1000' iron
Earth, rock, timber, etc. — Riveted steel, concrete, 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 conduit or pumping plant proposed is 0.035 cubic foot per second
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is $10,000.00
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

*It is proposed to replace ½" plastic with 1" plastic pipe, and to extent 1" plastic connection to water system covered by amended Application 16096.

Completion Schedule

10. **Construction work** ~~will begin~~ was begun on or before August 1, 1954

Construction work will be completed on or before 1959

The water will be completely applied to the proposed use on or before 1960

Description of Proposed Use

11. **Place of Use.** SE¼ and SE¼ of NE¼ Section 2 and N½ Section 1, T19S, R45E; and SE¼ of SE¼ projected Section 36, T18S, R45E; SW¼ of SW¼ Section 31, T18S, R46E and NW¼ of NW¼ projected Section 6, T19S, R46E, MDB&M, all unsurveyed except said Sections 1 and 2.
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 of all 40-acre tracts, describe area in a general way and show detail upon map.

Do(es) applicant(s) own the land whereon use of water will be made? Yes (Yes or No) Jointly? Subject to mining and millsite locations (Yes or No)

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Other Rights.** Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1. The existing water system is largely on mining locations of Ramos, Pike				
2. and Santschi, who are the principle present users of water hereby appropriated.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. **Irrigation Use.** The area to be irrigated is ____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice ____ acres; alfalfa ____ acres; orchard ____ acres; general crops ____ acres; pasture ____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about ____ (Beginning date) and end about ____ (Closing date)

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 the nozzle to be used is ____ inches.

The water will / will not be returned to ____ (Name stream) in ____ (State 40-acre subdivision) of Sec. ____, T. ____, R. ____, ____ B. & M.

7

ATTACHMENT

Question 5

This application describes existing water system which terminates at the mill and camp of Ramos, Pike and Santschi, but claim is hereby made for potential enlargement and extension of the pipeline to a junction with the Tarantula pipe in SW¼ NW¼ Section 1, T19S, R45E, MDB&M.

Question 17

The various branches of Trail Canyon are traversed by truck trails, the main thorofare from the Trona road in Emigrant Canyon to the floor of Death Valley being down the North Fork to Nichols Millsite and thence down the main Trail Canyon. Steep grades make refills of radiators of cars necessary.

8

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 Blue Cliff, Blue Cliff 1-4, Horse Shoe and others (Name of claim) and the nature of the mines is Tungsten and other ores. (Gold placer, quartz, etc.)

The method of utilizing the water is existing mill tables require 12 gallons per minute when operating

It is estimated that the ultimate water requirement for this project will be 2 or more tables to operate to extent possible with regulatore storage. (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 Trail Canyon (Name stream) in SW¼ of SW¼ (State 40-acre subdivision) of Sec. 31, T. 18S, R.46E, MD B. & M. Return flow in initial development is in SE¼ of NE¼ Section 2, T19S, R45E. and

17. **Other Uses.** The nature of the use proposed is domestic, recreational (Industrial, recreational, domestic, stockwatering, fish culture, etc.)

State basis of determination of amount needed. Approximately 2100 gallons per day will be used by 2 or more established mining camps with populations varying from 2 to 6 people, (Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type industrial use, and unit requirements.) various prospectors and miners who establish temporary camps or haul water to more remote camps, and Monument visitors who picnic, camp or explore the mining operations for pleasure, and for the operation and maintenance of automotive equipment and cars.

(See attachement)

General

18. 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 _____

19. Does the applicant own the land at the proposed point of diversion? Yes (Yes or No). If not, give name and address of owner and state what steps have been taken to secure right of access thereto spring area may be partially encumbered by mining locations under Act of June 13, 1933 (48 Stat. 139(and Title 36, Section 20.23 of the Federal regulations

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

Trona, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? Tony Ramos, Fred Santschi, Ray Pike, W. T. Bennett and others, Trona, Calif.

NOTE: Nothing in this application shall constitute a waiver of other rights which the United States may have to this water.

[SIGNATURE OF APPLICANT] /s/ Fred W. Binnewies
Superintendent, Death Valley National Monument
National Park Service, Department of the Interior

9

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 11423

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed **thirty-five thousandths (0.035) cubic foot per second to be diverted from January 1 to December 31 of each year.**

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 **September 1, 1958,** 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, 1960.**

5. Complete application of the water to the proposed use shall be made on or before **December 1, 1961.**

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board 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 State Water Rights Board 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.

8. This permit is conditioned upon full compliance with Section 5937 of the California Fish and Game Code.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: JUN 17 1958

STATE WATER RIGHTS BOARD

L. K. Hill

L. K. Hill
Executive Officer

DEVA Docket 25
Part II

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

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 17839

Notice Is Hereby Given, That United States
Death Valley National Monument
Death Valley, California

has under the date of October 1, 1957 applied to the State Water Rights Board for a permit to appropriate unappropriated water, subject to vested rights.

Description of Project

Water to be appropriated from unnamed springs (designated as Blue Cliff Springs) tributary to South Branch of Middle Fork of Trail Canyon thence Salt Creek.

In the County of Inyo.

Amount applied for: 0.035 cubic foot per second or approximately 22,500 gallons per day.

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

Water to be used for domestic, recreational and mining purposes.

Points of diversion within SE¼ of SW¼ and SW¼ of SE¼ of Section 2, T19S, R45E, MDB&M.

Place of use described: S½ of NE¼ of Section 2 and N½ of Section 1, T19S, R45E; SE¼ of SE¼ of projected Section 36, T18S, R45E; SW¼ of SW¼ of projected Section 31, T18S, R46E, and NW¼ of NW¼ of projected Section 6, T19S, R46E, MDB&M as shown on map filed with State Water Rights Board.

Water used for mining purposes will be released to Trail Canyon within SW¼ of SW¼ of projected Section 31, T18S, R46E, MDB&M.

Relative to Protests

Blanks upon which to submit protests will be supplied free upon request.

Any person desiring to protest against the granting of such permit shall within 40 days from date hereof file with the State Water Rights Board, Sacramento, California, a written protest. Such protest shall clearly set forth the protestant's objection to the approval 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.

STATE WATER RIGHTS BOARD
By Leslie C. Jopson
Chief Engineer

Dated: Sacramento, California
February 13, 1958
Form 8-A

Death Valley
Docket 25
Part II

GOODWIN J. KNIGHT
GOVERNOR

STATE OF CALIFORNIA

State Water Rights Board

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

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
W. P. ROWE, MEMBER

LESLIE C. JOPSON
CHIEF ENGINEER

February 13, 1958

COPY

Application 17839

United States
Death Valley National Monument
Death Valley, California

Gentlemen:

There are enclosed three copies of a notice of your application, two of which should be posted as indicated below and the third of which should be returned to this office with attached affidavit.

You are directed to post two copies of this notice on or before **February 28, 1958** in at least two conspicuous places in the locality to be affected by the proposed appropriation. On or before **March 25, 1958** 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. In case of inability to post two copies of the notice or file proof of posting within the time allowed kindly advise this office immediately and copies of a new notice of a later date will be forwarded.

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 cannot 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

STATE WATER RIGHTS BOARD

LESLIE C. JOPSON, *Chief Engineer*

Cert.
Enc.

APC:de

FORM 8B
54167 4-57 8M ⓖ SPC

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

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 17839

Notice Is Hereby Given, That United States
Death Valley National Monument
Death Valley, California

has under the date of October 1, 1957 applied to the State Water Rights Board for a permit to appropriate unappropriated water, subject to vested rights.

Description of Project

Water to be appropriated from unnamed springs (designated as Blue Cliff Springs) tributary to South Branch of Middle Fork of Trail Canyon thence Salt Creek.

In the County of Inyo.

Amount applied for: 0.035 cubic foot per second or approximately 22,500 gallons per day.

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

Water to be used for domestic, recreational and mining purposes.

Points of diversion within SE¼ of SW¼ and SW¼ of SE¼ of Section 2, T19S, R45E, MDB&M.

Place of use described: S½ of NE¼ of Section 2 and N½ of Section 1, T19S, R45E; SE¼ of SE¼ of projected Section 36, T18S, R45E; SW¼ of SW¼ of projected Section 31, T18S, R46E, and NW¼ of NW¼ of projected Section 6, T19S, R46E, MDB&M as shown on map filed with State Water Rights Board.

Water used for mining purposes will be released to Trail Canyon within SW¼ of SW¼ of projected Section 31, T18S, R46E, MDB&M.

Relative to Protests

Blanks upon which to submit protests will be supplied free upon request.

Any person desiring to protest against the granting of such permit shall within 40 days from date hereof file with the State Water Rights Board, Sacramento, California, a written protest. Such protest shall clearly set forth the protestant's objection to the approval 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.

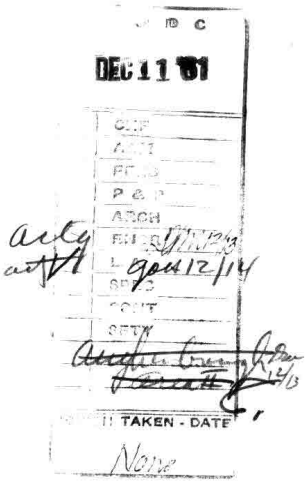
A copy of the protest should be sent to the applicant and this office notified that the same has been done.

STATE WATER RIGHTS BOARD
By Leslie C. Jopson
Chief Engineer

Dated: Sacramento, California
February 13, 1958
Form 8-A

Administrative Agreements

11-27-1961: letter to l. k. hill regarding attached copy of permit no. deva-1-61 blue cliff springs area ; november 27, 1961



154

180 New Montgomery
San Francisco 5, California

November 27, 1961

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

25

Dear Mr. Hill:

Attached is a copy of our permit No. DEVA-1-61 issued under Application No. 17839, Permit No. 11423, Blue Cliff Springs Area, Death Valley. This new permit replaces one which we had formerly issued to Mr. Tony Ramos of Ontario, California. Superintendent Liles at Death Valley National Monument advises that Mr. Ramos forfeited his rights to the subpriority of water right granted in 1957 by his failure to use the water for the one year period stipulated in Special Condition 14 of the permit.

Sincerely yours,

(Sgd.) George F. Whitworth

George F. Whitworth
Acting Regional Chief of Operations

Enclosure

Copy to: Director w/attachment
Superintendent, Death Valley w/attachment
Chief, WODC w/attachment

38

10-30-1961: permit for water use; october 30, 1961

UNITED STATES
Department of the Interior
National Park Service

No. DEVA-1-61
Previous Permit
No. _____

PERMIT FOR WATER USE
incidental to mining operations in
DEATH VALLEY NATIONAL MONUMENT

Pursuant to the act of August 25, 1916 (39 Stat. 535) and the act of June 13, 1933 (48 Stat. 139) and the regulations governing surface use thereunder (36C.F.R. 20.26) Jack D. Smith / John B. Polson of P.O. Box 1346, Trona, Calif is hereby authorized to use the surface of lands in Death Valley for the construction, maintenance, and operation of the water system described by the attached plan, which is hereby approved and made a part of this permit; and to use .003 sec. ft. _____ ~~acre ft.~~ per annum for domestic

.032 sec. ft. or _____ ~~acre ft.~~ per annum for milling

_____ sec. ft. _____ acre ft. per annum for _____
(strike out inapplicable unit)

purposes of the waters of Blue Cliff Spring Area
(give names of sources)

under water right Application No. _____, as said water right is designated by the State Engineer of California, with subpriority No. 2, (California or Nevada)

at no fee but subject to the special conditions on the following pages.

Signed at Death Valley, California this 30th day of October, 19 61.

Granville B. Liles
Superintendent

The undersigned hereby accepts this permit subject to the terms, obligations and reservations, expressed or implied therein.

Witness to Signatures

Willard W. Danielson

Address Death Valley, California

_____

Address _____

* Jack D. Smith

Address P.O. Box 1346, Trona, California

John B. Polson

Address Same address

APPROVED: Regional Director, Region _____ National Park Service.

_____

Date _____

*Sign name or names as written in body of permit; for copartnership permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for the Permittee)
(This copy for the Superintendent's water right docket)
✓(This copy for the Director's water right docket)
(This copy for the Regional Director's water right docket)
(This copy for the Western Office of Design and Construction water right docket)
(State Water Rights Board

SPECIAL CONDITIONS

1. This permit is granted subject to assignment to the United States of all rights to the use of waters of the designated source(s) by the permittee(s).

2. In the absence of recorded Federal water rights or those assigned herewith, the designated use of water is granted subject to the perfection of necessary Federal water rights in accordance with the applicable state water laws and provisions of this permit.

3. The United States reserves paramount rights, with subpriority No. 1 under the designated water right Application No. _____, to such quantities of the designated source(s) as may be needed by the transient general public, for fire protection and other incidental administrative, maintenance and operating purposes; it being understood that subpriorities for major permanent water development and use by the United States and permittee(s) shall be in the order initiated unless a special reservation for Federal use is made a part of this instrument.

4. The United States reserves the rights to authorize other miners and prospectors to use water when available, from the same source, and under the same Federal water right, or such junior Federal rights as may be necessary, and permittee(s) agree(s) to joint land use and equitable consolidation of water systems by the United States or other permittee(s) as may be necessary for the most efficient and beneficial diversion and use of the water, subject to equitable proration of the cost of the consolidated water system, and provided that no permittee(s) shall be liable for the enlargement or modification of his water system if said water system is already sufficient for his needs.

5. The permittee(s) may assign his subpriority of use of the water of one or more springs covered by a single water right, but such assignment shall not be binding until a copy is recorded with the County Recorder and filed with the Director, National Park Service, and such assignment is subject to the granting or amendment of Surface Use Permits to the grantor and assignee.

6. Water use will be authorized under established Federal rights or those assigned as herein provided, when practical, it being the objective to establish adequate, permanent Federal rights in compliance with the state water laws for any Federally authorized uses on the surface of the land in Death Valley National Monument.

7. All necessary future applications for the appropriation of water, and other instruments relating to the perfection of water rights in accordance with the state water laws, which are needed in connection with water use by the permittee(s), shall be prepared by the permittee(s), on behalf of the United States in accordance with instructions to be supplied by the Director, National Park Service, and submitted to the Superintendent with a check or money order for prescribed statutory fees made payable to the * State Engineer, for execution and transmittal to the * State Engineer by the authorized Federal official.

8. All posting, and other actions prescribed by the * State Engineer shall be carried out by permittee(s) when and as directed by the Director, National Park Service; and permittee(s) shall supply check or money order made payable to proper recipient to cover prescribed state fees and advertising costs, provided that permittee(s) shall supply the Director, National Park Service, with 4 copies of a receipt if he or they, elect to pay in person by cash.

9. The permittee(s) shall use all possible diligence in the construction of the water system and perfection of rights, provided that the United States may assume, or participate in such responsibilities at the discretion of the Director, National Park Service, to protect other Federal or public interests.

