



WATER-RIGHT DOCKET

Canyonlands National Park

Docket No: 5

CANYONLANDS RESORT WELL

Preliminary Docket Information

08-13-1993: note to the file; august 13, 1993

NOTE TO THE FILE

08/13/93
JSA

Needles Well No. 5 (Canyonlands Resort Well) [NPS Docket= CANY
0005]

Application 41969 was filed in 1972 (0.10 cfs, for domestic purposes). Change Application A-14617 was filed in 1987, purportedly to change the point of diversion and place of use. The change application reduced the quantity of water to 0.074 cfs. It also stated that the well produces 33 1/3 gpm, and that the water is trucked to the point of use. In a 1990 letter to the State Engineer, the NPS submitted a water user's claim which stated "This completes the application and proof of appropriation for this water well...".



United States Department of the Interior
NATIONAL PARK SERVICE

ROCKY MOUNTAIN REGIONAL OFFICE
12795 W. Alameda Parkway
P.O. Box 25287
Denver, Colorado 80225-0287



IN REPLY REFER TO:

L54 (RMR-MR)

JUL 03 1990

Mr. Mark Page
Area Engineer
State of Utah Natural Resources Division
P.O. Box 718
Price, Utah 84501-0718



Dear Mr. Page:

I am submitting a signed and notarized copy of Statement of Water User's Claim, Water Right No. 05-2096. This completes the application and proof of appropriation for this water well located within Canyonlands National Park which serves a privately-owned resort located outside the Park on State of Utah land. No changes were made to the claim as received for review from the State of Utah.

The National Park Service is making this submission of claim only to complete the appropriation process. It does not represent a response to the general determination of rights to the use of water within the drainage area of Colorado River in San Juan, Grand and Uintah Counties, Utah, and exclusive of the Green River drainage.

Sincerely,

Homer L. Rouse
Associate Regional Director
Park Operations

cc: 479 - Williams, w/enc.

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT

IN AND FOR GRAND COUNTY, STATE OF UTAH

IN THE MATTER OF THE GENERAL DETERMINATION
OF RIGHTS TO THE USE OF ALL THE WATER, BOTH
SURFACE AND UNDERGROUND, WITHIN THE DRAINAGE
AREA OF THE COLORADO RIVER IN SAN JUAN, GRAND
AND UTAH COUNTIES, UTAH, AND EXCLUSIVE OF
THE GREEN RIVER DRAINAGE.

STATEMENT OF
WATER USER'S CLAIM

Water Right No. 05 - 2096

Civil No. 4477

Map No.

HOW TO USE THIS FORM:

This form is important to you in asserting your water rights in the pending judicial adjudication described above. Under Utah law, unless you file this form in a timely manner, your water rights cannot be recognized and you may not assert them further. The State Engineer has made a hydrographic survey of this area, which includes your water rights and uses. Your receipt of this form constitutes notice to you that the survey has been completed and that a signed Statement of Water User's Claim is due from you within 90 days. Review the information shown on this form carefully. If you agree with the information and accept it as your Statement of Water User's Claim, sign the form & return it to the Division of Water Rights in Price, Utah. The Division of Water Rights will file your Statement of Water User's Claim with the District Court in Moab, Utah. If you do not agree with the information, contact the above Division of Water Rights office to resolve the problem.

1. WATER RIGHT AND OWNERSHIP INFORMATION:

A. NAME: USA Canyonlands National Park INTEREST: 100%
ADDRESS: P.O. Box 25287, Denver, CO 80225

B. TYPE OF RIGHT: Application To Appropriate No. A41969
on which the following Change Application(s) have been filed:

Change Application No. a14617, Approved

C. PRIORITY DATE: November 29, 1972

2. SOURCE INFORMATION:

A. QUANTITY OF WATER: 0.074 cfs

B. DIRECT SOURCE: Underground Water Well

C. POINT OF DIVERSION -- UNDERGROUND:

(1) S 1120 feet W 1930 feet from NE corner, Section 20, T 30S, R 20E, SLBM
WELL DIAMETER: 6 inches WELL DEPTH: 78 feet

D. DRAINAGE AREA: Lower Green River

COUNTY: San Juan

3. WATER USE INFORMATION:

Water User's Claim

STATEMENT OF WATER USER'S CLAIM for Water Right: 05 - 2096 continued*****

Page: 2

DOMESTIC: from Jan 1 to Dec 31. FAMILIES: 1.

COMMERCIAL: from Jan 1 to Dec 31. Gas Station, Convenience Store, 20
Hookup Campground

4. PLACE OF USE: (which includes all or part of the following legal subdivisions:)

BASE	TOWN	RANG	SEC	NORTH-EAST $\frac{1}{4}$				NORTH-WEST $\frac{1}{4}$				SOUTH-WEST $\frac{1}{4}$				SOUTH-EAST $\frac{1}{4}$			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
SL	30S	20E	16										X	X	X	X			

5. EXPLANATORY:

This water right is used on land owned by the State of Utah which is being leased by a private individual.

6. CERTIFICATION OF CLAIM AND WAIVER OF SUMMONS:

The undersigned hereby enters their appearance in this water adjudication proceeding and hereby waives service of summons or other process and waives service of the notice of completion as required by Sections 73-4-4 and 73-3-4 of the Utah Code Annotated, 1953 as amended.

STATE OF UTAH)
COUNTY OF _____) SS

The undersigned swears on oath that he makes and certifies this Water User's Claim either as the claimant himself or as the duly-authorized agent of the claimant, that he has read and knows the contents of the claim, that he signs the same, and that the information supplied therein is true to the best of his knowledge and belief.

Title: Assoc. Reg. Director Homer J. Rouse
(Individual or Office) Signature

Subscribed and sworn to before me this and day of July, 19 90

Commission expires: 12/1/91 Julia M. Mitchell
Notary Public



STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southeastern Area • 453 S. Carbon Avenue • P.O. Box 718 • Price, UT 84501-0718 • 801-637-1303

April 13, 1990

National Park Service
Water Rights Branch
Attn: Jeff Albright
301 South Howes Street, Room 353
Fort Collins, Colorado 80521

Re: Water Right 05-2096 - Amendatory Change No. a-14617

Dear Mr. Albright:

Enclosed is a copy of the above referenced Amendatory Change Application pertaining to file number 05-2096.

If you have any questions, feel free to contact me.

Sincerely,

Mary Kellian
for Mark P. Page
Area Engineer

Enclosure
MPP/mjk

05-2096

APPLICATION FOR PERMANENT CHANGE OF WATER

AMENDATORY

STATE OF UTAH

Rec. by _____

Fee Paid \$ _____

Receipt # _____

Microfilmed _____

Roll # _____

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

*WATER RIGHTS NO. 05 - 2096 *APPLICATION NO. a - 14617

Changes are proposed in (check those applicable)

☒ point of diversion.

☒ place of use.

_____ nature of use.

1. OWNER INFORMATION

Name: USA - National Park Service

*Interest: 100 %

Address: P.O. Box 25287

City: Denver

State: Colorado

Zip Code: 80225

2. *PRIORITY OF CHANGE Feb. 29, 1988 *FILING DATE: Sept. 28, 1987

*Is this change amendatory? (Yes/No): Yes

3. RIGHT EVIDENCED BY: 05-2096 (A41969)

Prior Approved Change Applications for this right: _____

***** HERETOFORE *****

4. QUANTITY OF WATER: 0.10 cfs and/or _____ ac-ft.

5. SOURCE: Well

6. COUNTY: San Juan

7. POINT(S) OF DIVERSION: _____

S 630 ft. & W. 450 ft. from NE Cor. Sec. 20, T30S, R20E, SLB&M.

Description of Diverting Works: 6-inch well, 78 feet deep

8. POINT(S) OF REDIVERSION

The water is rediverted from _____ at a point: _____

Description of Diverting Works: _____

9. POINT(S) OF RETURN

The amount of water consumed is 0.10 cfs or _____ ac-ft.

The amount of water returned is _____ cfs or _____ ac-ft.

The water is returned to the natural stream/source at a point(s): _____

Non-
Appl.
Alpha
T & R

*These items are to be completed by the Division of Water Rights.

AMENDATORY

Permanent Change

10. NATURE AND PERIOD OF USE

Stockwatering: From _____ to _____
 Domestic: From January 1 to December 31
 Municipal: From _____ to _____
 Mining: From _____ to _____
 Power: From _____ to _____
 Other: From January 1 to December 31
 Irrigation: From _____ to _____

WVENDVJ00A

11. PURPOSE AND EXTENT OF USE

Stockwatering (number and kind): _____
 Domestic: _____ Families and/or 80 Persons.
 Municipal (name): _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): 15 site campground, restaurant and motel
 Irrigation: _____ acres. Sole supply of _____ acres

12. PLACE OF USE

Legal description of areas of use by 40 acre tract: _____
E½ Sec. 17, N½NE¼ Sec. 20, T30S, R20E, SLB&M.