* State Water Rights Board

10. The permittee(s) shall supply the Director, National Park Service with information on construction and its cost, and water use progress, during each preceding year if the rights are evidenced by permit or on the proper alternate years if rights are licensed during the first 2 weeks of September, and the Director, or his authorized representative, will file the annual or biennial reports required by the State Division of Water Resources, based on that information, with copy (copies) to the permittee(s).

11. The permittee(s) shall comply with the terms of Federal water rights as prescribed in copies of the applications, permits,licenses and other instruments to be supplied by the Director, National Park Service.

12. No withdrawal or cancellation of Federal water claims or rights shall be made except by the Director, National Park Service, or his authorized representative.

13. No portion of a water diversion and supply system which is essential to the preservation of a water right shall be removed without the prior approval of the Director, National Park Service, who shall be given 90 days notice of any intent to abandon the use of water and the right to arrange for Federal acquisition of permittee(s) interest in such structures at reasonable depreciated value within said 90 days.

14. Failure to use the water system herein authorized for more than one year shall be cause for forfeiture of the subpriority of water right granted, provided that permittee(s) may preserve said subpriority by a filing with the Superintendent prior to the end of each year of nonuse, of a notice of intention to resume the use of said water system, and the mining claim or millsite where the water is used, within the time permitted under the mining laws.

15. In the event of claim jumping, the use of the water system herein authorized, the surface of the Federal land and the source of the water shall be regulated in accordance with a permit to be issued to said claim jumper, and neither the United States nor its agents, including the Director, National Park Service and Superintendent of Death Valley National Monument, shall be liable for damages to the permittee(s) water system or other structures and equipment unless permittee(s) has complied with the provisions of condition No. 14.

16. No structures, dumps, or other surface uses shall be located where they will lead to possible pollution of sources of water, interfere with traffic on established highways, or interfere with the proper enjoyment of established administrative, residential and public campground areas.

17. Permittee(s) shall exercise this privilege subject to the supervision of the Superintendent and shall comply with the regulations of the Secretary of the Interior governing the administration of the Monument.

18. Use by the permittee(s) of the land surface covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, public campgrounds, and other improvements and betterments over upon or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

19. All buildings or other structures shall be erected under this permit only at sites indicated in attached drawing, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

20. Permittee(s) shall dispose of brush and other refuse as required by the Superintendent.

21. Permittee(s) shall pay the United States for any damage resulting from this use.

22. Permittee(s) and his (their) employees shall take all reasonable precautions to prevent forest fires and also shall assist the Superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder and in the preservation of good order within the metes and bounds of the area.

23. No timber may be cut or destroyed without first obtaining permit therefor from the Director, National Park Service, in writing.

24. Permittee(s) shall take adequate measures, as directred and approved by the Superintendent, to arrest and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

25. This permit may not be transferred or assigned without the consent of the Director, National Park Service in writing, but nothing herein shall deny the right of transfer or assignment, as appurtenances to the mining claim or millsite on approval of and proper recording with the Director National Park Service.

26. This permit may be terminated upon breach of any of the conditions herein, at the discretion of the Director of the National Park Service, on equitable reimbursement of the permittee(s) for his (their) investments, or modified as mutually agreed to by the permittee(s) and the Director, National Park Service.

27. The term "Director, National Park Service" as representative of the Secretary of the Interior, as used herein shall include the appropriate Regional Director, National Park Service, and Superintendent of Death Valley National Monument, as the representatives of the Director.

28. Neither members of, nor delegates to Congress, or resident commissioners, shall be admitted to any share or part of this permit or derive either directly or indirectly, any pecuniary benefit to arise therefrom: Provided, however, that nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the general benefit of such corporation.

29. All uranium, thorium, and all other material determined pursuant to section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material contained in whatever concentration, in deposit in the lands covered by this permit are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

SPECIAL CONDITIONS

14. Failure to use the water system herein authorized for more than one year shall constitute a forfeiture of the subpriority of water right granted; provided that if permittee(s) shall sustain his possessory right in the mining claim under the mining law, he may preserve his said subpriority by a filing with the Superintendent prior to the end of each year of nonuse of a notice of intention to resume the use of said water system and the mining claim or millsite where the water is used.

15. The United States assumes no responsibility for the protection of the water system or other structures and equipment authorized pursuant to this permit. Furthermore, except for actionable damages resulting from the negligent or wrongful act or omission of an employee of the Government while acting within the scope of his office or employment, the United States shall not be liable for any damages to the permittee(s) water system or other structures or equipment.

L 54

Death Valley National Monument
Death Valley, California

October 28, 1958

Mr. Tony Ramos
12881 Euclid Avenue
Ontario, California

Dear Mr. Ramos,

We are pleased to enclose a copy of amended water right application 17839 covering the Blue Cliff Spring area for your records. In order to keep the right in good standing will you please let us know if you do any work on the water system.

We hope that everything is going well with you and would be pleased to see you any time that you come out to Death Valley.

Cordially,

Fred W. Binnewies
Superintendent

Enclosure
cc Files ✓

cc
FWB:ekm

Docket 2515

WR Copy Docket 25

United States
Department of the Interior
National Park Service

No. DEVA 1. 1957
Previous Permit
No. ___ ___ ___

PERMIT FOR WATER USE
incidental to mining operations in
DEATH VALLEY NATIONAL MONUMENT

Pursuant to the act of August 25 1916 (39 Stat. 535) and the act of June 13 1933 (48 Stat. 139) and the regulations governing surface use thereunder (36 C.F.R. 20.26) Tony Ramos of _____ is hereby authorized to use the surface of lands in Death Valley for the construction, maintenance, and operation of the water system described by the attached plan which is hereby approved and made a part of this permit; and to use .003 sec.ft. _____ ~~acre ft.~~ per annum for domestic

.032 sec.ft. or _____ ~~acre ft.~~ per annum for milling

_____ sec.ft. _____ acre ft. per annum for _____

(strike out inapplicable unit)

purposes of the waters of Blue Cliff Spring Area
(give names of sources)

under water right Application No. _____, as said water right is designated by the State Engineer of California, with subpriority No. 2,
(California or Nevada)

at no fee but subject to the special conditions on the following pages.

Signed at Death Valley California this 1st day of March 1957.

Fred W. Binnewies
Fred W. Binnewies
Superintendent

The undersigned hereby accepts this permit subject to the terms, obligations and reservations, expressed or implied therein.

_____ * Tony Ramos

Address _____ Address 1288 Euclid ave

_____ Ontario Calif

Address _____ Address _____

APPROVED: Regional Director, Region _____ National Park Service.

_____

Date _____

*Sign name or names as written in body of permit; for copartnership permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for the Permittee)
(This copy for the Superintendent's water right docket)
(This copy for the Director's water right docket)
(This copy for the Regional Director's water right docket)
(This copy for the Western Office of Design and Construction water right docket)
State Water Rights Board

SPECIAL CONDITIONS

1. This permit is granted subject to assignment to the United States of all rights to the use of waters of the designated source(s) by the permittee(s).

2. In the absence of recorded Federal water rights or those assigned herewith, the designated use of water is granted subject to the perfection of necessary Federal water rights in accordance with the applicable state water laws and provisions of this permit.

3. The United States reserves paramount rights, with subpriority No. 1 under the designated water right Application No._____, to such quantities of the designated source(s) as may be needed by the transient general public, for fire protection and other incidental administrative, maintenance and operating purposes; it being understood that subpriorities for major permanent water development and use by the United States and permittee(s) shall be in the order initiated unless a special reservation for Federal use is made a part of this instrument.

4. The United States reserves the rights to authorize other miners and prospectors to use water when available, from the same source, and under the same Federal water right, or such junior Federal rights as may be necessary, and permittee(s) agree(s) to joint land use and equitable consolidation of water systems by the United States or other permittee(s) as may be necessary for the most efficient and beneficial diversion and use of the water, subject to equitable proration of the cost of the consolidated water system, and provided that no permittee(s) shall be liable for the enlargement or modification of his water system if said water system is already sufficient for his needs.

5. The permittee(s) may assign his subpriority of use of the water of one or more springs covered by a single water right, but such assignment shall not be binding until a copy is recorded with the County Recorder and filed with the Director, National Park Service, and such assignment is subject to the granting or amendment of Surface Use Permits to the grantor and assignee.

6. Water use will be authorized under established Federal rights or those assigned as herein provided, when practical, it being the objective to establish adequate, permanent Federal rights in compliance with the state water laws for any Federally authorized uses on the surface of the land in Death Valley National Monument.

7. All necessary future applications for the appropriation of water, and other instruments relating to the perfection of water rights in accordance with the state water laws, which are needed in connection with water use by the permittee(s), shall be prepared by the permittee(s), on behalf of the United States in accordance with instructions to be supplied by the Director, National Park Service, and submitted to the Superintendent with a check or money order for prescribed statutory fees made payable to the ~~State~~ State Water Rights Board Engineer, for execution and transmittal to the State ~~Engineer~~ by the authorized Federal official. Water Rights Board

8. All posting, and other actions prescribed by the State ~~Engineer~~ Water Rights Board. shall be carried out by permittee(s) when and as directed by the Director, National Park Service; and permittee(s) shall supply check or money order made payable to proper recipient to cover prescribed state fees and advertising costs, provided that permittee(s) shall supply the Director, National Park Service, with 4 copies of a receipt if he or they, elect to pay in person by cash.

9. The permittee(s) shall use all possible diligence in the construction of the water system and perfection of rights, provided that the United States may assume, or participate in such responsibilities at the discretion of the Director, National Park Service, to protect other Federal or public interests.

10. The permittee(s) shall supply the Director, National Park Service with information on construction and its cost, and water use progress, during each preceding year if the rights are evidenced by permit or on the proper alternate years if rights are licensed during the first 2 weeks of September, and the Director, or his authorized representative, will file the annual or biennial reports required by the State Division of Water Resources, based on that information, with copy (copies) to the permitee(s).

11. The permittee(s) shall comply with the terms of Federal water rights as prescribed in copies of the applications, permits licenses and other instruments to be supplied by the Director, National Park Service.

12. No withdrawal or cancellation of Federal water claims or rights shall be made except by the Director National Park Service, or his authorized representative.

13. No portion of a water diversion and supply system which is essential to the preservation of a water right shall be removed without the prior approval of the Director, National Park Service, who shall be given 90 days notice of any intent to abandon the use of water and the right to arrange for Federal acquisition of permittee(s) interest in such structures at reasonable depreciated value within said 90 days.

14. ~~Failure~~ to use the water system herein authorized for more than one year shall be ~~cause~~ for forfeiture of the subpriority of ~~water~~ right granted, provided that permittee(s) ~~may preserve said subpriority by a filing~~ with the Superintendent prior to the ~~end~~ of each ~~year~~ of nonuse, of a notice of intention to ~~resume~~ the use of said water system, ~~and the~~ mining claim or millsite where the water is used, within the time permitted under the mining laws.

15. ~~In~~ the event of claim jumping, the use of the water system herein authorized, ~~the surface~~ of the Federal land and the source ~~of the~~ water shall be regulated in accordance ~~with a~~ permit to be ~~issued to~~ said claim jumper, and neither the United States ~~nor~~ its agents, including the Director, National Park Service and Superintendent of Death Valley National Monument, shall be liable ~~for~~ damages to the permittee(s) water system ~~or other~~ ~~structures~~ and equipment unless permittee(s) has complied with the provisions of condition No. 14.

16. No structures, dumps, or other surface uses shall be located where they wil llead to possible pollution of sources of water, interfere with traffic on established highways, or interfere with the proper enjoyment of established administrative, residential and public campground areas.

17. Permittee(s) shall exercise this privilege subject to the supervision of the Superintendent and shall comply with the regulations of the Secretary of the Interior governing the administration of the Monument.

18. Use by the permittee(s) of the land surface covered hereby is subject to the right of the Director, National Park Service to establish trails, roads, public campgrounds, and other improvements and betterments over upon or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing.

19. All buildings or other structures shall be erected under this permit only at sites indicated in attached drawing, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

20. Permittee(s) shall dispose of brush and other refuse as required by the Superintendent.

21. Permittee(s) shall pay the United States for any damage resulting from this use.

22. Permittee(s) and his (their) employees shall take all reasonable precautions to prevent forest fires and also shall assist the Superintendent to extinguish forest fires in the vicinity of any tract which may be used hereunder and in the preservation of good order within the metes and bounds of the area.

23. No timber may be cut or destroyed without first obtaining permit therefor from the Director, National Park Service in writing.

24. Permittee(s) shall take adequate measures, as directed and approved by the Superintendent, to arrest and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

25. This permit may not be transferred or assigned without the consent of the Director, National Park Service in writing, but nothing herein shall deny the right of transfer or assignment, as appurtenances to the mining claim or millsite on approval of and proper recording with the Director National Park Service.

26. This permit may be terminated upon breach of any of the conditions herein, at the discretion of the Director of the National Park Service, on equitable reimbursement of the permittee(s) for his (their) investments, or modified as mutually agreed to by the permittee(s) and the Director, National Park Service.

27. The term "Director, National Park Service" as representative of the Secretary of the Interior, as used herein shall include the appropriate Regional Director, National Park Service, and Superintendent of Death Valley National Monument as the representatives of the Director.

28. Neither members of, nor delegates to Congress or resident commissioners, shall be admitted to any share or part of this permit or derive either directly or indirectly, any pecuniary benefit to arise therefrom: Provided, however, that nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the general benefit of such corporation.

29. All uranium, thorium, and all other material determined pursuant to section 5(b)(1) of the Atomic Energy Act of 1946 (60 Stat. 761) to be peculiarly essential to the production of fissionable material contained in whatever concentration, in deposit in the lands covered by this permit are hereby reserved for the use of the United States, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

71929 Interior - Duplicating Section, Washington, D. C. 472

SPECIAL CONDITIONS

14. Failure to use the water system herein authorized for more than one year shall constitute a forfeiture of the subpriority of water right granted; provided that if permittee(s) shall sustain his possessory right in the mining claim under the mining law, he may preserve his said subpriority by a filing with the Superintendent prior to the end of each year of nonuse of a notice of intention to resume the use of said water system and the mining claim or millsite where the water is used.

15. The United States assumes no responsibility for the protection of the water system or other structures and equipment authorized pursuant to this permit. Furthermore, except for actionable damages resulting from the negligent or wrongful act or omission of an employee of the Government while acting within the scope of his office or employment, the United States shall not be liable for any damages to the permittee(s) water system or other structures or equipment.

Other Supporting Information

[redacted]
Werrell
Witucki

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

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

Dear Mr. Chung:

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

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

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

Request for License is hereby made for the following:

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

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

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

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

Your continued cooperation and assistance continues to be appreciated.

Sincerely yours,

(SGD) GERARD S. WITUCKI

Gerard S. Witucki

Enclosures
a/s

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

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

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

Edmund G. Brown Jr.
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

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.



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



Death Valley - Lower Blue Cliff Spring - Point of Discharge
Picture taken in January 1975



Death Valley - Dam at Lower Blue Cliff Spring
Picture taken in January 1975

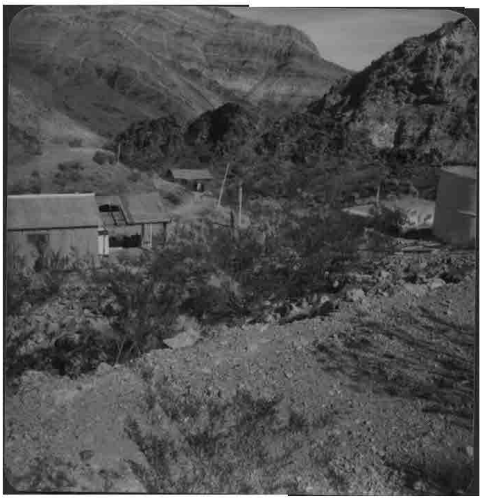


Death Valley - Probable Point of Discharge for Upper Blue Cliff Spring
Picture taken in January 1975



Death Valley - Old Pipeline from Blue Cliff Spring

Picture taken in January 1975



Death Valley - Proposed Place of
Use for Tarantula and Blue Cliff
Springs
Picture taken in January 1975

03-13-1974: letter to california state water resources control board regarding response to referenced permits of certain springs and

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#25

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(NR) 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, Gover
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)- 31
21-Permit 11421 (Application 16096) Permit 15363 (Application 22366) AWR4
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.

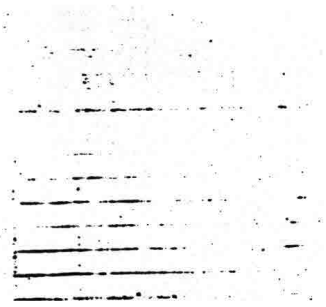
Sincerely,

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



07-27-1972: letter to k. l. woodward regarding the national park service will continue to inform the state division of water rights con

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

(WR)AS, Mr. Wallis
(WR)ASW, Water Resources File
(WR) Chron

(WR)FNP:JMMize:mpm 7/27/72

TE OF CALIFORNIA—THE RESOURCES AGENCY
RONALD REAGAN, Governor

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

Witucki

RECEIVED
WATER RESOURCES SECTION
MAY 19 1972

ACT.	INFO.		INITIALS	DATE
		PETERSEN, C.		
		BARNETT, D.		
		[illegible]		
		CHAVEZ, D.		
		KENNEDY, M.		
		GOLD, S.		
		FILE		

REMARKS

May 16, 1972

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.S. Area Death Valley Nat. Mon.

N.P.S. Code Number 8130 W.R. # 25

Previous State identification #s _____

App. # 17839, Permit # 11423

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 Blue Cliff Springs (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:

.035 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:

Mining only.
(domestic, irrigation, power, recreation, stockwatering, industrial, mining, fire control, wildlife, etc.)

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

(5) The water use covered by this notification commenced in year 1957.

(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 -- .

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

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

07-03-1972: message record between paul fodor, ranger and james m. mize, legal assistant ; july 03, 1972

Subject:

DEVA - Water Dockets

☐ Incoming Call

☒ Outgoing Call

NATIONAL PARK SERVICE

Western Regional Office

MESSAGE RECORD

Date July 3, 1972

Routed for: ☒ Information

☐ Action

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.

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 #25

Mr. L. K. Hill, Executive Officer
State Water Rights Board
Room 1140, Resources Bui'
1416 Ninth Street
Sacramento, Califor.

Dear Mr. Hill:

Enclosed are our Progress Repo[illegible] by Permittee for the year 1966 for the following applications:

Application 18489	Permit 11924
Application 10001	Permit 5788
Application 10002	Permit 5789
Application 10118	Permit 5794
Application 16096	Permit 11421
Application 15[illegible]	Permit 11424
Application [illegible]	Permit 11422
Applicatio[illegible]	Permit 4345
Application [illegible]	Permit 11423
Applicatior [illegible]	Permit [illegible]

These sources serve administrative [illegible]s 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; 21646/31

JG

02-10-1965: receipt for permit extension fee ; february 10, 1965

Resources Bldg.
Room 1140 · 9th & O Sts.

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD
SACRAMENTO 1, CALIFORNIA

Receipt No. 19546

Date February 10, 1965 ($ 5.00)

Received ($)

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

U.S. Dept. of Interior
National Park Service - Western Region
450 Golden Gate Avenue, Box 36063
San Francisco, California 94102

ATTN: Manuel Morris

Re APPLICATION NO. 17839

☐ 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 Betty L. Rathbun
Title

FORM 300
47168 11-56 20M QUIN ⑤ SPO

02-05-1965: letter to l. k. hill regarding progress reports are enclosed ; february 05, 1965

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

1-54
Dockets
21,22,25

February 5, 1965

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

Dear Mr. Hill:

Enclosed are Progress Reports by Permittee for the Year 1964 as follows:

Application	16069	Permit 11421	Tarantula Springs
	16130	11422	Chunker Springs
	17039	11423	Blue Cliff Springs
	15939	11424	Covered Spring

As each of these permits has just recently expired, Extension Petitions are enclosed with the required fee of $5.00 for each petition. Payment of $20.00 is in cash. Please prepare separate receipts for each permit and return addressed to my attention.

In connection with Application 16069, I am enclosing a copy of our Special Use Permit DEVA 1-65 issued to K. L. Wilson of Morning Glory Mines. This permit supersedes all previous permits.

Sincerely yours,

(Sgd) Manuel Morris

Manuel Morris
Hydraulic Engineer

Enclosures

cc:
Director w/enclosures
Chief, WOUC (2) w/enclosures
Supt., Death Valley

P.S. To Docket Holders: File Permit 11421 in Docket 21; Permits 11422, 11423 and DEVA 1-65 in Docket 22; Permit 11423 in Docket 25.
Supt., DEVA: File your retained copies as above.

3)

4 copies

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
Death Valley, California

RECEIVED
NPS REGION FOUR OFFICE
MAY 31 '62

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

IN REPLY REFER TO:
L54

May 28, 1962

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Death Valley

Subject: Water Rights - Application 16138, Permit 11422; Application 16096, Permit 11421; Application 15539, Permit 11424; Application 17839, Permit 11423

We have received from the State Water Rights Board copies of orders granting extensions of time until December 1, 1964, within which to complete construction work and application of water use under the above numbered permits.

These copies are enclosed, with the request that they be duplicated by your office and proper distribution made.

Willard W. Danielson
Acting Superintendent

In duplicate

Enclosures 4

Copy to: Chief, WODC (2)

Copies to WASO, W.O.D.C. and originals of enclosures returned to Supt. 6/6/62 gjm.

43

L54

180 New Montgomery
San Francisco 5, California

December 18, 1961

25

Memorandum

To: Director

From: Regional Director, Region Four

Subject: Progress Reports for Water Rights Permits, Death Valley National Monument

Transmitted herewith are Progress Reports for the year 1961 with Notices of Expiration for the following applications:

Application 8423, permit 4645, Unnamed (Thorndike Spring)
Application 15539, permit 11424, Covered Spring and Wee Spring
Application 16096, permit 11421, Unnamed (Tarantula Spring)
Application 16138, permit 11422, Chunker Spring
Application 17839, permit 11423, Unnamed (Blue Cliff Spring)

Note that the Notices of Expiration were accompanied by a Purchase Order to cover extensions of time for each application.

(SGN) LAWRENCE C. MERRIAM
Regional Director

Attachments

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

W O D C
DEC 20 '61
C.O.S.
A.E.S.
PER'S
P & P
ARCH
ENGR 12/20
L.A.
SPEC
CONT
SFTY
ACTION TAKEN - DATE

40

02-14-1962: receipt for permit extension fee ; february 14, 1962

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

Receipt No. 15216

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 17839

☐ 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
47169 11-60 200M GUIN ⓓ SPO

12-11-1961: memorandum to regional director regarding progress reports for water rights applications chucker springs, covered ar

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
Death Valley, California

IN REPLY REFER TO:
L54

December 11, 1961

RECEIVED
NPS REGION FOUR OFFICE
DEC 1961
SURNAME DATE
REG DIR
ASST R.D.
OPERATIONS
ADMIN
RECREATION
INTERP.
RANGER ACT

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Progress Reports for Water Rights Applications
Chucker Spring, Water Right Application 16138, Docket 22
Covered and Wee Springs, Water Rights Application 15539, Docket 22
Unnamed (Tarantula Spring), Water Rights Application 16096, Docket 21
Unnamed (Blue Cliff Spring), Water Rights Application 17839, Docket 25
Unnamed (Thorndike Spring), Water Rights Application 8423, Docket 24.

Attached are single copies of Progress Reports and requests for extension of time to complete installations for Chucker, Covered and Wee, Tarantula and Blue Cliff Springs for your review and transmittal to State Water Rights Board. We would appreciate your making the appropriate number of copies for required distribution.

Also attached in quadruplicate is the Progress Report and request for extension of time for Thorndike Spring.

Please note that each request for extension requires a fee of $5.00.

Granville B. Liles
Superintendent

In duplicate

Enclosures

12-14-1961: requisition filing fee for extension of application 8423, 13539, 166096, 16138, 17839 ; december 14, 1961

Form DI-1
(Rev. 4-50)

UNITED STATES
DEPARTMENT OF THE INTERIOR
REQUISITION

Requisition Number
Copy

To	Bureau or Office	Date
Procurement		December 14, 1961

Appropriation and Allotment or Project No.	Charge shipping costs to
Acct. No. 143	

Vendor	Deliver to
State Water Rights Board Box 1592 Sacramento 7, California	National Park Service Region Four 180 New Montgomery San Francisco 5, California

ITEM OR FORM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1 WRC 24	Filing Fee for extension of Application 8423 Unnamed (Thorndyke) Spring	1	Fee		5.00
2	Filing Fee for extension of application 13539, Covered and Wee Springs	1	Fee		5.00
3	Filing Fee for extension of Application 16096 Unnamed (Tarantula) Spring	1	Fee		5.00
4	Filing Fee for extension of Application 16138 Chucker Spring	1	Fee		5.00
5 ✓	Filing Fee for extension of Application 17839 Unnamed (Blue Cliff) Spring	1	Fee		5.00
	TOTAL				25.00

FOR USE WHEN ADDITIONAL APPROVAL IS REQUIRED	Requisitioned by (signature) Manuel Morris
Bureau Officer	Title Hydraulic Engineer
(Signature) (Date)	Approved by (signature) George F. Whitworth
Title	Title Regional Engineer

Prepare in single space typing. Use double space between items. Fill out top of requisition completely, showing complete shipping instructions and appropriation if different from that to which requisition is chargeable.

U. S. GOVERNMENT PRINTING OFFICE : 1956 O—483052

~~Spaulding~~ LSS
Whitworth (later)
~~Wosky~~
~~(Quist)~~

November 29, 1960

L 54

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Annual Progress Report, Water Right Application #17839, Blue Cliff Spring Area, Docket 25, Death Valley NM

Attached for your signature are the original, two carbon copies, and two Apeco copies of Progress Report by Permittee for the year 1960. We prepared the report to reflect the fact that the Camp has not been occupied during the year and that mining is still suspended as you informed us by your memorandum of November 25.

If agreeable with you all copies should be signed and dated. The original is to be submitted to the State Water Rights Board and the copies distributed as noted on each.

FILE COPY

(SGD) JOHN B. WOSKY
Regional Chief of Operations

Attachment

Copy to: Director (w/cy DeVa memo 11/25/60)

LSSpaulding:lq

36

11-25-1960: memorandum to regional director regarding annual progress report for app. 17839 ; november 25, 1960

File Docket 25 ~~Spangler~~ BB 11/28

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Death Valley National Monument
Death Valley, California

IN REPLY REFER TO:
L54

November 25, 1960

RECEIVED
NPS REGION FOUR OFFICE
NOV 28 '60

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

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Annual Progress Report, Water Right Application 17839, Blue Cliff Spring Area, Docket 25, Death Valley NM

The annual progress report for the Blue Cliff Spring area in Trail Canyon should remain the same as last year's report. The mining camp has not beenoccupied during the year and mining is still suspended in this area.

ecc memo 11/29/60

Two miners are now trying to develop a market and interest investors in Wonder Stone material on claims just south of Trail Canyon. They have stated their intention of reclaiming a mill site in the Blue Cliff Spring area and, if successful, will require water in their operations. We will keep you informed of future developments in this area.

Granville B. Liles
Superintendent

In duplicate

NATIONAL PARK SERVICE RECEIVED NOV 28 1960 REGION FOUR OFFICE

35

File DEVA Docket 24 ; make xerox copies for Dockets 3, 21, 22, 25 & 17

RECEIVED
NPS REGION FOUR OFFICE
NOV 30 '59
REPLY REFER TO:
L 54

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
INTERP.		
RANGER ACT.		

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
November 27, 1959

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Death Valley

Subject: Water Rights Progress Reports, Death Valley

Xerox mailed to Stock 12/1 & 12/2

In response to Mr. Wosky's memorandum of November 24, we are listing below the information requested in his memorandum of October 29. We regret the delay in furnishing this information.

The proposal to change the mailing address of the Water Rights from Washington to the Regional Office is certainly agreeable with us.

Furnace Creek Group: Applications 10,001; 10,002; 10,118; 10,119 - Dockets 3,4,5,6.

Your information concerning this group is correct, but no money has yet been spent for the last item: Construction of Pipeline-Corner of 20 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.

32

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
Nov.	Closed-Snow-15 days	
	210	63
Dec.	20	6
Jan.	CLOSED * SNOW	
Feb.	" "	
Mar.	140	43
Apr.	750	225
May	200	61
June	270	82
July	540	164
Aug.	120	36
Sept.	160	49
Oct.	260	80
	2670	809 (No. 1 - col 51)

Number of people in the campground on peak day 83.

Spring flow - Approximately 1 quart per minute.

Work done - Spring cleaning and pipeline maintenance -
40 man hours @ 2.60 = $105.00

We plan to perform some work on this spring during next Summer with maintenance funds in an attempt to increase the flow and improve the collection system.

Saratoga Spring: Applications 8183 and 10171 - Docket 17.

Your suggestion to request licensing now on the basis of present visitor use plus some irrigation use by natural seepage and some reserved for wildlife is probably the practical step to take at this time. It will probably be some time before any funds will be available for development at this Spring. A considerable amount of water is used by campers and prospectors throughout the year, but it amounts to a very small percentage of the total flow.

Willard W. Danielson
Willard W. Danielson
Acting Superintendent

In duplicate

52

L-54

December 22, 1958

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Indian Wells Spring, Trail Canyon

Mr. Johnston's memorandum of December 15 requested information on the proposed application to appropriate water from Indian Wells Spring in Trail Canyon. Nothing has been heard from the miners who were interested in this application for two years and we assume that they are no longer interested. The application should be destroyed and a new one will be prepared later if any use is to be made of the spring. However, by last report there was no water available on the surface and we think it very doubtful that any appreciable quantity could be developed.

Fred W. Binnewies
Superintendent

In duplicate

cc File ✓

cc

FWB:ekm

Docket 25 LS

TRAIL CANYON GROUP

Application 17,839 ✓Blue Cliff, Docket 25

Application 16,096 Tarantula, Docket 21

We propose to prepare the progress reports for these two applications in Trail Canyon the same as last year. That is, to report the projects not abandoned but suspended due to decline in mining activity.