13. STORAGE

Reservoir Name: _____ Storage Period: from _____ to _____
 Capacity: _____ ac-ft. Inundated Area: _____ acres
 Height of dam: _____ feet
 Legal description of inundated area by 40 tract: _____

***** THE FOLLOWING CHANGES ARE PROPOSED *****

14. QUANTITY OF WATER: 0.074 cfs and/or _____ ac-ft
 15. SOURCE: Underground water well Remaining Water: Abandoned
 16. COUNTY: San Juan
 17. POINT(S) OF DIVERSION: _____
S. 1120 ft. & W. 1930 ft. from NE Cor. Sec. 20, T30S, R20E, SLB&M.

Description of Diverting Works: 6-inch well, 78 feet deep

18. POINT(S) OF REDIVERSION

The water will be rediverted from _____ at a point: _____

Description of Diverting Works: _____

WVENDVJ00A

AMENDATORY

19. POINT(S) OF RETURNThe amount of water to be consumed is 0.074 cfs or _____ ac-ft

The amount of water to be returned is _____ cfs or _____ ac-ft

The water will be returned to the natural stream/source at a point(s): _____

20. NATURE AND PERIOD OF USE

Stockwatering: From _____ to _____

Domestic: From Jan. 1 to Dec. 31

Municipal: From _____ to _____

Mining: From _____ to _____

Power: From _____ to _____

Other: From Jan. 1 to Dec. 31

Irrigation: From _____ to _____

21. PURPOSE AND EXTENT OF USE

Stockwatering (number and kind): _____

Domestic: 1 Families and/or _____ Persons

Municipal (name): _____

Mining: _____ Mining District in the _____ Mine

Ores mined: _____

Power: Plant name: _____ Type: _____ Capacity: _____

Other (describe): Misc. Domestic: 20 hook-ups at campground, store and gas station.

Irrigation: _____ acres. Sole supply of _____ acres

22. PLACE OF USELegal description of areas of use by 40 acre tract: SW $\frac{1}{4}$ Sec. 16, T30S, R20E, SLB&M.**23. STORAGE**

Reservoir Name: _____ Storage Period: from _____ to _____

Capacity: _____ ac-ft. Inundated Area: _____ acres

Height of dam: _____ feet

Legal description of inundated area by 40 tract: _____

24. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. Include any supplemental water rights used for the same purpose. (Use additional pages of same size if necessary):

This well provides water for the Needles Outpost Resort. The resort owners haul water from the well to the place of use in a truck. The well produces 33 1/3 gallons per minute. This change application is being filed to amend the diversion point and place of use.

The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).

Stanley L. Pina
Signature of Applicant(s)

AMENDATORY

Approved for advertising 3-2-88

Advertised March 16, 23, 30, 1988 San Juan Record

Designated for approval 5-5-88

Approved 9-16-88

FORM 152

A T T E N T I O N

THIS FORM IS TO BE USED ONLY WHEN WATER HAS BEEN PLACED TO FULL BENEFICIAL USE

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH
ELECTION TO FILE WATER USER'S CLAIM

APPLICATION NO. 05-2096 (A41969)

STATE OF UTAH

COUNTY OF San Juan

Richard W. Ketcham for
The United States of America, being first duly sworn,
says that he is the owner of the above application; that the development
contemplated under this application has been completed and the water placed
to beneficial use.

In lieu of submitting "Proof of Appropriation" or "Proof of Change"
and receiving "Certificate of Appropriation" or "Certificate of Change", the
applicant hereby elects to file a "Statement of Water User's Claim" or an
"Amended Statement of Water User's Claim" in the pending GENERAL DETERMINATION
OF WATER RIGHTS; and the applicant requests that said statement be prepared by
the State Engineer and submitted for execution at an early date.

Richard W. Ketcham
APPLICANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21 DAY OF February
19 85.

My commission expires December 31, 1984.

Carolyn Baker
NOTARY PUBLIC
205 W. Oak
St. Collins Co. 80521



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Water Rights

1636 West North Temple • Salt Lake City, UT 84116 • 801-533-6071

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dee C. Hansen, State Engineer

February 14, 1985

USA Canyonlands National Park
P.O. Box 25287
Denver, CO 80225

Dear Applicant:

RE: Application No. 05-2096 (A41969)
PROOF-DUE DATE: February 28, 1985

It is noted from our files that you have only fourteen more days in which to submit proof before the lapsing of your application.

This letter is sent to remind you to have your proof or request for extension of time filed in this office before the proof-due date of your application which is shown above.

Enclosed is a request for extension of time form in case you have misplaced the one previously sent to you.

Yours truly,

Dee C. Hansen, P.E.
State Engineer

Enclosure: Request form



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Water Rights

1636 West North Temple • Salt Lake City, UT 84116 • 801-533-6071

FORM 19

MAR 24 1982

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dee C. Hansen, State Engineer

March 19, 1982

USA
Department of the Interior
National Park Service
P.O. Box 25287
Denver, CO 80225

Dear Applicant:

RE: Application No. 41969 (92-177)

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above-numbered application has been considered and the time for receiving Proof of Appropriation is hereby extended from February 28, 1982 to February 28, 1985 inclusive.

This extension is granted in accordance with the law which states: "The construction of the works and the application of water to beneficial use shall be diligently prosecuted to completion within the time fixed by the state engineer. Extensions of time ... may be granted by the state engineer on proper showing of diligence or reasonable cause for delay... In the consideration of an application to extend the time in which to place the water to beneficial use under an approved application, ... the State engineer shall deny such extension and declare the application lapsed, unless the applicant affirmatively shows that he has exercised or is exercising reasonable and due diligence in working toward completion of the appropriation."

I earnestly recommend that you complete your development and submit Proof of Appropriation at the earliest possible date.

Yours very truly,


Dee C. Hansen, P.E.
State Engineer

j1

EXTENSION GRANTED

Deputy State Engineer/Earl M. Staker • Directing Engineers/Harold D. Donaldson • Donald C. Norseth
Stanley Green • Robert L. Morgan

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FORM 29

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. A-41969 (92-177)STATE OF UTAH San Juan

COUNTY OF _____

William L. Mekeel for
The United States of America, being first duly sworn that he is the (agent of the) owner
of the above-numbered application; that he knows of his own knowledge of the construction of works completed
to date.

Describe briefly the type and extent of construction completed to date; cost of this construction, and the
estimated cost of any remaining construction to be done for completion of project and to submit Proof of
Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time
heretofore allowed.

The water system required a well, pump and approximately 2,500 ft. of pipe
line in order to put the water to full beneficial use. The well and pump
have been installed at a cost of approximately \$4,500. However, the pipe
line has not been installed due to a lack of funds and water is hauled to
the concession's facility from the well.

Request is made for reinstatement and extension of time for filing proof

from February 28, 19 82, to February 27, 19 85

Affiant understands he will be notified of a hearing date, at which time he or his representative must attend, be
able to defend data given; and affiant upon oath states that the information given above is to the best of his
knowledge true and correct.

William L. Mekeel
Water Resources Specialist, Division
of Land and Water Resources, National
Park Service

APPLICANT

(If a corporation, give title of officer signing)

Subscribed and sworn to before me this 17th day of February, 19 82

W. J. Esther
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

HEARING _____

APPLICANT DID APPEAR _____ APPLICANT DID NOT APPEAR _____

APPLICANT REPRESENTED BY _____

REMARKS _____

RECOMMENDED DISPOSITION: _____



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Water Rights

1636 West North Temple • Salt Lake City, UT 84116 • 801-533-6071

FORM 11

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dee C. Hansen, State Engineer

February 11, 1982

United States of America
Dept. of the Interior
National Park Service
P.O. Box 25287
Denver, Colorado 80225

Dear Applicant:

RE: Appl. No. 41969 (92-177)

It is noted from our files that you have only fourteen more days in which to submit proof before the lapsing of your application.

This letter is sent to remind you to have your proof or request for extension of time filed in this office before the proof-due date of your application which is February 28, 1982

Enclosed is a request for extension of time form in case you have misplaced the one previously sent to you.

Yours truly,


Dee C. Hansen, P.E.
State Engineer

Enclosure: Request Form 29 & 152

ta

Deputy State Engineer/Earl M. Staker Directing Engineers/Harold D. Donaldson • Donald C. Norseth
Stanley Green • Robert L. Morgan

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- CANY DOCKET 5



FORM 19 A

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER
EARL M. STAKER
DEPUTY

200 EMPIRE BUILDING
231 EAST 400 SOUTH
SALT LAKE CITY, UTAH 84111
(801) 533-6071

DIRECTING ENGINEERS
HAROLD D. DONALDSON
DONALD C. NORSETH
STANLEY GREEN
ROBERT L. MORGAN

March 27, 1979

United States of America
Department of the Interior
National Park Service
P. O. Box 25287
Denver, Colorado 80225

Dear Applicant:

RE: Appl. No. 41969 (92-177)

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above-numbered application has been considered and the time for receiving Proof of Appropriation is hereby extended from February 28, 1979 to February 28, 1982 inclusive.

This extension is granted in accordance with the law which states: "The construction of the works and the application of water to beneficial use shall be diligently prosecuted to completion within the time fixed by the state engineer. Extensions of time ... may be granted by the state engineer on proper showing of diligence or reasonable cause for delay ... In the consideration of an application to extend the time in which to place the water to beneficial use under an approved application, ... the state engineer shall deny such extension and declare the application lapsed, unless the applicant affirmatively shows that he has exercised or is exercising reasonable and due diligence in working toward completion of the appropriation."

The attached memorandum decision states the conditions for granting this extension of time. The future status of this application will depend upon compliance with this conditions.

I earnestly recommend that you complete your development and submit Proof of Appropriation at the earliest possible date.

Yours truly,


Dee C. Hansen
State Engineer

Enclosure: Memorandum Decision

DCH: nh

E X T E N S I O N G R A N T E D

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

IN THE MATTER OF APPLICATION)
)
NUMBER 41969 (92-177)) MEMORANDUM DECISION

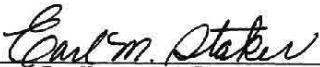
Application No. 41969 (92-177) was filed by The United States of America on November 29, 1972, to appropriate 0.10 cfs. of water from a six inch diameter well at a point West 450 feet and South 630 feet from the NE Corner, Section 20, T30S, R20E, SLB&M. The application was approved March 30, 1973, and proof was last due on February 28, 1979. The applicant has filed a request for extension of time within which to submit proof with the State Engineer stating that a well has been drilled and pipe has been purchased to distribute the water. More time is being requested to allow the applicant time to install the distribution system.

It is the opinion of the State Engineer that the applicant has complied with the provision of Section 73-3-12, Utah Code Annotated, 1953, which allows the State Engineer to grant extensions of time "on proper showing of diligence or reasonable cause for delay." However, it is believed that the applicant should be reminded that continued diligence must be shown if future extension requests are to be granted.

It is, therefore, ordered, and an extension of time within which to submit proof is GRANTED on the above-numbered application to and including February 28, 1982, but with the condition that further requests for extension of time will be critically reviewed, and unless considerable physical work can be shown, the State Engineer may deny any further extensions of time.

This decision is subject to the provisions of Section 73-3-14, Utah Code Annotated, 1953, which provides for plenary review by the filing of a civil action in the appropriate district court within sixty days from the date hereof.

Dated this 27th day of March, 1979.

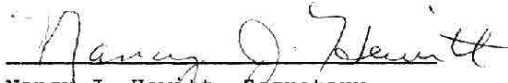

For Dee C. Hansen, State Engineer

DCH:MPP:ap

Application No. 41969 (92-177)
Memorandum Decision
Page 2

Mailed a copy of the foregoing Memorandum Decision this 27th
day of March, 1979, to:

Department of the Interior
National Park Service
P. O. Box 25287
Denver, Colorado 80225


Nancy J. Hewitt, Secretary

FORM 29

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. A-41969 (92-177)

STATE OF UTAH

COUNTY OF San Juan

William L. Mekeel for
The United States of America

, being first duly sworn that he is the (agent of the) owner
of the above-numbered application; that he knows of his own knowledge of the construction of works completed
to date.

Describe briefly the type and extent of construction completed to date; cost of this construction, and the
estimated cost of any remaining construction to be done for completion of project and to submit Proof of
Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time
heretofore allowed.

The water system required a well, pump and approximately 2,500 ft. of pipe
line in order to put the water to full beneficial use. The well and pump
have been installed at a cost of approximately \$4,500. However, the pipe
line has not been installed due to a lack of funds and water is hauled to
the concession's facility from the well.

Request is made for reinstatement and extension of time for filing proof

from February 28, 1979, to February 27, 19 82
Affiant understands he will be notified of a hearing date, at which time he or his representative must attend, be
able to defend data given; and affiant upon oath states that the information given above is to the best of his
knowledge true and correct.

William L. Mekeel
Chief, Division of Water Resources
National Park Service

APPLICANT

(If a corporation, give title of officer signing)

Subscribed and sworn to before me this Twentieth day of February, 19 79

Mary E. Vickers
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

HEARING _____

APPLICANT DID APPEAR _____ APPLICANT DID NOT APPEAR _____

APPLICANT REPRESENTED BY _____

REMARKS _____

RECOMMENDED DISPOSITION: _____



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Water Rights

1636 West North Temple - Salt Lake City, UT 84116 - 801-533-6071

FORM 37

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dee C. Hansen, State Engineer

December 28, 1981

United States of America
Dept. of the Interior
National Park Service
P. O. Box 25287
Denver, Colorado - 80225

Dear Applicant:

RE: Application No. 41969 (92-177)

To appropriate water in Utah or to change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use. Our records indicate that you have not made proof on your application. This is due February 28, 1982.

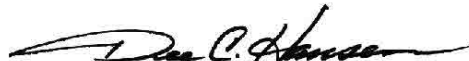
In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either:

1. Submit a satisfactory Proof of Appropriation;
or
2. Elect to file a Statement of Water User's Claim in Lieu of Proof of Appropriation;
or
3. Request an extension of time.

Failure to complete one of the above three actions on or before the proof-due date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed Request for Extension of Time and submitting it in affidavit form before the proof-due date. Submission of a Request for Extension of Time does not assure that it will be granted. Extensions of time are granted only after the applicant has made a showing of diligence before the State Engineer. Also enclosed is an Election to File a Water User's Claim form for submission in lieu of proof if the project is complete.

Yours truly,


Dee C. Hansen, P.E.
State Engineer

Encls: Forms 29 & 152
Certified Mail
jp

P R O O F D U E

Deputy State Engineer/Earl M. Staker Directing Engineers/Harold D. Donaldson • Donald C. Norseth
Stanley Green • Robert L. Morgan

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IN REPLY REFER TO:

D5039

United States Department of the Interior

NATIONAL PARK SERVICE
ARCHES AND CANYONLANDS NATIONAL PARKS
NATURAL BRIDGES NATIONAL MONUMENT
MOAB, UTAH 84532

January 2, 1979

Rocky Mountain
Regional Office

JAN 04 '79

Regional Director	
Deputy Reg. Director	
Administration	
Park Operations	
Plan & Resource Pres.	
Executive Assistant	
Communications & P.A.	
EEO	
Action Taken	

Memorandum

To: Regional Director, Rocky Mountain Region

Attention: Water Resources

From: Superintendent, Canyonlands

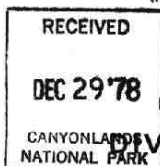
Subject: Water Rights Application A41969 (92-177)

Attached is a request from the State of Utah, Division of Water Rights, for renewal of the water rights on the concessioner's well located in the Needles District of Canyonlands N. P. I am forwarding this request for your action. As far as I know there has been no change in status from the last application in 1976.

Peter L. Parry
Peter L. Parry

Enclosure

Form 37

DEE C. HANSEN
STATE ENGINEERJOHN BENE
DEPUTY

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
(801) 533-6071

December 28, 1978

United States of American
Canyonlands National Park
446 South Main Street
Moab, UT 84532

UTAH STATE
WATER RIGHTS
200 Empire Building
231 East 400 South
Salt Lake City, Utah 84111

Canyonlands National Park		Date
1	Superintendent	12/29/78
2	Asst. Supt.	
	Administrative Officer	
	Fiscal	
	Supply	
X 3	Maint. Spec.	
	Staff Ranger INIP	
	Staff Ranger PMVP	
	CHIEF ENGINEERS	
	WILFRED D. DONALDSON	
	DONALD C. NORSETH	
	STANLEY GREEN	
7	CANY	

Dear Applicant:

RE: A-41969 (92-177)

To appropriate water in Utah or to change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use. Our records indicate that you have not made proof on your application. This is due February 28, 1979.

In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either:

1. Submit a satisfactory Proof of Appropriation;
- or
2. Elect to file a Statement of Water User's Claim in lieu of Proof of Appropriation;
- or
3. Request an extension of time.