Please review the two 1958 progress reports and let us know if the wording is correct and can be repeated this year. In particular, let us have an estimate on any visitor use made of the water

Docket 25 LS

12-15-1958: memorandum to superintendent regarding indian wells (spring?), trail canyon ; december 15, 1958

IN REPLY REFER TO:
L-54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPT. B
CH. RGR.
NAT'L.
ENGR.
ADM. ASST.
SUP. CLK.

December 15, 1958

Memorandum

To: Superintendent, Death Valley

From: Regional Chief of Operations, Region Four

Subject: Indian Wells (Spring?), Trail Canyon, Death Valley

You apparently have received a copy of Mr. Dunn's memorandum of November 24 asking confirmation of his conclusion that the proposed appropriation of water above the Ramos development has become a dead issue.

Please confirm this conclusion or supply information to complete the application including sufficient notes for this office to prepare a drawing.

Fred T. Johnston
Regional Chief of Operations

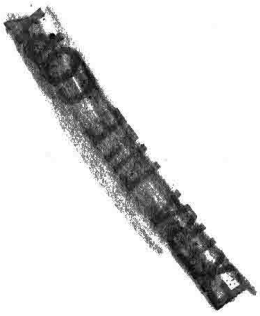
Copy to: Director
Chief, WODC

Docket 25 LS

11-24-1958: memorandum to regional director regarding indian wells (spring?), trail canyon ; november 24, 1958

L54-OBL

November 24, 1958



Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Indian Wells (Spring?), Trail Canyon, Death Valley

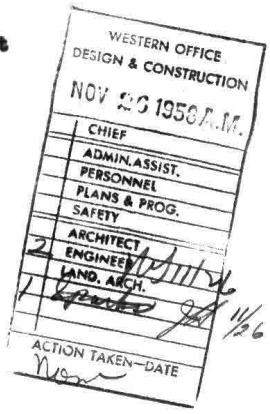
The attached draft of 10/24/56 of application for appropriation of water above the Ramos development under Application 17839, Docket 25, has apparently become a dead issue. Please confirm this conclusion or supply the application with completed data and supporting drawing.

(SIGNED)

A. van V. Dunn
Chief, Water Resources Section

Attachment

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



29

L54-L

(2)

October 20, 1958

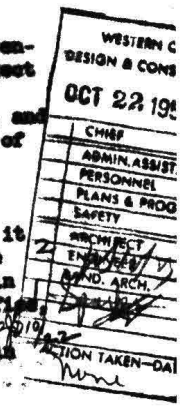
Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Amended Application 16096, Permit 11421, Part IV, Docket 21, Death Valley
Application 17839, Permit 11423, Part II, Docket 25, Death Valley
Application 16138, Permit 11422, Part V, Docket 22, Death Valley
Application 15539, Permit 11424, Part III, Docket 22, Death Valley

Attached is a copy of letter of August 29 to the Superintendent from Mr. Hill, State Water Rights Board, transmitting the subject applications with extensions to cover the indicated permits. The applications were submitted to the Water Rights Board in duplicate, and the extra copy has been returned directly to this office with copy of the letter.



In forwarding the applications to the Superintendent for signature, with memoranda of June 17 and 19, 1957, we assumed that it would ultimately be necessary for the Superintendent to forward the original applications, as extended to permit form, to this office in order that we could complete the copies for the dockets in your office, WSDC, and here. From his memorandum of September 15 this does not appear necessary. The Superintendent should file the instruments in the subject dockets as indicated.

With the two memoranda of June 17, 1957, we distributed interim copies of amended Application 16096 and Application 17839, and docket folders as needed. Those applications were supported by the file maps. For some reason, our own copies of those interim applications do not agree exactly with the approved copies which Mr. Hill has sent to us. Accordingly, we are sending you, WSDC and the Superintendent photostat copies of the approved application-permits. Assuming they are the same as the originals which Mr. Binnewies has received, they should be substituted for the interim copies which you have in your dockets. Mr. Binnewies should compare his photostats with the originals and confirm that they are identical, or forward the originals for photostating.

NO COPY MADE IN MAIL ROOM

26

If I have photostated the proper copies, Mr. Binnewies should present his copies to the Greenes; Ramos, et al., and the heirs of Mr. Nichols.

[SIGNED]

A. van V. Dunn
Chief, Water Resources Section

Attachments 4

Copy to: Superintendent, Death Valley, w/c attachments
Chief, WODC, w/c attachments and letter of August 29

10-07-1958: memorandum to regional director regarding water right reports ; october 07, 1958

Also Docs 1 DEVA
Please copies for DEVA Docket 2 25
PINN Docket 2
YOSE Docket 2

IN REPLY REFER TO:
L54-L

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25 D. C.

RECEIVED
NPS REGION FOUR OFFICE
OCT 13 '58

October 7, 1958

	SURNAME
REG DIR	
ASST RD	
OPERATIONS	
ADMIN	
RECREATION	
INTERP	
LEGAL	

155 3/26

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Reports { DEVA Dockets 1, 2, 7, 24 & 25
PINN Docket 2 Bear Gulch
YOSE " 2 Bishop Creek

The five copies of forms for the following reports are attached for preparation by Mr. Spaulding, or the Superintendents if necessary, following the general nature of statements in the earlier reports which are now in the dockets. The original should be sent to the State Water Rights Board, and the four copies should be distributed for the dockets in your office, the area, WODC and here. A fee of $5.00, payable and reimbursed under Work Order 4-WR-59, is needed with each request for extension of time where the annual report is accompanied by a notice of expiration. Incidently, the total fees for rights in each area should be noted for the annual breakdown for capitalization.

see memo from Dunn of Oct 8

DEATH VALLEY

Application 8423, Docket 24, former Thermalike claim. Annual Progress Report - no fee. Last year's report should be amplified if you can report any planning with cost, or even increase in visitor or NPS use.

see letter to State Water Rights 12/31/58

Application 9509, Docket 2, Cow Creek Power. Annual Progress Report - no fee, and notice of expiration - fee needed if extension of time is requested. I suggest that the annual report be submitted, stating on reverse that it is desired to make proof of the existing installation but that it is suggested that inspection be deferred until receipt of pending petition for change in point of diversion under related Application 9510, License 4621, and new application for appropriation of supplemental water being developed at that new point of diversion. This should be supplemented with a very letter requesting same proof of suggested date, and inquiring as to whether the form to request extension of time beyond December 1 is needed. Hold that notice of expiration until reply is received. I am in no position to prepare the report and request because we have no reply to my memorandum of August 29. In addition, I am not sure how the power unit is functioning under the greater head if a pressure reducer has been provided.

Oct 21 memo

See Sept. memo

2 1

DEATH VALLEY

Application 9510, License 4621, Docket 1, Cow Creek Domestic. Triennial report of licensee - no fee. The only reports of license which come to my mind at this time are those in Part II of Docket 1, Kings Canyon National Park for the Big Stump Water System - the last being for 1956. The two situations are similar in that water use exceeds the licensed authorization, and our admission of the fact in connection with the Big Stump right led to filing of an application for the supplemental water, which has been protested. We have prepared the drafts of petition to change point of diversion, and application for the appropriation, as submitted to you for certain assistance with my memorandum of August 29. I cannot see any basis for protest of the proposed petition and application. I recommend that the changes be admitted in the report, but cannot prepare the report because I do not know exactly what has been done on the ground, or how soon I will receive the information requested in August. I suggest that you indicate that the two instruments will be submitted by about December 31, if you can fully answer my August memorandum within the next six or eight weeks.

Application 10276, License 4897, Docket 7, Wildrose Spring. Triennial report of licensee - no fee. There should be no difficulty in preparation by someone familiar with present status of system and water use.

Application 17839, Docket 25, Blue Cliff Spring use of 0.035 s.f. by Ramos, et al. Annual Progress Report - no fee. At about 15.7 gpm, with mills requiring about 12.0 gpm, there should be no difficulty in report if there has been mining operation. There would be no complication if it is necessary to report that Ramos, like Detloff, suspended operations because of poor market, provided it can also be reported that there has been some activity at the camp between October 1, 1957 and October 1, 1958.

PINNACLES

Application 9083, License 3820, Docket 2, Bear Gulch Sources. Triennial report of licensee - no fee. Similar report of 1955 only needs some references to more up-to-date visitor counts. If number of visitors has been lower it may be desirable to explain any modernization of facilities which has increased per capita water use.

YOSEMITE

Application 11947, Docket 2, Bishop Creek. Annual Report and notice of expiration. Fee needed only if extension of time is requested. One of the most important water right projects which I have scheduled for Region Four for a number of years has been the preparation of claims to water used in Yosemite, with the dates of first use of each source, in order that we can decide, with the Solicitor's suggestion, whether

YOSEMITE

to file applications or assert some other basis of right in each case. I suggested that we start with floor of the valley some years ago, but there has been no apparent attempt, yet, to obtain funds, now by work order, hire or detail necessary local personnel, and prepare statements of claim in form suitable for applications, and the supporting maps. Mr. Preston's memorandum of January 31, 1957, indicates that the authorized 0.01 sec.ft. under Application 11947 might cover most of use from Chinquapin Water System, if transferred by petition. I think such petition, with statement that it does not constitute waiver of any other rights to same Indian Creek source, might be less subject to protest than a new application, and be valuable even if it does not cover earliest priority. For that reason I recommend progress report explanation that point of diversion has been changed, and request for extension of time to prepare petition. This might be discussed with Mr. McClellan, and the request should give some indication of when petition for change can be expected.

None of the forms have been received in insufficient quantities and otne s in sets of six. I have made erasures, and modified some of the extra forms to complete necessary sets of five. Please be sure that the modified forms are used for NPS copies, and not sent to Water Rights Board.

I am preparing reports and requests for extensions of time for Furnace Creek and Texas Spring water, for which I have as much data as you. I am also preparing similar report and request for extension of time for the Emigrant and Pioneer Springs. With increasing attendance and low precipitation during most of the past 14 years, as shown in the memorandum of July 16 from Mr. Binnewies, I would hate to abandon Pioneer Spring and have miners enter the picture if it can serve even limited future needs. It should be remembered that Mrs. Putnam has a senior right to part of the water now used.

A. van V. Dunn
Chief, Water Resources Section

Attachments 35

Copy to: Chief, WODC
Superintendent, Death Valley
Superintendent, Pinnacles
Superintendent, Yosemite

25

c o p y

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

Sacramento, 7, California

August 29, 1958

APPLICATIONS 16096, 16138, 17839, 15539
PERMITS 11421 11422 11423 11424

United States- Death Valley National Monument
Death Valley, California

Attention: Mr. Fred W. Binneweis, Superintendent

Gentlemen:

Ebdorsed on the reverse side of the above numbered applications you will find permits which have been issued in approval thereof. As prescribed by law the permits fix definite time schedules 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 presented 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 uses are reported full and complete an inspection of the projects will be made by an engineer of this office. Following the inspection licenses will be issued to conform the rights to the amounts 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 uses under these rights.

The forms for your first progress reports will be mailed to you on or about October 1, 1958.

Very truly yours,

(sgd) L. K. Hill
Executive Officer

RECEIVED WITH MEMO OF 10/20/58

2

08-29-1958: memorandum to superintendent regarding fees for filing applications 16096, 16138, 17839, 15539 ; august 29, 1958

L-54
Spaulding
Whitworth
McClellan
Manbey
Johnston

Region Four
180 New Montgomery Street
San Francisco 5, California

July 14, 1958

Memorandum

To: Superintendent, Death Valley National Monument

From: Regional Chief of Operations, Region Four

Subject: Fees for Filing Applications 16096, 16138, 17839 and 15539, Dockets 21, 22 and 25, Death Valley

Please submit a voucher for $20.00 to the State Water Rights Board as requested by Mr. Hill's letter of June 17. This matter is discussed in Mr. Price's memorandum of June 30. Note that payment is due July 17.

The payment should be charged to our Account 347.

We are in agreement with the last paragraph of Mr. Price's memorandum suggesting that the reference to payment by the permittees be deleted from Condition 7 of future Water Use Permits.

(SGD) FRED T. JOHNSTON

Fred T. Johnston
Regional Chief of Operations

Copy to: Director

bc: Roland Johnston

LSpaulding:hat

07-14-1958: letter to fred w. binnewies regarding enclosed voucher signed as instructed ; july 14, 1958



Done 7/24/58

Lt4 Trail Canyon
x L54 Emerg

July 14, 1958

Applications 15539, 16096, 16138, 17839

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

Attention: Fred W. Binnewies

Gentlemen:

Enclosed herewith is your voucher signed as instructed to cover permit fees in connection with Applications 15539, 16096, 16138, 17839, Permits 11421, 11422, 11423, 11424, to appropriate from unnamed springs, Chucker Spring, Blue Cliff Springs, Covered Spring and Wee Spring in Inyo County.

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

Very truly yours,

L. K. Hill
Executive Officer

Enc

Docket 25 L5

L54-L
EASTERN OFFICE
Division of Design & Construction
JUL 2 1958
Chief
Landscape Architect
Engineer
Control Off.
Safety Engineer
Admin. Officer
Personnel Officer

JUL 7 '58

AIR MAIL

Memorandum

To: Regional Director, Region Four

From: Assistant Director

Subject: Fees for Filing Applications 16096, 16138, 17839 and 15539, Dockets 21, 22 and 25, Death Valley

As a result of the attached copy of letter of June 17 to the Superintendent, Mr. Binnewies should submit a voucher for the requested $20.00 by July 17. He should also be reimbursed from your Water Rights Account 347 if the payment is made from his Federal funds. This special procedure is necessary because of the following unusual situation.

We have been using a 1952 condensed water code that was supplied by the State Engineer. Mr. Dunn has now compared Sec. 1525 with the same numbered section of Chapter 254 of the 1955 statutes, and finds that the filing fee has been increased from $5.00 to $10.00. Both editions of the water laws prescribe that the fee shall accompany the application.

Condition No. 7 of the Permits for Water Use, which have been issued to M. D. Nichols and the Dahls (Docket 21), the Greenes (Docket 22), and Tony Ramos (Docket 25), prescribes that the permittees shall prepare all future applications and submit them to the Superintendent with a check or money order for the statutory fee, made payable to the State Engineer. The underlining does not appear in the permit form.

We assume that Mr. Binnewies obtained $5.00 fees and submitted them with Applications 16096, 16138 and 17839; and that the Greenes paid the $5.00 fee for Application 15539 when they filed it in 1953, before they assigned it to the United States. The permits which Mr. Hill is now ready to issue are on federally amended Applications 16096, 16138 and 15538, and the Application 17839, which have all been filed by the United States since 1955. In the meantime, Mr. Nichols has died, and we do not know the disposition of his estate, and the Greenes would probably be reluctant to pay an additional fee which may have been due to our failure to obtain the revised water laws.