Failure to complete one of the above three actions on or before the proof-due date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed Request for Extension of Time and submitting it in affidavit form before the proof-due date. Submission of a Request for Extension of Time in no way guarantees that it will be granted. Extensions of time are granted only after the applicant has made a showing of diligence before the State Engineer. Also enclosed is an Election to File a Water User's Claim form for submission in lieu of proof if the project is complete.

Yours truly,

nh


Dee C. Hansen
State Engineer

Encs.: Forms 29 & 152

P R O O F D U E

Certified Mail



FORM 19

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER

JOHN BENE
DEPUTY

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
(801) 226-2373 533-6071
March 16, 1976

Key Mountain
Regional Office

DIRECTING ENGINEERS
HAROLD D. DODSON
DONALD C. NORSETH
STANLEY GREEN

Director	
Deputy Director	
NPS Mgmt.	
Adm. Services	
Public Affairs	
Operations	
Engineering	
Finance	
EEG	
Action Taken	

United States of America
Canyonlands National Park
% William L. Mekeel
P. O. Box 25287
Denver, Colorado 80225

Dear Mr. Mekeel:

RE: Appl. No. 41969 (92-177) 86

Request for extension of time in which to submit Proof of Appropriation or Proof of Change contemplated by the above-numbered application has been considered and the time for receiving Proof of Appropriation is hereby extended from February 28, 1976 to February 28, 1979 inclusive.

Although this extension is granted in accordance with the provisions of the law, I earnestly recommend that you proceed to prepare and submit proof at the earliest possible date. One cannot foresee what the circumstances may be in the future and the possession of your established water right may be of great importance to you.

Yours truly,

Dee C. Hansen
Dee C. Hansen
State Engineer

jp

EXTENSION GRANTED

FORM 29

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH
REQUEST FOR REINSTATEMENT AND EXTENSION OF TIME
(Before Fourteen Years)

APPLICATION NO. 41969 (92-177)
STATE OF UTAH
COUNTY OF San Juan

William L. Mekeel for
The United States of America, being first duly sworn that he is the (agent of the) owner
of the above-numbered application; that he knows of his own knowledge of the construction of works completed
to date.

Describe briefly the type and extent of construction completed to date; cost of this construction, and the
estimated cost of any remaining construction to be done for completion of project and to submit Proof of
Appropriation. Give reasons why the work could not be completed and water put to beneficial use within time
heretofore allowed.

The water system required a well, pump and approximately 2,500 ft. of pipe
line in order to put the water to full beneficial use. The well and pump
have been installed at a cost of approximately \$4,500. However, the pipe
line has not been installed due to a lack of funds and water is hauled to
the concessioner's facility from the well.

Request is made for reinstatement and extension of time for filing proof

from February 28, 19 76, to February 27, 19 79

Affiant understands he will be notified of a hearing date, at which time he or his representative must attend, be
able to defend data given; and affiant upon oath states that the information given above is to the best of his
knowledge true and correct.

William L. Mekeel
Chief, Division of Water Resources
National Park Service

APPLICANT

(If a corporation, give title of officer signing)

Subscribed and sworn to before me this Tenth day of February, 19 76

Mary E. Greenwald
NOTARY PUBLIC

FOR OFFICE USE ONLY

PROOF DUE DATE _____ 14 YEAR PERIOD ENDS _____

HEARING _____

APPLICANT DID APPEAR _____ APPLICANT DID NOT APPEAR _____

APPLICANT REPRESENTED BY _____

REMARKS _____

RECOMMENDED DISPOSITION: _____



FORM 37

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

DEE C. HANSEN
STATE ENGINEER
JOHN BENE
DEPUTY

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
(801) 533-6071

Rocky Mountain
Regional Office
DIRECTING ENGINEERS
HAROLD D. DONALDSON
DONALD C. NORSETH
STANLEY B. REED

December 31, 1975

United States of America
Canyonlands National Park
446 South Main Street
Moab, Utah 84532

Dear Applicant:

RE: Application No. 41969 (92-177) EEO

To appropriate water in Utah or to change the point of diversion, place and nature of use of water, you must make application, receive approval, complete the intended development work and submit proof that the water has been put to beneficial use. Our records indicate that you have not made proof on your application. This is due February 28, 1976.

In those areas in which general adjudication proceedings are pending and elections are authorized, the applicant can either:

1. Submit a satisfactory Proof of Appropriation;
or
2. Elect to file a Statement of Water User's Claim in lieu of
Proof of Appropriation;
or
3. Request an extension of time.

Failure to complete one of the above three actions on or before the proof-due date shall cause the application to lapse.

If development is not complete, additional time may be allowed by completing the enclosed Request for Extension of Time and submitting it in affidavit form before the proof-due date. Submission of a Request for Extension of Time in no way guarantees that it will be granted. Extensions of time are granted only after the applicant has made a showing of diligence before the State Engineer. Also enclosed is an Election to File a Water User's Claim form for submission in lieu of proof if the project is complete.

Yours truly,

Dee C. Hansen
State Engineer

kb
Encs.: Forms 29 & 152

P R O O F D U E

Certified Mail

<i>W. M. Kel</i>	
Director	
Deputy Director	
NPS Mgmt.	
Administration	
Professional Svcs	
Comp. Activities	
Operations Eval.	
Public Affairs	
EEO	
<i>Michael</i>	
Phone Taken	

Form 33



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF WATER RIGHTS

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114
March 30, 1973

	Carynlands National Park	Date
1	Superintendent	<i>[Signature]</i>
	HUBERT C. LAMOND	
3	Administrative Engineer	
	I.D.#	
2	Mail Stop	TELEPHONE 328-56
	Address	
	Neighborhood	
	City	
	State	
	Name	
1	File	

United States of America
Canyonlands National Park
446 South Main Street
Moab, Utah 84532

Gentlemen:

RE: APPROVED APPLICATION NO. 41969

Enclosed find approved Application No. 41969 (92-177). This is your authority to proceed with actual construction work which, under Sections 73-3-10 and 73-3-12, Utah Code Annotated, 1953, as amended, must be diligently prosecuted to completion. The water shall be put to beneficial use and Proof of Appropriation shall be made to the State Engineer on or before February 28, 1976. otherwise, the application shall lapse.

Failure on your part to comply with the requirements of the statutes may result in forfeiture of this application.

Yours truly,

John Bene
Deputy State Engineer
442 State Capitol
Salt Lake City, Utah 84114

Enc.: Copy of approved application

jh

CANY
WR#5

Legal Notice

NOTICE TO WATER USERS

The following applications have been filed with the State Engineer to appropriate water in San Juan County, State of Utah, throughout the entire year unless otherwise designated. Locations in

SLR&M: 41969 (92-177) United States of American, Canyonlands National Park, 446 S. Main St., Moab, Utah 84532. 0.10 sec.-ft. of water is to be diverted from a 6-inch well 78 ft. deep at a point W. 450 ft. and S. 630 ft. from NE Cor. Sec. 20, T30S, R20E; and used for the domestic purposes of 80 persons and a 15 site campground, restaurant and motel in E 1/2 of Sec. 17, N 1/2 NE 1/4 Sec. 20, T30S, R20E.

42013 (95-892) Leo R. Alger, 637 N. 5th W., Moab, Utah 84532. 0.015 sec.-ft. of water is to be diverted from a 6-inch well 150-200 ft. deep at a point S. 82 ft. and E. 1880 ft. from W 1/4 Cor. Sec. 1, T27S, R23E; and used for the domestic purposes of one family and stockwatering of 20 cattle and 6 horses, and used from Apr. 1 to Oct. 31 for the irrigation of .25 acs. in S 1/2 NW 1/4 Sec. 1, T27S, R23E.

Protests resisting the granting of these applications with reasons therefor must be filed in duplicate with the State Engineer, 442 State Capitol, Salt Lake City, Utah 84114, on or before March 3, 1973.

Hubert C. Lambert
STATE ENGINEER

Published in San Juan Record
Jan. 18, 25 and Feb. 1, 1973.

Form 97 2M 10-70

Utah Code 12-111
Application No. 41964APPLICATION TO APPROPRIATE WATER
STATE OF UTAH

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

For the purpose of acquiring the right to use a portion of the unappropriated water of the State of Utah, for uses indicated by (X) in the proper box or boxes, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of the Laws of Utah.

1. Irrigation ☐ Domestic ☒ Stockwatering ☐ Municipal ☐ Power ☐ Mining ☐ Other Uses ☐

2. The name of the applicant is United States of America

3. The Post Office address of the applicant is Canyonlands National Park
446 South Main St., Moab, Utah 84532

4. The quantity of water to be appropriated 0.10 second-feet and/or _____ acre-feet

5. The water is to be used for domestic use from January 1 to December 31
(Major Purpose) (Month) (Day) (Month) (Day)

other use period _____ from _____ to _____
(Minor Purpose) (Month) (Day) (Month) (Day)

and stored each year (if stored) from _____ to _____
(Month) (Day) (Month) (Day)

6. The drainage area to which the direct source of supply belongs is _____
(Leave Blank)

7. The direct source of supply is* Underground Water
(Name of stream or other source)

which is tributary to _____, tributary to _____

*Note.--Where water is to be diverted from a well, a tunnel, or drain, the source should be designated as "Underground Water" in the first space and the remaining spaces should be left blank. If the source is a stream, a spring, a spring area, or a drain, so indicate in the first space, giving its name, if named, and in the remaining spaces, designate the stream channels to which it is tributary, even though the water may sink, evaporate, or be diverted before reaching said channels. If water from a spring flows in a natural surface channel before being diverted, the direct source should be designated as a stream and not a spring.

8. The point of diversion from the source is in San Juan County, situated at a point*
450 feet West and 630 feet South of the NE corner of Section 20, T30S,
R20E, SL&M

HARTS POINT QUAD

*Note.--The point of diversion must be located definitely by course and distance or by giving the distances north or south, and east or west with reference to a United States land survey corner or United States mineral monument, if within a distance of six miles of either, or if at a greater distance, to some prominent and permanent natural object. No application will be received for filing in which the point of diversion is not defined definitely.

9. The diverting and carrying works will consist of 6-inch well, 78 ft. deep

10. If water is to be stored, give capacity of reservoir in acre-feet _____ height of dam _____
area inundated in acres _____ legal subdivision of area inundated _____

11. If application is for irrigation purposes, the legal subdivisions of the area irrigated are as follows:

_____ Total _____ Acres

12. Is the land owned by the applicant? Yes X No ____ If "No," explain on page 2.

13. Is this water to be used supplementally with other water rights? Yes ____ No X
If "yes," identify other water rights on page 2.

14. If application is for power purposes, describe type of plant, size and rated capacity... No

15. If application is for mining, the water will be used in _____ Mining District at
the _____ mine, where the following ores are mined _____

16. If application is for stockwatering purposes, number and kind of stock watered _____

17. If application is for domestic purposes, number of persons 80 or families _____

18. If application is for municipal purposes, name of municipality _____

19. If application is for other uses, include general description of proposed uses 15 site campground,
restaurant and motel.

20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl. E $\frac{1}{2}$ of Sec 17 and N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 20, T30S, R20E

21. The use of water as set forth in this application will consume 0.10 second-feet ~~and for xxx-~~
~~xxxx of water and~~ 0.00 second feet ~~and xxxxxxxx~~ will be returned to the natural
stream or source at a point described as follows: _____

Page No. 2

EXPLANATORY

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

Lined area for explanatory text.

(Use page 4 if additional explanatory is needed.)

The quantity of water sought to be appropriated is limited to that which can be beneficially used for the purpose herein described

United States of America
Signature of Applicant*
Don Alpert, Chief, Pioneer Conservation District

*If applicant is a corporation or other organization, signature must be the name of such corporation or organization by its proper officer, or in the name of the partnership by one of the partners, and the names of the other partners shall be listed. If a corporation or partnership, the affidavit below need not be filled in. If there is more than one applicant, a power of attorney, authorizing one to act for all, should accompany the Application.

DECLARATION OF CITIZENSHIP

STATE OF UTAH, } ss
County of Grand

On the 28th day of December, 1972, personally appeared before me, a notary public for the State of Utah, the above applicant who, on oath, declared that he is a citizen of the United States, or has declared his intention to become such a citizen.

My commission expires:

6-13-75

(SEAL)

Geoffrey C. Clevins
Notary Public

Residing at Moab, Utah

FEES FOR APPLICATIONS TO APPROPRIATE WATER IN UTAH			
Flow rate — c.f.s.		Cost	
0.0	to 0.1	\$ 10.00	
over 0.1	to 0.5	20.00	
over 0.5	to 1.0	30.00	
over 1.0	to 15.0	30.00	plus \$5 for each cfs above the first cubic foot
over 15.0		100.00	per second.
Storage — acre-feet			
0	to 20	15.00	
over 20	to 500	30.00	
over 500	to 7500	30.00	plus \$5 for each 500 a.f. above the first 500
over 7500		100.00	acre feet.



(This section is not to be filled in by applicant)

STATE ENGINEER'S ENDORSEMENTS

1. Nov. 29, 1972 Application received by mail in State Engineer's office by WCK
over counter
2. Priority of Application brought down to, on account of
3. Nov. 30, 1972 Application fee, \$ 20.00 received by WCK Rec. No. 0-30-27
4. 12/26/72 Application microfilmed by Roll No. 671
5. Dec. 31, 1972 Indexed by WCK Platted by Don. 2/28/73
(D-30-10) 1.0 a.c.m.
6. Dec. 5, 1972 Application examined by WCK
7. Application returned, or corrected by office
8. Corrected Application resubmitted by mail to State Engineer's office.
over counter
9. Dec. 8, 1972 Application approved for advertisement by WCK
10. 1/10/73 Notice to water users prepared by dph + es
11. 1/10/73 Publication began; was completed 2/1/73
Notice published in San Juan Record
12. 1-17-73 Proof slips checked by dph + kw
13. Application protested by
14. Mar. 19, 1973 Publisher paid by M.E.V. No. 2-1345
15. Hearing held by
16. Field examination by
17. March 28, 1973 Application designated for approval WCK EMO
rejection
18. 3-30-73 Application copied or photostated by th proofread by
19. 3-30-73 Application approved
rejection
20. Conditions:
This Application is approved, subject to prior rights, as follows:
 - a. Actual construction work shall be diligently prosecuted to completion.
 - b. Proof of Appropriation shall be submitted to the State Engineer's office by 2-28-76
 - c.
21. Time for making Proof of Appropriation extended to
22. Proof of Appropriation submitted.
23. Certificate of Appropriation, No. issued

Application No. 41969

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists

of pages

SPECIAL USE PERMIT

PERMIT NO.	EXPIRES
2:164:81	12/31/78
PREVIOUS PERMIT NO.	
2:164:81	

L30
Canyonlands Resort, Inc. of Canyonlands National Park hereby authorized
 during the period from January 1, 1973 to December 31, 1973
 using the following described land in the above named area 638, Moab, Utah 84532
January 1, 1973 73 December 31, 73

E $\frac{1}{2}$ of Section 17 and the NW $\frac{1}{4}$ of Section 20, Township 30S, Range 20E, specifically
the drainage of Salt Creek running northward from the newly constructed east
approach road, Route 5.

construction, development, and maintenance of a water station, pipeline, and necessary appurtenant works to provide water to the Canyonlands Resort located on private lands outside the Park in Section 16, Township 30S, Range 20E.

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of Twenty-five and 00/100 (Monthly, semiannually, etc.), or as follows:

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at Moab, Utah this 29th day of August, 1972
Robert D. ... Superintendent

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

TWO WITNESSES TO SIGNATURES		PERMITTEE (Signature)	
NAME	<u>David C. Meier</u>	NAME	<u>Canyonlands Resort, Inc. by Robert D. ...</u>
ADDRESS	<u>Canyonlands Nat'l Park</u>	ADDRESS	<u>...</u>
NAME	<u>Michael T. Brown</u>	NAME	<u>...</u>
ADDRESS	<u>Canyonlands Resort</u>	ADDRESS	<u>...</u>
APPROVED: (If approval is required by higher authority)			
NAME	TITLE	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.

16-20808-7

(This copy for the Regional Office Files)

Form 10-114
(Rev. 1-20-73)

rec'd with memo
 dated 4-16-73

SEARCHED	INDEXED
SERIALIZED	FILED
FBI - MOAB	

Page 1

CONDITIONS OF THIS PERMIT

1. Regulations.—The permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with the regulations of the Secretary of the Interior, or other authorized officer of the Government, governing the area.

2. Definition.—The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent as the representative of the Director.

3. Rights of the Director.—Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, 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. If it is necessary to exercise such right, every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the permittee for the purpose intended under this permit.

4. Nondiscrimination.—See attachment A.

5. Damages.—The permittee shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the permittee is authorized to make of the land described in this permit.