We have authority to pay filing fees. We also believe that all of the subject permittees should be treated alike in this case. The permittees have also been subjected to considerable inconvenience. Accordingly, we recommend that the present Federal payment be made without bothering the permittees further. We also believe that the reference to payment of the small filing fees might be deleted from Condition 7 before additional permits are issued.

(SGD) JACKSON E. PRICE

Assistant Director

Attachment

Copy to: Superintendent, Death Valley - AIR MAIL
Chief, WODC, w/c attachment

(PREVIOUS) L-54 TRAIL CANYON
L-54. EMIGRANT

Death Valley National Monument
Death Valley, California

April 2, 1958

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

Dear Mr. Hill:

In accordance with the instructions in your letter of March 31, we are returning the affidavits for Applications 16096, 16138, and 17839.

Sincerely yours,

Fred W. Binnewies
Superintendent

Enclosures 6
cc Files

cc

FWB:ekm

Docket 25Ls

Docket #25

Org L54-L

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25 D. C.

RECEIVED
FEB 25

February 21, 1958

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Applications 16096, Docket 21; 16138 Docket 22; and 17839, Docket 25, Death Valley

155 3/27

With complete distribution of this memorandum, we are sending you and WODC copies of the notices of appropriation under the subject applications, and of the form letters of instructions for posting, which the State Water Rights Board sent to the Superintendent on February 13. I am filing copies, and indicated thereon, in Part IV, Docket 21; Part V, Docket 22; and Part II, Docket 25. If the Superintendent does not have an extra copy, or cannot salvage one of the posted notices after March 25, photostat copies should be supplied.

- memo to Supt. 3/27
- attachments filed in dockets 3/27

Each office should enter Application No. "17839" at the proper place on the tab of Docket 25. I have done it by hand, in ink.

done - Reg'd. 155

It is noted that the applications have been cleared by the State Water Rights Board, and submitted for posting without our comments on Mr. Whitworth's memorandum of December 27, 1957, and his attached copy of December 2, 1957, from the Board. It was my intention to imply only regulatory storage in the answers to question 2 of Amended Application 16096, and in Application 17839. I usually state specifically that we do only claim regulatory storage, but the magnitude of the storage proposed by the miners in the two cases seemed rather large for regulation in proportion to the available flow. Any modification of the statement which Mr. Spencer may have made with, or without, the approval of Mr. Binnewies or Mr. Spaulding will probably be satisfactory. When the approved application and permit are granted, we should be sure to make the same corrections on the copies of the applications in our respective dockets.

This will also acknowledge Mr. Binnewies' reply of February 12 to my inquiry of February 2 concerning the concern of Mr. Carl L. Hubbs over "the appropriation of 0.035 sec.ft. of the waters of Salt Creek". I frankly forgot the claim to Blue Cliff

19

Spring, now assigned Application No. 17839, when writing. However, it is well to have obtained confirmation that there are no unauthorized appropriations being made.

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Superintendent, Death Valley, no attachments
Chief, WRBC, w/c attachments

17

1

25

154

Spaulding
Whitworth
Manbey
(later) Johnston

December 27, 1957

Memorandum

To: Director

From: Acting Regional Chief of Operations, Region Four

Subject: Water Right Applications 16096 (Docket 21) and 17839 (Docket 25), Trail Canyon, Death Valley National Monument

Attached are copies of a memorandum from Superintendent Binnewies dated December 17 and of a letter to Mr. Binnewies from Mr. Jopson dated November 29. These memoranda refer to the elimination of storage provisions in subject applications.

Mr. Spaulding says the ability of the dams to hold water is practically nil and believes the dams are of little use either for regulation or storage. Further refinement of the applications seems not worthwhile provided they are acceptable to the State Water Rights Board.

George F. Whitworth
Acting Regional Chief of Operations

Attachment

Copy to: Supt, Death Valley

LSSpaulding:gm

18

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

154
Docket 125

RECEIVED
NPS REGION FOUR OFFICE
DEC 20 '57

December 17, 1957

	SURNAME	DAT
REG DIR		
ASST R D		
OPERATIONS		
ADMIN		
RECREATION		
INTERP		
LEGAL		

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Docket 21 Docket 25

Subject: Water Right Applications 16096 and 17839

Attached is a copy of a letter which was recently received from the State Water Rights Board suggesting amendments to Water Right Applications 16096 and 17839.

According to the definition of storage of water it would appear that in both of these applications the small dams that have been constructed would constitute regulation of the flow rather than the storage. Therefore, we have corrected the applications to eliminate Sections 2(b) and 7 and are returning them for further processing. It is now assumed that the applications are in good order and that no further action will be required before they are approved.

Fred W. Binnewies
Superintendent

Attachment

In duplicate

17

12-12-1957: letter to j. f. carithers regarding the water in question is in the middle fork of trail canyon some 18 to 20 miles from sal

Death Valley National Monument
Death Valley, California

December 12, 1957

Mr. J. F. Carithers
Assistant Western Representative
National Parks Association
Box SS
Carmel, California

Dear Mr. Carithers:

Thank you very much for your letter of December 5 concerning water right application 17839. Fortunately, however, the water in question is in the middle fork of Trail Canyon some 18 to 20 miles from Salt Creek and there is no connecting surface flow. The water is for use on a group of mining claims but precautions have been taken to insure that a sufficient supply for wildlife is left available to them.

Under present law the water is appropriated in the name of the United States which gives us control on the use and development. From a Park Service point of view we would prefer that water not be used in this manner but as long as the mining laws apply to Death Valley there is no other course to follow.

Your concern is very much appreciated but we are glad that there is no cause for alarm in this case. Incidentally, the Salt Creek area has been withdrawn from mining entry as an administrative area.

Sincerely,

Fred W. Binnewies
Superintendent

cc File
cc
FWB:ekm

Docket 2515

12-05-1957: letter to fred w. binnewies regarding the office has received word that application has been filed with the california stat

SIGURD F. OLSON
PRESIDENT
CHARLES G. WOODBURY
VICE PRESIDENT

NATIONAL PARKS ASSOCIATION

An independent non-profit organization with nation-wide membership guarding America's heritage of scenic wilderness, founded in 1919

Publishers of NATIONAL PARKS MAGAZINE
2144 P STREET, N. W., WASHINGTON 7, D. C.

C. EDWARD GRAVES, WESTERN REPRESENTATIVE
J. F. CARITHERS, ASS'T WESTERN REPRESENTATIVE
BOX SS CARMEL, CALIFORNIA

DEVEREUX BUTCHER
FIELD REPRESENTATIVE AND EDITOR

FRED M. PACKARD
EXECUTIVE SECRETARY

SUPT.	
CH. RGR.	

December 5, 1957

Mr. Fred W. Binnewies
Superintendent,
Death Valley National Monument
Death Valley, California

Dear Mr. Binnewies:

Our office has received word that application has been filed with the California State Water Right Board for permission to divert .035 cubic feet per second (25 acre feet per annum) from one of the main sources of flow of Salt Creek in the monument. We are told this would endanger the native Cyprinopont fishes of the creek which are known to be the vertebrate with the smallest geographic range. I understand the application is numbered No. 17839 (Inyo) and the divertion is to take place in Section 2, T19S, R45E, Mount Diablo B and M.

We would appreciate any information on the seriousness of this situation. Our Association stands ready to assist in protecting the monument's interest if this diversion of water has any influence on its natural features, which, from our information seems to be the case.

With best wishes.

Sincerely,

J. F. Carithers
Assistant Western Representative

Docket 2515

HENRY HOLSINGER, CHAIRMAN
JOHN B. EVANS, MEMBER
W. P. ROWE, MEMBER

STATE OF CALIFORNIA

State Water Rights Board

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

LESLIE C. JOPSON
CHIEF ENGINEER
LAWRENCE SPENCER
APPLICATIONS
JOHN PAGE
ADJUDICATIONS—RECORDATIONS

December 2, 1957

Applications 16096, 17839

United States of America
Death Valley Monument
Death Valley, California

Attention: Mr. Fred W. Binnewies
Superintendent

Gentlemen:

Your amended Application 16096 and Application 17839 have been examined and the following amendments are suggested.

Storage is defined as collection of water during periods of high stream flow (usually winter and spring flow) which is held over and used during periods of deficient stream flow (usually late summer and fall flow). If water is collected in tanks or reservoirs in order that a supply may be available for use at a rate other than that which may be conveniently drawn from the original source, it is considered to be regulation.

Application 16096 - Your amended application proposes storage in addition to the direct flow described in the original application. After an application has been accepted for filing, the amount of water applied for cannot be increased. Therefore, it will be necessary to delete the 0.015 acre foot described in Paragraph 2(b). This would not appear to be adverse to your interests as it appears that this reservoir was intended for regulation rather than storage, and accordingly the amount named for direct diversion would cover the appropriation.

Application 17839 - In Paragraph 2(b) you state that 25 acre-feet will be diverted and stored. However, in the attachment under "Question 7" you stated that the diversion dams will only provide a potential storage capacity of approximately 3 acre-feet. It

Docket 25 LS

would accordingly appear that the amount to be seasonally stored would not exceed 3 acre-feet and that the remaining amount would be covered by direct diversion. Will you please reduce the storage amount to the reservoir capacity or provide us with a reservoir operation schedule showing how it is proposed to seasonally store an amount in excess of the reservoir capacities.

We are returning one copy of the above applications for amendment. When the above items have been clarified, please return them to us for further action.

Very truly yours,

STATE WATER RIGHTS BOARD
LESLIE C. JOPSON, Chief Engineer

By L. C. Spencer
L. C. Spencer
Supervising Hydraulic Engineer

Docket 25 LS

12-03-1957: letter to david h. brower regarding the application 17639 was made in the name of the united states for water in the s

Dec. Docket 25

In reply refer to: L-54

~~Spaulding~~ SSS
Whitworth
~~Manbey~~ BFM
~~Gr~~er
~~Johnston~~ JJ

December 3, 1957

~~McClellan~~ RM
~~Maier~~

Mr. David H. Brower
Executive Director
Sierra Club
Room 1050, Mills Tower Building
San Francisco, California

Dear Mr. Brower:

We have reviewed your letter of November 20 to Mr. Leslie C. Jopson, Chief Engineer of the State Water Rights Board, relative to Application No. 17639 for appropriating .035 cubic feet per second of water in Death Valley National Monument.

The application with which we are familiar was made in the name of the United States for water in the south branch of the middle fork of the Trail Canyon tributary to Salt Creek. The water is to be used for mining and domestic purposes on the Blue Cliff Mining Claim.

As you may know, this method of appropriating water stems from the procedure established by the Park Service in Death Valley National Monument where mining is authorized by law. See Title 36 Code of Federal Regulations, 1957 Pocket Supplement Section 22.26(b).

Actually, this application poses no threat to the Salt Creek habitat referred to in your letter. The use of the name "Salt Creek" has caused an understandable error in the location of the diversion. Salt Creek is the water system heading in the San Dunes region and flowing southerly some 26 miles towards the lowest point in the valley west of Bad Water. The upper portion, 12 to 14 miles north of Furnace Creek, flows above ground through low hills on the valley floor and is a section in which the wild life habitat you referred to is found.

Water originating in Trail Canyon would reach the floor of Death Valley near the terminus of Salt Creek. This is some 20 miles south and downstream from the wild life habitat. Any appropriations of water in Trail Canyon could have no affect upon the water of Salt Creek except possibly at the very lowest part of Death Valley.

Incidentally, the upper portion of Salt Creek is one of the areas that is being withdrawn from mining entry in order to insure protection of the fish.

Your interest in this matter is appreciated, and we hope the above information helps to clarify the situation.

Sincerely yours,

Herbert Maier
Acting Regional Director

Copy to: Superintendent, Death Valley
Mr. Leslie C. Jopson, State Water Rights Board
Professor A. Starker Leopold,
Dept. of Zool. U. C.

LSpaulding:hat

November 20, 1957

Mr. Willis H. Jopson, Chief Engineer
State Water Right Board
1400 - 21st Street
Sacramento 7, California

Dear Mr. Jopson:

We have noted in your list of applications filed October for permits to appropriate water an application which may pose serious hazards to a unique habitat of critical importance to endangered species. We ask delay in approval of the application pending opportunity to study the magnitude of the threat involved.

We refer specifically to application 17819 (Inyo County) U. S. Death Valley, National Monument, Death Valley, California, for 0.035 cubic foot per second and 25-acre feet per annum from unnamed springs, tributary to Salt Creek, to be diverted in Section 2,T14S, R5E, MDB&M, for domestic, recreational and mining purposes. Estimated cost $10,000.00.

One of our experts who knows the country has made these interim comments, which I relay to you so that you will know the nature of our concern.

Salt Creek has precious little water in it at best. It is an area where wildlife concentrates, particularly at night. Including such species as the kit fox and coyote. It survives as habitat for one of the most interesting survivors of the Pleistocene lakes. The genus Cyprinodon (fish) now survives in pocket in desert springs and waterways. One of this groups is known to have the smallest geographical range of any vertebrate animal. These fish populations are of great value to scientific workers in the fields of evolution and zoogeography.

Professor Robert Rush Miller, University of Michigan, is the expert on these fishes and would probably supply further information on their scientific importance.

Although 0.035 cubic feet per second of water is a trifling amount in most circumstances, this will run some 500 gallons per hour if my arithmetic is correct and that can be a great deal of water in an environment such as Death Valley's.

16

Mr. Leslie L. Jopson, Chief Engineer - 2
Power Reactor Site Board
November 20, 1957

I am sending copies of this letter to the National Park Service and to interested scientists to expedite our obtaining information which may be of value to you in reaching a decision.

Sincerely yours,

David R. Brower
Executive Director

cc: [illegible], N.P.S.
[illegible], Dept. of Zool., U.C.
[illegible]

Room 1050 Sierra Club
mels 7.

16

L-54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

RECEIVED
NPS REGION FOUR OFFICE
NOV 29 '57

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

November 26, 1957

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley National Monument

Subject: Water Rights Application No. 17839

Whitworth
~~Spaulding~~ answer to Brower prepared 12-3
Sandy

This refers to Mr. Whitworth's memorandum of November 22 to which was attached a copy of a letter from Mr. Brower, Executive Director of the Sierra Club, relative to Water Rights Application No. 17839.

Mr. Brower has interpreted the application as applying to water in Salt Creek but actually it applies to the Blue Cliff mining claims that are located in the Middle Fork of Trail Canyon which is a tributary to Salt Creek. The water originates in a series of very small springs and flows only a relatively short distance on the surface of the ground. Under no condition does any water reach Salt Creek and even if it did it would be approximately 18 miles from the area in which the relic fish are found.

We appreciate very much Mr. Brower's concern over the fish but there is no way in which this water rights application can affect them. Also, the method of diversion of the water insures that an adequate supply is available at the springs for other wildlife.

Mr. Brower might also be interested in knowing that Salt Creek is one of the areas that is being withdrawn from mining entry in order to insure the protection of the fish.

If there is any further information needed on this subject, please let us know.