6. Construction.—No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

7. Removal of structures and improvements.—Upon the expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the

United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

8. Water rights.—The United States reserves the rights to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

9. Disposal of refuse.—The permittee shall dispose of brush and other refuse as required by the Superintendent.

10. Timber cutting.—No timber may be cut or destroyed without first obtaining a permit therefor from the Director, National Park Service.

11. Fire prevention and suppression.—The permittee and his employees shall take all reasonable precautions to prevent forest, brush, grass, and structural fires and also shall assist the Superintendent in extinguishing such fires in the vicinity of any tract which may be used hereunder.

12. Soil erosion.—The permittee shall take adequate measures, as directed and approved by the Superintendent to restrict and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. Benefit.—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 benefit of such corporation.

14. Assignment.—This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

15. Revocation.—This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

SPECIAL USE PERMIT CONTINUATION SHEET

AREA	PERMIT NO.	PAGE NO.
Canyonlands National Park	2:164:81	3

16. All costs are to be borne by Permittee.
17. The well and all other constructed works within the Park, the water, and water rights will remain Federal property.
18. Access to the site and the drilling of the well must be done with a minimum of damage to the natural features and the area must be restored to the satisfaction of the Superintendent when the well is drilled and established.
19. The National Park Service retains the right to regulate the use of this well should operation in any way effect existing wells in the vicinity.
20. The National Park Service retains the right to revoke this permit at any time should the water become contaminated or in other wise become unfit for human consumption either through natural forces or through neglect or misuse by the Permittee.
21. In order for this permit to remain valid the Permittee agrees to meet all potable water standards of the U.S.P.H.S. and the State of Utah at all times both in construction and maintenance of the facilities.
22. All such permits, legal documents, and other such legal requirements as required by the State of Utah will be the sole responsibility of the Permittee to fulfill. Failure to comply with the State of Utah regulations governing water rights and water use will be cause for revocation of this permit.
23. All pipelines and utility lines shall be placed underground. The pumphouse shall be located and constructed so as not to be seen from Park roads. All possible care must be taken to disturb the natural scene as little as possible, and to restore the natural conditions after construction is complete. Permanent service roads are prohibited. Vehicle tracks shall be obliterated when construction is complete.
24. In consideration for obtaining the privileges granted herein, Permittee agrees to indemnify and save harmless the United States from any loss to it, including not only damage to government property and injury to government employees but also judgments, settlements or compromises for property damage or injury to all persons for which the United States may be liable, resulting from the exercise by the Permittee and its employees of the privileges granted herein.

ATTACHMENT A

CONTINUATION OF CONDITIONS OF THIS PERMIT (FORM 10-114)

The following provisions constitute Condition 4 in accordance with Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967.

Nondiscrimination. If use of the resource covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees as follows:

- (1) The Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Superintendent setting forth the provisions of this nondiscrimination clause.
- (2) The Permittee will, in all solicitations or advertisements for employees placed by or on behalf of the Permittee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- (3) The Permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Superintendent, advising the labor union or workers' representative of the Permittee's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, as amended, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The Permittee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- (5) The Permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Superintendent and Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the Permittee's noncompliance with the nondiscrimination clauses of this permit or with any of such rules, regulations, or orders, this permit may be cancelled, terminated or suspended in whole or in part and the Permittee may be declared ineligible for further Government contracts or permits in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Permittee will include the provisions of Paragraphs (1) through (7) in every subcontract of purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontract or purchase order as the Superintendent may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the Permittee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Superintendent, the Permittee may request the United States to enter into such litigation to protect the interests of the United States.

Arches and Canyonlands National Parks
Natural Bridges National Monument
Moab, Utah 84532

L54

September 6, 1972

Mr. Richard Smith
Canyonlands Resorts, Inc.
Wayside Motel
Monticello, Utah 84535

Dear Dick:

In reviewing the Special Use Permit file regarding the well that was drilled in 1968 to provide water for your development we note that, "the well and other constructed works within the Park, the water, and the water rights will remain Federal property." We can find nothing in our files to indicate that application was ever made to the State Engineer to obtain an appropriation of water for your use. Until this is done, we (the National Park Service and Canyonlands Resort) are in violation of State law and the legal right to this water is in jeopardy.

If you have made application to the State Engineer for the legal right to this water (in the name of the United States of America, National Park Service) please send copies of the documents to this office; if you haven't made application, please do so immediately.

I will withhold approval of the Special Use Permit until the necessary documents are on file in this office. If we can be of help in any of this, please let us know.

Sincerely yours,

Robert I. Kerr
Superintendent

cc
Minor, Needles

RIKerr:mf 9/6/72

Send	<i>Canyonlands</i>
For	<i>info</i>
By	<i>SA [illegible] 7-14-71</i>

July 12, 1971

L54-CSW

Memorandum

To: Director, Western Service Center
Attention: Mr. Gerard S. Witucki

From: Chief, Division of Water Resources

Subject: Completion Report - Needles District - Canyonlands

Enclosed is a copy of a completion report which indicates that \$34,965 was expended for water rights and other interests in land.

The narrative states that a right-of-way was acquired as a result of a land exchange with Redd Ranch. Please check to see if any water rights were acquired along with the right away. Alien Water Right Docket No. 1 documents diligence claims by Redd Ranches Inc. (Scorup Somerville Ranch) to Squaw Springs, Cave Springs and Soda Springs. Please keep us advised on this matter.

(Signed)

Manuel Morris

cc:
Director, Southwest Region (2)

Superintendent	☒
Asst. Superintendent	☒
Administrative Officer	☒
S. PM	☒
Agent, Supv.	☒
Personnel	☒
Supply	☒
Armed	☒
Records	☒
Legal	☒
Right	☒
Library	☒
File	☒



IN REPLY REFER TO:
L54-OLW

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240
April 1, 1968

RECEIVED		
NPS SOUTHWEST REGIONAL OFFICE		
APR 4 1968		
	Surname	Date
Regional Director		
Operations		
Administration		
Coop. Activities		
Development		
File		

Memorandum

To: Chief, Office of Land and Water Rights, SSC
Attention: Mr. Fields

From: Chief, Branch of Water Resources

Subject: Special use permit for drilling well, Canyonlands

Enclosed for your information, is a copy of a special use permit issued to Canyonlands Resort, Inc., to drill a water well within Canyonlands National Park. We have added a copy to Alien Water Right No. 2 docket that was transmitted with Mr. Fields' memorandum of February 20, but still question the use of the term "alien."

E. W. Reed
E. W. Reed

Enclosure

cc:
Regional Director, Southwest (2)

*Lets take the word
"alien" from this
docket and
notify WASO*

RECEIVED		
San Francisco Planning and Service Center		
Office of Land and Water Rights		
NATIONAL PARK SERVICE		
APR 8 1968		
ACT. INFO.	INITIALS	DATE
CHIEF		
ASST. CHIEF		
STAFF ASST.		
ASST. DIR.		
PLANNING		
TECH.		
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SUPV. HYD. ENG.		
ROBERTS		
DOCKET		

CANY

L54-OLW

March 4, 1968

Canyonlands National Park	
1	Superintendent
	Ass't. Superintendent
	Administrative Officer
2	T. & RM
	Landscape Architect
3	File

Memorandum

To: Chief, Office of Land and Water Rights, SSC
Attention: Mr. Fields

From: Chief, Branch of Water Resources

Subject: Alien Water Right Docket No. 2, Canyonlands

This will acknowledge receipt of Mr. Fields' memorandum of February 20 transmitting the above docket. We have no comments concerning the material in the docket, except to say that it is an excellent start, but question calling it an "Alien Water Right." It is our understanding that the water rights and the well will be property of the United States and no legal rights will accrue to the motel owners. It is suggested that the docket be numbered, in proper order, as a Federal water right.

(Signed)

E. W. Reed

cc:
Regional Director, Southwest (2)
Chief, DC, SSC

February 20, 1968

L54 LWSSC

CANY - Alien Water Rights Docket No. 2

Memorandum

To: Chief, Division of Land and Water Rights, WASO
Attention: Chief, Branch of Water Resources

From: Supervisory Hydraulic Engineer

Subject: Transmittal of Material, Canyonlands National Park
Alien Water Rights Docket No. 2

Enclosed is Alien Water Rights Docket No. 2, Canyonlands National Park.

This docket concerns the water supply for motel to Needles Section, Canyonlands. To date, we have received no material pertaining to a drilling permit which is to be applied for by Mr. Smith, Manager, Canyonlands Resort, Inc., and issued by the Utah State Engineer in the Name of the United States. When we receive more material, it will promptly be transmitted for inclusion in this docket.

(Sgd.) William E. Fields

Enclosure

cc: Regional Director, w/c enc
Superintendent, Canyonlands, w/enc
JWRoberts:ge

gmk
~~ROBERTS~~
W.E.F.
FIELDS
W.E.
GRAY

L3031

FEB 13 1968

Canyonlands National Monument	
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100	Antelope Valley

George W. Miller

Enclosure

* If this is not clear to you, just
fine me a ring. Guess
(x 25¢)

Form 10-114
(Rev. Oct. 1968)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists

of 5 pages

SPECIAL USE PERMIT

Canyonlands National Park (Area)

PERMIT NO. 3:164:3	EXPIRES 12/31/68
PREVIOUS PERMIT NO.	

Canyonlands Report, Inc., of Box 938, Monticello, Utah 84535 is hereby authorized during the period from January 1, 1968, to December 31, 1968, to use the following-described land in the above-named area:

E $\frac{1}{2}$ of Section 17 and the NE $\frac{1}{4}$ of Section 20, Township 30S, Range 20E, specifically the drainage of Salt Creek running northward from the newly constructed east approach road, Route 5.

for the purpose of drilling a water well.

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of Twenty-five and no/100 Dollars (\$25.00), in advance annually (Monthly, semiannually, etc.), or as follows:

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash:

Issued at Monticello, Utah, this 16th day of February, 1968

Bates E. Wilson Superintendent

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

TWO WITNESSES TO SIGNATURES		* PERMITTEE (SIGNATURE)	
NAME <u>James H. Hines</u>	NAME <u>Jordan J. Black, Pres.</u>	NAME <u>Richard L. Smith, Vice Pres.</u>	
ADDRESS <u>Monticello, Utah</u>	ADDRESS <u>Monticello, Utah</u>	ADDRESS <u>Monticello, Utah</u>	
NAME <u>Brent S. Hatch</u>	NAME <u>Richard L. Smith, Vice Pres.</u>	NAME <u>Richard L. Smith, Vice Pres.</u>	
ADDRESS <u>Kirtland, Utah</u>	ADDRESS <u>Monticello, Utah</u>	ADDRESS <u>Monticello, Utah</u>	
APPROVED: (If approval is required by higher authority)			
NAME	TITLE	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 Branch of Lands, Washington]

PAGE 1

CONDITIONS OF THIS PERMIT

1. **Regulations.**—The permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with the regulations of the Secretary of the Interior, or other authorized officer of the Government, governing the area.

2. **Definition.**—The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent as the representative of the Director.

3. **Rights of the Director.**—Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, 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. If it is necessary to exercise such right, every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the permittee for the purpose intended under this permit.

4. **Nondiscrimination.**—If use of the land covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees to observe the following nondiscrimination provisions in connection with the use to which the lands covered by this permit may be devoted:

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the non-discrimination clause.

The contractor further agrees to insert the foregoing provisions in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials. (Executive Order 10557; September 3, 1954.)

5. **Damages.**—The permittee shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the permittee is authorized to make of the land described in this permit.

6. **Construction.**—No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

7. **Removal of structures and improvements.**—Upon the expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

8. **Water Rights.**—The United States reserves the rights to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

9. **Disposal of refuse.**—The permittee shall dispose of brush and other refuse as required by the Superintendent.

10. **Timber cutting.**—No timber may be cut or destroyed without first obtaining a permit therefor from the Director, National Park Service.

11. **Fire prevention and suppression.**—The permittee and his employees shall take all reasonable precautions to prevent forest, brush, grass, and structural fires and also shall assist the Superintendent in extinguishing such fires in the vicinity of any tract which may be used hereunder.

12. **Soil erosion.**—The permittee shall take adequate measures, as directed and approved by the Superintendent to restrict and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. **Benefit.**—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 benefit of such corporation.

14. **Assignment.**—This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

15. **Revocation.**—This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

Form 10-114a
(Dec. 1956)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA	PERMIT NO.	PAGE NO.
Canyonlands National Park	3:164:3	3

16. All costs are to be borne by the permittee.
17. The drilling and water rights must be filed in the name of the United States.
18. The well shall be located a minimum of 4,000 feet downstream from the existing National Park Service well in Section 20, Township 30 S, Range 20 E.
19. Access to the site and the drilling of the well must be done with a minimum of damage to the natural features and the area must be restored to the satisfaction of the Superintendent when the well is drilled and established.
20. If a satisfactory source of water is located, the National Park Service will issue a permit for the use and development.
21. The National Park Service retains the right to regulate the use of this well should operation in any way affect existing wells in the vicinity.

ATTACHMENT A

CONTINUATION OF CONDITIONS OF THIS PERMIT (Form 10-114)

United States Department of the Interior
National Park Service

The following provisions constitute Condition 4 in accordance with Executive Order No. 11246 of September 24, 1965.

Nondiscrimination. If use of the land covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees as follows:

- (1) The Permittee will not discriminate against any employee or applicant for employment because of race, creed, color, ancestry, or national origin. The Permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, color, ancestry or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Superintendent setting forth the provisions of this nondiscrimination clause.
- (2) The Permittee will, in all solicitations or advertisements for employees placed by or on behalf of the Permittee, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.
- (3) The Permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Superintendent, advising the labor union or workers' representative of the Permittee's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (4) The Permittee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- (5) The Permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Superintendent and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

ATTACHMENT A

CONTINUATION OF CONDITIONS OF THIS PERMIT (Form 10-11h)

(Continued)

(6) In the event of the Permittee's noncompliance with the nondiscrimination clauses of this permit or with any of such rules, regulations, or orders, this permit may be cancelled, terminated or suspended in whole or in part and the Permittee may be declared ineligible for further Government contracts or permits in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The Permittee will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Permittee will take such action with respect to any subcontract or purchase order as the Superintendent may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, That in the event the Permittee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Superintendent, the Permittee may request the United States to enter into such litigation to protect the interests of the United States.

Permit No: 3:164:3

Area: Canyonlands National Park

Permittee: *Louise J. Black, Pres.*
Canyonlands Resort, Inc.

254 General
Carpenter's

cc:
Reg.Dir.,SWRO
←Off.Land & Wtr.,SSC
Dist.Ranger, Needles

Per SSC memo 9/10/69

Canyonlands Resort Well

Drilled by W.E. Hoggard Drilling Co. of Blanding,
Utah

Work completed July 6, 1968

Location NW $\frac{1}{4}$, Sec 20, T30S, R20E

Depth 78'

Casing diameter = 6" (casing is perforated)

Static water level = 23.1' below ground level

Log = all sand

Yield = 44 gpm after 5 hrs. of pumping

First hole drilled downstream to north,
no water found, so second hole drilled resulting
in good well.

Canyonlands Resort, Orec. is out of
business and the SUP has not been
renewed. They have drilled a well
and obtained water but have not
completed the work needed to put
it to use.

State <u>52</u>	County <u>Snn Juan</u>	<u>19</u>	Location <u>About 50 mi NW of Monticello, Utah</u>		Used by <u>Longlandy Resort</u>
Well No. <u>380959W</u>	Latitude <u>1094450</u>	Seq. No. <u>1</u>	Location <u>About 50 mi NW of Monticello, Utah</u>		TR No. <u>(D-30-20)2000-1</u>
Depth <u>78</u> ft.	Dia. <u>6</u> in.	Cased to <u> </u> ft.	Use <u>Don't</u>	Source <u>Well No. 5</u> (Drilled)	Needles Aren
Date <u>Oct. 9, 1968</u>	POC <u>Well Head</u>	Owner <u>National Park Service</u>	WBF <u>Sand 70 to 78</u>		
Sample depth <u> </u>	Type <u> </u>	Coll. <u>C. T. Surron</u>	Yield <u>23.1</u> Below <u> </u> gpm <u>LSD</u>		
Specific Conductance <u>1490</u> Kx10 ⁶			Temp <u>27.4</u> °C		
R(KCl) <u>2.87</u>			R sample <u>1.72</u>		
pH <u>8.0</u>			Factor <u> </u>		
Temp (field) <u>15</u>			Mg <u>73</u>		
HCO ₃ <u>536</u> ml			CO ₃ <u>0</u>		
SO ₄ <u>223</u> ml			Cl <u>128</u> ml		
15 HCO ₃ <u> </u>			as CO ₃ <u>264</u>		
NO ₃ <u>03</u> ml			PO ₄ <u> </u> ml		
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Cr <u> </u>			Li <u> </u>		
Sr <u> </u>			As <u> </u>		
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Remarks <u>1-1 liter bottle, 1-8 oz. bottle not filtered or acidified in the field. Clear "A" Analysis plus Sr, An, So, Cr.</u>			Account <u>10</u>		
Good taste			In solution at time of collection.		