Fred W. Binnewies
Superintendent

In duplicate

15

In reply refer to: Docket #25
L-54 Draw

Whitworth

~~Manbey~~ B/M

November 22, 1957

Memorandum

To: Superintendent, Death Valley National Monument

From: Acting Regional Chief of Operations, Region Four

Subject: Water Rights Application #17839

We are attaching a copy of a letter from Mr. Brower, Executive Director of the Sierra Club, to Mr. Jopson, Chief Engineer of the State Water Right Board, relative to Application No. 17839, purportedly in Death Valley National Monument.

Mr. Spaulding is in Washington so we have been unable to discuss this with him. Mr. Merriam thought it would be advisable to write you for any background history on this application that you might have, this to be forwarded us as soon as possible so that it can be discussed with Mr. Spaulding upon his return from Washington.

We presume that this application is for water for mining purposes and that the permit is being taken out in the name of the United States.

Any information you can give relative to the above will be appreciated.

George F. Whitworth
Acting Regional Chief of Operations

Attachment

Copy to: FTJohnston
Linn Spaulding

SIERRA CLUB
FOUNDED IN 1892
1050 MILLS TOWER • SAN FRANCISCO 4

November 20, 1957

Mr. Leslie C. Jopson, Chief Engineer
State Water Right Board
1401 - 21st Street
Sacramento 7, California

Dear Mr. Jopson:

We have noted in your list of applications filed October for permits to appropriate water an application which may pose serious hazards to a unique habitat of critical importance to endangered species. We ask delay in approval of the application pending opportunity to study the magnitude of the threat involved.

We refer specifically to application 17839 (Inyo County) U. S. Death Valley National Monument, Death Valley, California, for 0.035 cubic foot per second and 25-acre feet per annum from unnamed springs, tributary to Salt Creek, to be diverted in Section 2,T19S, R45E, MDB&M, for domestic, recreational and mining purposes. Estimated cost $10,000.00.

One of our experts who knows the country has made these interim comments, which I relay to you so that you will know the nature of our concern.

Salt Creek has precious little water in it at best. It is an area where wildlife congregates, particularly at night, including such species as the kit fox and coyote. It serves as habitat for one of the most interesting survivors of the Pleistocine lakes. The genus Cyprinodon (fish) now survives in pocket in desert springs and waterways. One of this groups is known to have the smallest geographical range of any vertebrate animal. These fish populations are of great value to scientific workers in the fields of evolution and zoogeography.

Professor Robert Rush Miller, University of Michigan, is the expert on these fishes and could probably supply further information on their scientific importance.

Although 0.035 cubic foot per second of water is a trifling amount in most situations, this adds up to some 500 gallons per hour if my arithmetic is correct and that can be a great dealof water in an environment such as Death Valley's.

Mr. Leslie C. Jopson, Chief Engineer - 2
State Water Right Board
November 20, 1957

I am sending copies of this letter to the National Park Service and to interested scientists to expedite our obtaining information which may be of value to you in reaching a decision.

Sincerely yours,

David R. Brower
Executive Director

ccs:Lawrence Merriam, N.P.S.
Prof. A. Starker Leopold, Dept. of Zool., U.C.
Prof. Paul Needham " " "

13

09-18-1957: letter to harvey o. banks regarding the complaint of an increase in the filing fee from $5.00 to $10.00 ; september 18,

RECEIVED
SEP 23 57
SURNAME | DATE
REG. ENG.
ASST. R.D.
OPERATIONS
ADMIN.
INFORM.
LEGAL

September 18, 1957

Mr. Harvey O. Banks
State Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Re: Water Right Applications for
Death Valley National Monument
Inyo County

Dear Mr. Banks:

We have just received the letter of August 28 to the Superintendent of Death Valley National Monument from Mr. Spencer returning the signed voucher to cover fee for filing application for the appropriation of water of the Blue Cliff Spring Area. Mr. Spencer indicates that the filing fee was increased from $5.00 to $10.00 by legislative act of 1955, and advised that the application will be returned if the correct fee is not returned within one month.

The voucher has been corrected and placed in line for payment today. We hope, however, that you can defer further action until the payment is received.

Our copy of the condensed water code is dated 1952. If you have issued a new one since 1955, we shall appreciate receiving two copies.

Sincerely yours,

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley
Regional Director, Region Four

L54-L

8-28-57

Memorandum

To: Superintendent, Death Valley

From: Chief, Water Resources Section

Subject: Federal Water Claims, Trail Canyon, Dockets 21 and 25, Death Valley

Attached are original Application 16096 and a print of the map which apparently accompanied it when filed with the State Engineer. These should be returned to the State Water Rights Board with the following additional attachments:

1. Original and one copy of Amended Application 16096.

2. Original drawing and photostat copy of map to support Amended Application 16096.

3. Original and one copy of new application for the appropriation of water in Blue Cliff Spring Area.

4. Two photostat copies of same drawing, with addition in upper left corner for number of new application.

5. One copy of Permit for Water Use issued to the Dahls on October 13, 1956.

6. One copy of Permit for Water Use issued to Mr. Nichols on October 13, 1956.

7. One copy of Permit for Water Use issued to Tony Ramos on March 1, 1957.

8. Voucher and Purchase Order No. 59-1025 to cover fee for filing the new application for appropriation of water of Blue Cliff Springs.

You should sign both copies of both applications and then forward all of the above instruments to the State Water Rights Board, whose new address is:

Mr. Lealie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California.

L/

However, we are sending two extra copies of the applications and supporting maps to the Regional Office for review by the Regional and Field Solicitor. We should like to have the applications filed as soon as possible but we suggest, hereby, that the Regional Director, obtain the approval of the Regional Solicitor before you sign and mail them.

Also enclosed is draft of a proposed letter of transmittal, which expresses my ideas, but may not represent up-to-date facts. It should be used only as a guide, with your corrections and any further comments the Regional Solicitor may care to make.

By separate memoranda, we are distributing folders for Docket 25, with temporary photostat of the application for the appropriation of water of Blue Cliff Spring Area, and a temporary photostat of Amended Application 16096, with supporting map, to be filed in Part IV of Docket 21.

Attached are one photostat copy of application for appropriation of water of Blue Cliff Spring Area and two photostat copies of Amended Application 16096. These may be presented to Ramos, Dahl and the Nichols Estate after the originals are sent to the State, with the explanation that they are interim copies.

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Regional Director, Region Four, w/c draft of letter to State Engineer
" " " " " "
Chief, WCBS
Field Solicitor McClellan, w/c of applications and draft of letter of State Engineer (2)

1/

08-02-1957: draft letter to leslie c. jopson regarding amendment of application 16096 and new application for blue cliff spring, trail

DRAFT

8-2-57

Mr. Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1598
Sacramento 7, California

Re: Amendment of Application 16096 and
New Application for Blue Cliff Spring,
Trail Canyon
Death Valley National Monument

Dear Mr. Jopson:

Returned herewith is Application 16096 which was returned with your letter of February 15, 1955. Also enclosed in duplicate are an Amended Application 16096 for the appropriation of waters of the Tarantula Spring Area, and a new Application for the appropriation of waters of the Blue Cliff Spring Area, in Trail Canyon. Both applications are supported by the same map, our Drawing NM-DV-6965 of which we submit four prints. Also enclosed are copies of the Permits for Water Use which have been issued to Mr. Nichols; the Bahls; and Tony Ramos.

We also enclose a purchase order and voucher to cover the $5.00 fee for filing the new application. We assume that the fee paid for filing the original Application 16096 will be sufficient for the amended application. The voucher will be corrected before submission for payment if you sign and forward it with a statement of correct charges. You will note that the voucher is to be forwarded to our Washington Office for payment.

The drawing shows the existing water systems. Certain potential extensions to make water from either source available throughout Trail Canyon from the sources to the road junctions in the SW¼ SW¼ Sec. 31, T 18 S, R 46 E, MDB&M, are also claimed in the written applications. Due to a number of circumstances, it has been necessary to

make both applications board enough to cover uses which can only be partially shown on the map at this time, but we should like to establish the basic rights for the authorized uses, and complete details at the time of proof for certificate.

Mr. Nichols has died and the disposition of his estate, including the main pipeline under Amended Application 16096 has not been determined. At the time of his death, the Dahls proposed to locate their mill in the NE¼ Sec. 2, but they may select another site through arrangements with Mr. Nichols' heirs.

The Blue Cliff development is now complete to the mill of Ramos, Pike and Santochi, and Mr. Bennett hauls his water to a camp near the junction of the north and south branches of the Middle Fork of Trail Canyon. The application is board enough to permit him to extend the pipeline if desirable. Because of the extensive activity in the area, it is also possible that the limited waters under the two applications may ultimately be commingled in a consolidated water system to serve all needs.

In the letter of February 15, 1955, to the Chief of Lands from Mr. Jopson, it was suggested that recreational use might all be classified as domestic. We agree that this may be true. We also question whether the major use of the water for processing the ore should be classed as mining or a subsequent industrial use. We have claimed and described all uses but have no objection to your reclassification provided uses for each designated purpose will be recognized in final proof for certificates.

Sincerely yours,
Superintendent
Death Valley National Monument

Requested distribution:

Copy to: Regional Director, Region Four (3)
Western Office of Design and Construction
Director (2)

WESTERN OFFICE
DESIGN & CONSTRUCTION
AUG 12 1957 A.M.
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

WODC

In reply refer to:

L54

Death Valley National Monument
Death Valley, California

August 7, 1957

Mr. Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

NO COPY MADE IN MAIL ROOM

Re: Amendment of Application 16096 and
New Application for Blue Cliff Spring
Trail Canyon
Death Valley National Monument

Dear Mr. Jopson:

Returned herewith is Application 16096 which was returned with your letter of February 15, 1955. Also enclosed in duplicate are an Amended Application 16096 for the appropriation of waters of the Tarantula Spring Area, and a new Application for the appropriation of waters of the Blue Cliff Spring Area, in Trail Canyon. Both applications are supported by the same map, our Drawing NM-DV-6965 of which we submit four prints. Also enclosed are copies of the Permits for Water Use which have been issued to Mr. Nichols; the Dahls; and Tony Ramos.

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Sincerely yours,

Fred W. Binnewies
Superintendent

Enclosures

Copy to: Regional Director, Region Four (3)
Western Office of Design and Construction ✓
Director (2)

08-07-1957: letter to leslie jopson regarding enclosed petition for correction of description of point of diversion apps 13852, 15539

WODC

In reply refer to:

L54

Death Valley National Monument
Death Valley, California

August 7, 1957

Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California

Dear Mr. Jopson:

Enclosed are the following instruments:

1. Petition for Correction of Description of Point of Diversion from Burns Spring under Application 13852.

2. Petition for Correction of Description of Points of Diversion from Covered and Wee Springs under Application 15539.

3. Original and one print of Emigrant Quadrangle, with additions, designated as Drawing NM-DV-6962, to support said petitions.

4. Photostat copy of recorded assignment of rights and claims of Thad C. and Jo L. Greene of December 21, 1956.

5. Application 16138 as retyped by Mr. Jopson.

6. Drawing supporting said application.

7. Amended Application 16138 in duplicate.

8. Original and one photostat print of map to support Amended Application 16138.

Amended Application 16138 has been prepared instead of revising and extending the draft submitted by Mr. Jopson, thus eliminating the need for a third petition. We have expanded the place and purpose to cover other permissive uses if they are requested before time of proof.

The petition for change of points of diversion of Burns, Covered and Wee Springs does not cover change in place of use under

Application 13852 and correction in place of use under Application 15539, but the reference to commingled use is covered by Amended Application 16138. It is assumed that no further action is needed until time for proof.

Sincerely yours,

Fred W. Binnewies
Superintendent

Enclosures

Copy to: Regional Director, Region Four (3)
Director (2)
WODC ✓

07-25-1957: memorandum to regional director regarding water right application, blue cliff spring area ; july 25, 1957

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:
L54-L

July 25, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application, Blue Cliff Spring Area, Death Valley National Monument (Docket No. 25)

Mr. Burke's memorandum of July 9 with memorandum of July 19 from Mr. Manbey indicates that the application for appropriation of Blue Cliff Springs can be corrected by the Superintendent. With copy of this memorandum he is requested to erase 43 and type in 36, as the reference to Title of Federal Regulations in last line of answer to Question 19. The application can then be mailed to State Water Rights Board in accordance with our memorandum of June 17.

A. van V. Dunn
Chief, Water Resources Section

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

Manbey
BFM

154

July 19, 1957

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Water Right Application, Blue Cliff Spring Area, Death Valley National Monument (Docket No. 25)

Attached is copy of Regional Solicitor Burke's memorandum of July 9 on the above subject. Mr. Burke's memorandum is in reply to Mr. Dunn's memorandum of June 17 on the same subject.

FILE COPY

Mr. Burke mentions that approval of the Regional Solicitor's Office had been suggested before the Superintendent signs the applications referred to in Mr. Dunn's memorandum of June 17.

Mr. Burke says, "Assuming the accuracy of survey information and hydraulic data set forth in the proposed application," he is in accord with the proposal subject to only one correction. He says, "In item 19 of the application form there appears an intended reference to the governing regulations." He suggests that the citation be amended to read,"Title 36, Code of Federal Regulations, section 20.26" (rather than Title 43, section 20.23). Mr. Burke concludes with the statement that if amended, as indicated, he perceives no objection to signature and filing.

B. F. Manbey
Regional Chief of Lands

Attachment

Copy to Death Valley w/copy Burke memo July 9

Mr. McClellan

BFManbey/jd

7

07-09-1957: memorandum to director regarding water right application, blue cliff spring area ; july 09, 1957

Death Valley

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
SACRAMENTO REGION
P. O. BOX 4291 - T&C
SACRAMENTO 21, CALIFORNIA

RECEIVED
NPS REGION FOUR OFFICE
JUL 10'57

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

JUL 9 1957

hand BFm 7/18

Wrote W.O. 7/18 BFm

Memorandum

To: Regional Director, Region Four, National Park Service

From: Regional Solicitor

Subject: Water Right Application--Blue Cliff Spring Area, Death Valley National Monument (New)

On June 28, there was forwarded to this office an undated memorandum from the Chief, Water Resources Section, to the Superintendent, Death Valley National Monument, which, in part, relates to the subject application. That memorandum suggests the approval of this office before the Superintendent signs the applications therein referred to. For purposes of our review, we received a copy of a proposed application upon the form issued by the State of California, State Water Rights Board.

Assuming the accuracy of survey information and hydraulic data set forth in the proposed application, I am in accord with the proposal subject to only one correction. In Item 19 of the application form, there appears an intended reference to the governing regulations. I suggest that the citation be amended to read "Title 36, Code of Federal Regulations, section 20.26"(rather than Title 43 section 20.23).

If amended, as indicated, I perceive no objection to signature and filing.

William J. Burke
Regional Solicitor

In duplicate

Copy to: Field Solicitor, San Francisco Field Office
Superintendent, Death Valley National Monument

6

L54-L

JUN 17 1957

Memorandum

NO COPY MADE IN MAIL ROOM

To: Superintendent, Death Valley

From: Chief, Water Resources Section

Subject: Federal Water Claims, Trail Canyon, Dockets 21 and 25, Death Valley

WESTERN OFF
DESIGN & CONSTR
JUN 24 195
CHIEF
ADMIN.ASSIST.
PERSONNEL
PLANS & PROG
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—
None

Attached are original Application 16096 and a print of the map which apparently accompanied it when filed with the State Engineer. These should be returned to the State Water Rights Board with the following additional attachments:

1. Original and one copy of Amended Application 16096.

2. Original drawing and photostat copy of map to support Amended Application 16096.

3. Original and one copy of new application for the appropriation of water in Blue Cliff Spring Area.

4. Two photostat copies of same drawing, with addition in upper left corner for number of new application.

5. One copy of Permit for Water Use issued to the Dahls on October 13, 1956.

6. One copy of Permit for Water Use issued to Mr. Nichols on October 13, 1956.

7. One copy of Permit for Water Use issued to Tony Ramos on March 1, 1957.

8. Voucher and Purchase Order No. 99-1025 to cover fee for filing the new application for appropriation of water of Blue Cliff Springs.

You should sign both copies of both applications and then forward all of the above instruments to the State Water Rights Board, whose new address is:

Mr. Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1592
Sacramento 7, California.

5

However, we are sending two extra copies of the applications and supporting maps to the Regional Office for review by the Regional and Field Solicitor. We should like to have the applications filed as soon as possible but we suggest, hereby, that the Regional Director, obtain the approval of the Regional Solicitor before you sign and mail them.

Also enclosed is draft of a proposed letter of transmittal, which expresses my ideas, but may not represent up-to-date facts. It should be used only as a guide, with your corrections and any further comments the Regional Solicitor may care to make.

By separate memoranda, we are distributing folders for Docket 25, with temporary photostat of the application for the appropriation of water of Blue Cliff Spring Area, and a temporary photostat of Amended Application 16096, with supporting map, to be filed in Part IV of Docket 21.

Attached are one photostat copy of application for appropriation of water of Blue Cliff Spring Area and two photostat copies of Amended Application 16096. These may be presented to Ramos, Dahl and the Nichols Estate after the originals are sent to the State, with the explanation that they are interim copies.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments

Copy to: Regional Director, Region Four, w/c draft of letter to State Engineer
Chief, WODC " " " " " "
Field Solicitor McClellan, w/c of applications and draft of letter of State Engineer (2)

06-17-1957: draft letter to leslie c. jopson regarding amendment of application 16096 and new application for blue cliff spring, trail

DRAFT

Mr. Leslie C. Jopson, Chief Engineer
State Water Rights Board
P. O. Box 1598
Sacramento 7, California

Re: Amendment of Application 16096 and
New Application for Blue Cliff Spring,
Trail Canyon
Death Valley National Monument

Dear Mr. Jopson:

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Sincerely yours,
Superintendent
[illegible] 5

Requested distribution:

Copy to: Regional Director, Region Four (3)
Western Office of Design and Construction
Director (2)

5

06-17-1957: memorandum to regional director regarding water rights, blue cliff spring area, trail canyon, docket 25 ; june 17, 1957

IN REPLY REFER TO:
~~L54-L~~

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

JUN 17 1957

RECEIVED
NPS REGION FOUR OFFICE
JUN 24 '57

SURNAME	DATE
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
INTERP.	
~~CHIEF~~	BFG 6/24

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Rights, Blue Cliff Spring Area, Trail Canyon, Docket 25, Death Valley

With copies of this memorandum we are distributing folders for the subject docket.

Each folder now contains a photostat copy of the unsigned application and supporting map for temporary reference, in Part II. The unsigned application will be replaced with a fully approved one bearing application and permit numbers when the original is returned by the State Water Rights Board.

We are also inserting one copy of the Permit for Water Use which was issued to Tony Ramos on March 1 in Part III of our assembly. The copies sent to you and WODC with the Superintendent's memorandum of March 15, and the Superintendent's copy, should be filed in the same manner.

Also distributed are photostat copies of amended Application 16096 and supporting map. These should be temporarily filed in Part IV of Docket 21 in each office.

This distribution is being made to simplify separate correspondence concerning the signing and filing of the water right application.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Death Valley, w/c docket folder
Chief, WODC, w/c docket folder

4

L54-L

February 6, 1957

Memorandum

To: Superintendent, Death Valley

From: Chief, Water Resources Section

Subject: Water Use Permits for Messrs. Dahl and Nichols, Trail Canyon, Death Valley

In accordance with the memoranda of January 16 to you and the Director, respectively, there are attached the copies of the Permits for Water Use of October 13, 1956, which should go to the Dahls and the Nichols estate.

Mr. Manbey has not offered any comments from the Regional or Field Solicitor concerning the designation of subpriorities 2 and 2a, instead of just 2 in both cases, or subpriorities 2a and 2b each equal to the other, to which reference was made in our memorandum of December 4, 1956 to the Regional Director. Before sending the permits to the permittees, this question should be clarified by the Regional or Field Solicitor.

It also seems probable that the Nichols permit should go to his estate, as a measure of part of his assets, and that it should subsequently be assigned or reissued to the successors to Mr. Nichols, in accordance with condition No. 25, if they do not abandon his interests in the mine and millsite. Copies of the record of assignment should be supplied for the Water Right Docket No. 21, in whatever form the Regional Solicitor suggests.

(SIGNED)

A. van V. Dunn
Chief, Water Resources Section

WESTERN OFFICE
DESIGN & CONSTRUCTION
FEB 11 1957 A.M.
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
2 ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

Attachments 2

Copy to: Regional Director, Region Four
Chief, WODC

January 18, 1957

Memorandum

To: Regional Director, Region Four

From: Superintendent, Death Valley

Subject: Water Right Application, Blue Cliff Springs, Tony Ramos

The draft of the water right application for the Blue Cliff Spring area attached to Mr. Dunn's comments of November 1, 1956 has been reviewed and we have the following comments based on additional data that has been obtained.

1. Item 7 should include a storage reservoir consisting of an earth fill dam 50 feet long by 30 feet high with a basin of 200 feet long and the reference to steel tanks for pressure reduction should be deleted. As a practical matter it is very doubtful that the reservoir will serve any useful purpose due to the porosity of the soil and earth fill, evaporation, and limited amount of water flowing into it. During times of rain and runoff it may hold water for a limited period. A 2000 gallon steel tank for storage is located at the Ramos campsite.

2. A drawing, NMDV 2090, being forwarded under separate cover, has been prepared showing both the Ramos and Nichols-Dahl water systems for use in support of the application. Since there is some uncertainty as to the exact location of the Blue Cliff group of mining claims they are not shown. The diversion is off of any of the claims which eliminates consideration of riparian rights and makes all of the water used by Ramos subject to appropriation. Your advice will be appreciated as to whether the drawing is sufficient for the application or is it better to use the standard form 17-A as supplied by the State.

3. There is also attached a copy of the Water Use Permit that it is proposed to issue to Mr. Ramos it al., upon approval of the application.

We believe that the application is now ready for filing unless there are other details that are needed.

Fred W. Binnewies
Superintendent
Fred W. Binnewies
Superintendent

Attachment: Water Use Permit

FWB/rls

Docket 2515

L54-L

11-9-56

Memorandum

To: Regional Director, Region Four

From: Assistant Director

Subject: Water Rights in Trail Canyon, including Application 16096, Docket 01, Death Valley

By air mail of October 25, we consurred in the proposal to have Field Solicitor Joseph E. Taylor inspect mining developments at Death Valley and discuss claims with the miners. By subsequent air mail memorandum of October 29, we advised that Mr. Taylor should defer the trip, or at least the report, until receipt of this memorandum. We have now received a copy of the memorandum of October 17 to you from Mr. Binnewies, with his report on the discussion which Mr. Taylor has already had with Messrs. Alf and Ralph S. Dahl, and M. D. Nichols on October 13. We have not received any report from Mr. Taylor or the Regional Solicitor, and assume and hope it will be deferred until this memorandum arrives.

Attached in duplicate are copies of drafts of proposed Amended Application 16096 for the appropriation of water from the Tarantula Spring area, an application for the appropriation of water from the Blue Cliff Spring area, and a revised draft of 10/24/56 of a proposed application for the appropriation of waters of "Indian Wells". Also attached are Mr. Dunn's comments on each application, comments on mining and millsite claim boundaries and riparian rights being confined to the comments on the application for appropriation of waters of Blue Cliff Spring area. Five prints of Drawing NM-DV-6959, which was prepared to support the first two applications, are also attached.

Copies of the three applications are also being sent to the Superintendent, with one copy of his original draft of his application of 10/19 for the appropriation of waters of Indian Wells and the check of Dennis Cooder. Two copies of the three applications and comments are also attached for Mr. McClellan although he has already been supplied with copies for revision and return with requested data and Mr. Taylor's report, or a supplement to any report he may have prepared.

The three proposed applications require revision or completion with more data from the Monument, as indicated in Mr. Dunn's comments, if all are to be filed. There also appears to be some question as to whether a Federal application should be filed for waters of Blue Cliff Spring area. Mr. Dunn is also concerned over the possibility that excessive

survey work may be demanded to pinpoint mining claims which may not define riparian rights of the owners, in other areas of the Monument as well as in Trail Canyon.

We believe that all water right applications should be prepared in the final form in this office. Accordingly, we request that you and the Regional Solicitor supply comments and supplemental data by which to complete those applications which the Regional Solicitor and Mr. Taylor recommend. The applications will be sent to the Superintendent for signature and forwarding to the State Water Rights Board.

Assistant Director

Attachments

Copy to: Superintendent, Death Valley, w/c drafts of 3 applications, check of Dennis Conder, original application, designated as draft of 10/19/56
Field Solicitor McClellan (2), w/c drafts of 3 applications
Western Office of Design and Construction, w/c drafts of 3 applications

11-01-1956: comments of proposed federal application to appropriate water of indian wells for use by u. s. tungsten company ; no

November 1, 1956

Comments on Proposed Federal Application
to
Appropriate Water of Indian Wells for Use by
U. S. Tungsten Company at Death Valley
by
A. van V. Dunn
Chief, Water Resources Section

A draft of the subject application, in duplicate, was sent to the Washington Office with a personal check of Dennis ? Conder to cover the $5.00 filing fee, and the Superintendent's memorandum of October 19, in which the latter requested that it be forwarded to the State Division of Water Resources, now the State Water Rights Board. We have also received the Superintendent's memorandum of October 17, with copy of his report on the discussion of October 13 which he and Field Solicitor Joseph E. Taylor had with Messrs. Alf and Ralf S. Dahl and M. D. Nichols.

The report on the discussion of October 13 does not indicate the extent to which Mr. Taylor considered the water right interests of Ramos, Pike, Santschi, and the U. S. Tungsten Company. However, the application must be revised and completed before filing. Accordingly, I have designated the incoming application as draft of 10/19/56 and prepared as much of a revised application as is possible with available data, as draft of 10/24/56. The latter draft needs additional data from the Monument, and should have the Regional Solicitor's approval before being prepared in final form and filed with the State Water Rights Board.

The draft of 10/24 is on an obsolete form, making it necessary to renumber some questions.

On the map supporting the draft of 10/24, the Trail Canyon drainage is projected from both the Emigrant Quadrangle of Geological Survey, and the BLM Township Plat of 1935, in the area under consideration. The Geological Survey data takes precedence except at points where the drainage crosses a section line, and only one channel will be shown on the map supporting the final application.

The draft of 10/19 designates the source as "Indian Wells", (question 1), but indicates that water is pumped from "unobstructed channel" (question 6(a)). Assuming there is no artesian well (which should be capped!), the source is probably a spring whether diverted in a tunnel or on the surface. If the source is a well, in fact, there is a question as to whether to file an appropriative application at all. The nature of the source should be clarified by the Superintendent in order to determine whether an application should be filed.

By hydrological definition the source is tributary, as designated in the draft of 10/24, if the water would be natural flow on the surface

or seep through the top soils, either at the designated area, or further downstream, with at least an intermittent contribution to the flow or seepage in the South Branch of Middle Fork of Trail Canyon.

At 5 gpm (question 2(a)), there appears to be a spring flow approximately equal to that found at several of the springs in Trail and Emigrant Canyons, for which appropriative water right applications have been filed or are now proposed.

From my past discussions with Nichols, Greene and James H. Bennett, of Bennett and Barginski (not W. T. Bennett), most of the miners seem to have mills which require 12 gpm when in operation, and to operate with diversions of about 5 gpm and with regulatory storage of water during about 16 hours per day for use during the other 8 hours. This matter should be clarified in question 2(b) or 7. I have suggested an answer in question 7 of draft of 10/24 which should be checked and possibly corrected.

Question 3 of 10/19 draft specifies mining and recreational use while questions 16 and 17 describe domestic and mining. The draft of 10/24 tentatively covers all three uses. The very limited use by the recreational visitors can probably be classed as domestic.

The State Rules and Regulations require that diversion must be tied to section corner by bearing and distance if within 2 miles of said corner, or to another survey or some natural object or permanent monument if more than 2 miles from a corner. There should be a corner of Section 10 within 0.75 mile to the northeast, and probably within 0.25 mile to the southeast, to which to make a tie for answer to question 4.

The map supporting draft of 10/19 shows Indian Wells on hillside, to west of natural channel. While this may be true, it seems more probable that springs are diverted in the channel, in SE¼ SE¼ Sec. 10, or NE¼ NE¼ Sec. 15, perhaps at end of intermittent flow shown on Emigrant Quadrangle.

Question 5 of the 10/19 draft, and supporting map, both indicate terminus in unsurveyed land, the latter showing it in unsurveyed Sec. 34, T 18 S, R 45 E. Question 8(b) and supporting map also indicate that pipeline is only ½ mile long, from a spring or well which is evidently in E½ SE¼ Sec. 10 or NE¼ NE¼ Sec. 15. The length of pipe fixes place of use somewhere in E½ E½ of surveyed Sec. 10, T 19 S, R 45 E, as answer to both questions 5 and 11. The place of use shown on supporting map would require at least 2 miles of pipe and place the area above North Branch of Middle Fork.

In order to clarify and comply with points covered in the last three paragraphs it will be necessary to obtain a tie from one or more section corners to the point of diversion and to the mill, and to be advised whether the point of diversion, and spring, or well, are in the canyon bottom or a lateral tributary.

In order to supply these data for a final map and complete application with the least survey, it may be accepted that the Geological Survey was correct in stating that the topography on the Emigrant Quadrangle of 1935 is probably correct to within 20 feet. The sections are projected thereon in accordance with the BLM township plat from the actual location ties to only a few corners, and the line between Secs. 3 and 10 on one side and 2 and 11 on the other, may not be as straight, and due north-south as shown. Ties and land subdivisions for the water right application and supporting map need be only sufficiently accurate to identify the point of diversion and area of use, and differentiate them from other existing or potential claims. One transit tie should probably be made for orientation, but the rest of the information could probably be obtained by pacing or careful spotting with relation to natural drainage unless conflicting riparian claims are involved.

The answers to questions 6 and 7 of draft of 10/19 are inadequate because they raise questions. A flow of 5 gpm is inadequate for pumping except from some impounding pool, which is not described. It is also doubtful if the U. S. Tungsten Company has a 5 gpm pump operating 24 hours per day. It is also doubtful that gravity diversion by 1" pipe could be maintained without a small pool. Gravity diversion might be from a natural pool, however. The headworks should be described to eliminate questions of impracticability.

Question 8 calls for pump lift, or the flattest controlling grade of the pipeline, if diversion is by gravity. Neither is given in draft of 10/19. If the available flow is measured, and all is diverted by gravity by the 1" pipe, the grade has to be at least 32.5 ft. per 1000 ft., which would be a satisfactory answer.

The estimated capacity of 5 gpm, question 9 of 10/19 draft is pretty low for any pump diversion. Either the grade, question 8(b), or pipe delivery, question 9, should be measured. Conditions seem to require storage at diversion and place of use, and 10 to 15 gpm pump, if water is to be pumped.

Some cost estimate must be given in question 9.

The draft of 10/19 was received without attached list of claims mentioned in question 16. The entire list of claims may be proper in answer to question 16, but for question 11 the developed area should be confined to one or more claims, and one or more 40 acre subdivisions of the section where the camp and millsite are located.

There are probably no other rights to list in question 12 of new application form, but the question is whether the U. S. Tungsten Company has other appropriative rights or riparian claims to the water for the same use. Even a half mile of meandering pipe could place the diversion

and use within one mining claim, 1500 ft. long and 600 ft. along each of the two parallel ends, in that mountainous area. Presumably the proper location of diversion point and mill location will show them to be too far apart to be on one claim, and will permit adequate definition of pipe alignment from the contours on Emigrant Quadrangle, but the pipe alignment should be supplied if it does not follow a contour or the natural drainage.

For answer to question 19, the Regional or Field Solicitor may wish to consider the claim this Service has previously made in similar cases: That the United States does own the land at point of diversion (and at place of use) with encumbering mining claim locations. The Water Resources Section has been guided in the past by legal advice that the United States retains basic title until the land is formally patented. This question is also covered in comments on proposed amendment of Application 16096.

In answer to question 21, it will probably be impractical to determine whether the water at Indian Wells actually contributes to the flow diverted by Ramos et al. for the Blue Cliff claim, but the United States and Ramos et al. should be notified of the application.

The closing statement on the draft of 10/24 is particularly important if there is a chance that there has been a previous mining claim or millsite location which included Indian Wells, to which the U. S. Tungsten Company, does not have successorship title. If the United States now has title to all land between diversion and place of use, with encumberances, and riparian rights accrued to the original mining claim or millsite location, the United States may have riparian rights as well as possible sovereign rights, which have not been determined.

These comments are based on the assumption that this application, like Amended Application 16096, can be filed without regard to conflicting riparian rights, and that exact definition of boundaries of related mining and millsite claims are not needed. The additional requirements which may be needed if there are related or conflicting riparian rights, are covered in comments on proposed application for the appropriation of waters of Blue Cliff Spring area for Ramos, Pike and Santschi.

A copy of a related permit for water use should accompany data for final draft of proposed application.

10-24-1956: application to appropriate unappropriated water; october 24, 1956

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

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

DRAFT OF 10/24/56

Application No. ..... Filed ..... at ..... M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

(This 1952 form is modified to agree with 1956 form now in use as to pp numbers and titles)

I, UNITED STATES OF AMERICA, DEATH VALLEY NATIONAL MONUMENT
Name of applicant

of Death Valley, California County of Inyo
Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Indian Wells (Spring ?) in South Branch of Middle Fork
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 through Middle Fork of Trail Canyon

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 5 gallons per minute XXXXXXXX
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

XXXXX to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use --- acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between --- and --- of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed.

3. The use to which the water is to be applied is Domestic, mining and recreational
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. The point of diversion is to be located ---------- feet from --------Cor. Sec. ---------
State bearing and distance or coordinate distances from section or quarter section corner

being within the ---------¼ ----------¼
State 40-acre subdivision of U. S. Government survey or projection thereof

of Section 10, T. 19S, R. 45E, B. & M., in the County of Inyo

5. The main conduit terminates in ---¼---¼, of Sec. 3 (?), T. 19 S, R. 45E, MD B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof
10 or

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 from unobstructed channel (there must be a natural pool or dam)
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being) feet in height (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 XXXXXX Tanks with capacity of about 8,000 (?) gallons will store water diverted during 16 hours after use in other 8 hours of day.

The storage reservoir will flood lands in None
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.

FORM 1

8. **Conduit System** (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials of construction _____
Cross out two not used
Earth, rock, timber, etc.

(b) Pipe line: Diameter 1 inches; length 1/2 mile ~~feet~~; grade ~~----~~ (?) feet per 1,000 feet; total fall from intake to outlet ~~----~~ (?) feet; kind steel
Riveted steel, concrete, 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 conduit or pumping plant proposed is 5 gallons per minute
State cubic feet per second or gallons per minute

The estimated cost of the diversion works proposed is _____
Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. **Construction work** will begin on or before March 1, 1957

Construction work will be completed on or before July 1, 1958

The water will be completely applied to the proposed use on or before July 1, 1958

Description of Proposed Use

11. Place of Use. ~~----~~ ¼ ~~----~~ ¼ Sec. (10 or 3), T 19 S, R 45 E, MDB&M
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 of all 40-acre tracts, describe area in a general way and show detail upon map.

on ~~----------~~ mining claim.

Does applicant own the land whereon use of water will be made? no (?)
Yes or No

U. S. Tungsten Company owns mining claims on land where use will be made. (See attached list of location notices)
If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Domestic Use.** Domestic use is proposed as follows: (Domestic use included in 17 as other uses on new form. New pp 12 and other rights will probably be blank.
Describe nature of use which may include stock water and the irrigation of domestic gardens not exceeding one-half acre with each place of residence. State number and kind of stock to be watered, number of houses and people to be served.

The amount for which application is made was determined by _____
Describe basis of quantity needed

13. **Irrigation Use.** The area to be irrigated is _____ acres.
State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; orchard _____ acres; general crops _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____
Beginning date — Closing date

The land to be irrigated has another / no other **water right or source of water supply other than that herein applied for. The nature** and amount of the additional supply referred to is _____

14. **Power Use.** The total fall to be utilized is _____ feet.
Difference between nozzle or draft tube water level and first free water surface above

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.
Second feet × fall ÷ 8.8

The use to which the power is to be applied is _____
For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is _____
Turbine, Pelton wheel, etc.

The size of the 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. _____, _____ B. & M

DO NOT WRITE IN THIS SPAC

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 Tungsten ore processing (Gold placer, quartz, etc.)

The method of utilizing the water is approximately 12 gpm of water used during work hours to float and separate crushed ore and rock.

It is estimated that the ultimate water requirement for this project will be 5 gallons per minute (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 Indian Wells (Name stream) in Emigrant Canyon (State 40-acre subdivision) of Sec. 10, T. 19 S, R. 45 E, ... B. & M.

OTHER USES

17. ~~Municipal Use~~. The nature of the use proposed is Domestic and recreational (Describe nature and method of use)

The amount for which application is made was determined by 5-10 mining personnel - domestic use for washington, cooking, etc. Limited numbers of recreational visitors and Federal employees will use water when in the vicinity. (Describe basis of estimate of quantity needed)

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

~~(Describe basis of estimate of quantity needed)~~

General

18. ~~XX~~. 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 .....

19. ~~XX~~. Does the applicant own the land at the proposed point of diversion? No (Yes or No) ..... If not, give name and address of owner and state what steps have been taken to secure right of access thereto. U. S. Tungsten Company has mining claims on property, however.

20. ~~XX~~. What is the name of the post office most used by those living near the proposed point of diversion?
Trona, California

21. ~~XX~~. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion?
United States of America and Owners of Blue Cliff Mining Claims 1-4.

Nothing in this application shall constitute a waiver of any other rights which the United States may have to the same water.

[SIGNATURE OF APPLICANT] .....

10-19-1956: memorandum to director regarding appropriation of water, indian wells ; october 19, 1956

In reply refer to:
L 54

October 19, 1956

Memorandum

To: Director

From: Superintendent, Death Valley NM

Subject: Appropriation of Water, Indian Wells

Attached is an application to appropriate water from Indian Wells near the top of Trail Canyon by the United States Tungsten Company along with a check for $5.00 for the filing fee.

It has been explained to the U. S. Tungsten Company that appropriation of water from this source must not effect the flow of springs lower down in the same drainage and on which there is a prior appropriation. Indian Wells is located some 1½ miles from the Tarantula Spring area and it seems unlikely that they would be affected, but we thought it advisable to put the company on notice.

If you find the application in order will you please forward it to the State Division of Water Resources. A water use permit will be issued after the application is approved.

Fred W. Binnewies
Superintendent

Attachment

Copy to Regional Director, Region Four

FWB/dtm

Docket 2515

10-08-1956: letter to fred w. binnewies, supt. regarding prepared application for a water right for the u. s. tungsten co. ; october 08

B.
Application forwarded
to WO 10/18/56
FWB

NIELSEN AND CONDER
ATTORNEYS AND COUNSELORS AT LAW
NEWHOUSE BUILDING
SALT LAKE CITY 1, UTAH

ARTHUR H. NIELSEN
DEAN E. CONDER
CARL A. HULBERT
RICHARD V. PEAY
ALLAN T. HOWE

October 8, 1956

Death Valley National Monument
Death Valley, California

Attn: Mr. Fred W. Binnewies, Supt.

Dear Mr. Binnewies:

In accordance with the suggestions contained in your letter to us of August 15th, we have prepared another application for a water right for the U. S. Tungsten Co., the original and 1 copy of which are enclosed, together with two copies of a map showing the location of said water. Our check for filing the application is also enclosed.

We hope that everything is in order and that the application may now be processed.

Thank you for your help and cooperation.

Yours very truly,

Allan T. Howe

Allan T. Howe

ATH:mm
Enc:

Docket 25 LS

In reply refer to: L54

Field Solicitor, San Francisco

July 27, 1955

Chief, Division of Operations, NPS, Region Four

✓	Supt.	
	C. Rgr.	
	Nat.	
	[illegible]	
	[illegible] C2.	
	[illegible]	
	Volun.	
	C. [illegible]	

Riparian rights to spring located on mining claim, Death Valley National Monument

There is attached a copy of Superintendent Binnewies' memorandum of July 19 pertaining in part to water rights in Death Valley, California.

We would appreciate your opinion regarding riparian rights Tony Ramos may have in a spring which is apparently located on a mining claim he filed in 1951. We assume this matter will have to be considered not only in the light of the water laws of the State of California but also in the light of National Park Service special regulations applicable to mining and the use of water in Death Valley National Monument, 36 CFR 20.26.

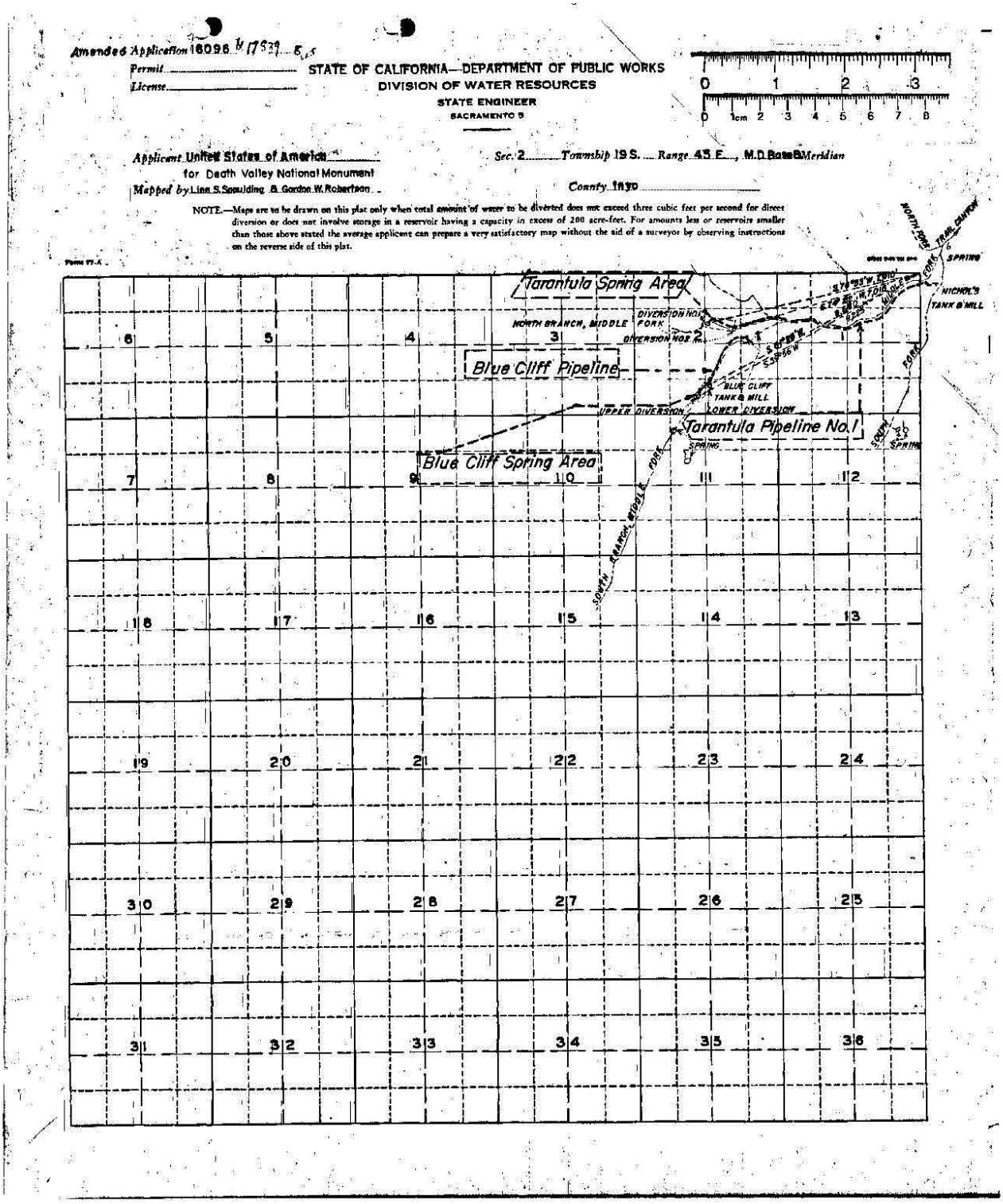
A copy of said special regulation is attached for your convenience and also some correspondence concerning the intent and purpose of the regulations. If additional information is needed, please advise.

Attachments

Copy to: The Director
✓Supt., Death Valley

JUL 28 1955
DEATH VALLEY NM

Docket 25 LS



Docket Information

Number of Documents in Docket 154

Documents Dated from 7/27/1955 to 9/15/1978

Docket Compiled: 3/8/2011