Other Supporting Information

WATER RIGHT RECORD

Park: CANY

Docket Number:
Federal #5

IDENTIFICATION NO: *Handwritten: Hunt well*
CANY, W, 20, 30, 20, E, F, O, 5

DITCH/WATER SYSTEM: Salt Creek Area

SOURCE OF SUPPLY: Well

LOCATION: 450 ft. West and 630 ft. South of the NE Cor. of Sec. 20,
T30S, R20E, SLB&M

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: 41969

Certificate Record Number:

Date of Priority: November 29, 1972

Quantity of Water: 0.10 c.f.s.

Purpose: Domestic

Irrigated Land Description:

NOTE TO FILE:

SUMMARY OF STATUS: This is a Federal water right consisting of a well and pump station.

The National Park Service issued a Special Use Permit on February 16, 1968, to Canyonlands Resort, Inc. for the drilling of a well within the park boundaries. They drilled a well and obtained water, but went out of business in 1969. In August of 1972 another Special Use Permit was issued for the construction of the water well system. A request for extension of time was made in February 1976. The pipeline still has not been installed, and water is being hauled to the concessioner's facility from the well.

CANY

X

JAN 18 1968

A3815-OLW

Memorandum

To: Regional Director, Southwest Region
 From: Assistant Director

Subject: Water supply for motel adjacent to Needles Section,
 Canyonlands

This will acknowledge your memorandum of December 22, 1967, on the above subject. We concur in your recommendation that the motel owners be permitted to obtain water from within the park. We also agree that the existing wells and spring should not be used to supply the motel, but that the owners should drill an additional well in the alluvium of Salt Creek at least one mile downstream from the park supply.

As outlined in your memorandum, the motel owners should file with the State Engineer for the necessary drilling permits in the name of the United States. The park can then issue a special use permit for the drilling and construction of the well, pipeline, and necessary appurtenant works. This permit should have a reasonable expiration date to permit the work to be accomplished, provide for the necessary protection of the park, and should spell out that all costs are to be borne by the motel owners, that the well and other constructed works within the park, the water, and the water rights are Federal property. After construction is completed, a second renewable permit can be issued covering the use of water from the well and necessary maintenance operations, with proper provisions for protection of the park. It should make a reasonable charge for the water used based on charges in the surrounding area with due allowance for the fact that all costs are borne by the permittee. It also should contain a clause that the permittee will supply other users outside the park with water, upon determination by the National Park Service that such use is for the benefit of the park, to the extent that the system can supply such water in excess of the reasonable needs of the motel operation. The motel owners should be permitted to make a reasonable charge or some other arrangements to cover their investment in the water system. Any permits drawn up should be reviewed by the Field Solicitor and the Office of Land and Water Rights, San Francisco Planning and Service Center before being issued.

RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
JAN 22 1968	
ACT. INFO.	INITIALS/DATE
CHIEF	
ASST. CHIEF	
SUPV. ENG.	
SUP. Hyd. Eng.	WER
DOCKET	
FILE	

X
Please proceed in general along these lines and continue to keep this Office informed. Your careful consideration of this question is appreciated.

(Sgd) Edward A. Hummel

cc:

Chief, Office of Land and Water Rights, SSC, Attn: Mr. Fields
Superintendent, Canyonlands
Chief, DC, SSC
Chief, DC, WSC, w/c inc.

DEC 22 1967

fēe

3. Our wells and one spring all located in the Salt Creek drainage are not adequate to supply both the park and the motel. Our present wells can probably provide 60 to 100 gallons per minute and we may eventually need that much or more. If Mr. Black drills approximately one mile downstream from our wells, Supervisory Hydraulic Engineer Fields is of the opinion our supply will not be affected.

4. His development outside the park will preclude the need for some developments within the park. This will save park resources. It will also provide a needed service in that remote area.

5. Number 4 answers this question.

6. The answer is no. Human suffering or extreme financial hardship does not exist at present, unless it can be assumed that Mr. Black has already overextended himself financially.

7. The consensus here is that development and use of water from within the park by the private development will not damage the park in any way insofar as we can determine.

We have had some concern over lack of control of development adjacent to this important park entrance. However, construction undertaken so far by Mr. Black is quite attractive and high standard.

We are attaching a copy of Acting Superintendent Contor's memorandum to SIW SSC which provides additional detailed information.

(SIGNED)

Frank F. Kowski

In duplicate

cc: Chief, SSC, SIW
Chief, SSC, DC
Superintendent, Canyonlands



CANY

UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Canyonlands National Park

Arches and Natural Bridges National Monuments
Moab, Utah 84532

IN REPLY REFER TO:

L54

X A3815 OLW

December 18, 1967

RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
DEC 21 1967	
POST INFO	INITIALS/DATE
PLANTER	
ASST. CHIEF	
STAFF ASST.	
SUPV. AP. R.	
SUP. HYD. ENG.	
Mr. Fields has been	
DOCKET	
FILE	

Memorandum

To: Office of Land and Water Rights, SSC
Attention: Mr. Richard K. Weaver

From: Acting Superintendent, Canyonlands

Subject: Water supply for motel adjacent to Canyonlands

000000

27 DEC 1967

We will try to answer some of the questions raised in Mr. Hummel's memo of December 6 to the Regional Director, Southwest Region. We understand your office will prepare the full answer to that letter.

1. To the best of our knowledge the alluvium of Salt Creek is the only practical source of water available to Canyonlands Resorts, Inc. The owners have already drilled to depths of 500 feet on their own property and found only highly saline water. This could be used for some purposes such as for a swimming pool or for toilets if a separate water system was installed in the motel units, but it could not be converted for domestic use on a practical basis.
2. The use of this water resource would obviously amount to a financial gain for the owners of the corporation, but the advantages would be spread among all of the visitors to this section of Canyonlands National Park who would obtain supplies and services at the business location.
3. This question cannot be answered until hydrologic studies and/or drilling tests have been completed. The National Park Service well (which is drilled in the same alluvial deposit approximately one mile upstream from the proposed location of the resort well) produces approximately 70 gallons per minute.
4. If water can be obtained from the Salt Creek alluvium for the resort, the need for concession facilities inside the Park will be diminished or possibly eliminated. Park resources would benefit greatly and Service policy on the matter would be honored.

5. Yes.

X
6. The use of the water in question will not alleviate human suffering but it would avoid extreme financial hardship to the Canyonlands Resort owners. They have already invested many thousands of dollars in the development of the resort thus far, which includes a modern service station and store combination, a road development, and installation of a trailer court.

7. The proposed water development would damage the park only to the extent of a small pump house and an underground electric and water line crossing approximately 2000 feet of park land in an area not normally seen or used by park visitors. However, we assume the hydraulic engineer will consider the possibility that excess pumping at the proposed resort well might lower the water table of the Salt Creek alluvium thus affecting the Park Service well upstream.

We are not enthusiastic over the possibility of permitting the resort owners to tap the present unused National Park Service well. This would require the installation of perhaps twice as much underground water and electric line. A hardship would be worked on the resort owners within the next two or three years when it becomes necessary for the Service to assume full use of our existing well.


Roger J. Contor

L + W

RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
DEC 11 1967	
ACT. INFO.	DISSEMINATE
☒ CHIEF	☒
☒ ASST. CHIEF	☒
☒ SANG. ADJUT.	☒
☒ SUPV. ADJ. R.	☒
☒ SUP. HYD. ENG.	☒
☒ DOCKET	☒
☒ FILE	☒

A3815-OLW

DEC 6 - 1967

Memorandum

To: Regional Director, Southwest Region

From: Assistant Director

Subject: Water supply for motel adjacent to Canyonlands

Now that the policy question of supplying water to facilities outside of Service areas has been reconciled with the policy to encourage visitor facilities outside park boundaries to the extent that such a supply should be considered, please refer to Senator Moss' letter of October 12 concerning a possible supply of water for Mr. Black's motel operations outside Canyonlands National Park. Our reply of November 16 indicated that additional study was needed for a proper reply.

In addition to clarification of policy, a decision on whether to grant the request to use water from within the park depends on other factors as well. You will recall that these were listed in the policy discussion paper presented at the recent Gettysburg meeting and are restated below in question form.

1. Is the source (alluvium of Salt Creek) the only reasonable source of water available to the motel?
2. Is the use of the water resource solely for the financial gain or advantage of a privileged few?
3. Is the water source adequate to supply all future needs of the park and the motel?
4. Will the use of the water further the purpose of the park and contribute in a material way either to make the park more accessible to the public or to protect the park resources?
5. Will the use of the water eliminate or reduce the investment of Federal funds for comparable type facilities or services?
6. Will the use of the water alleviate human suffering or extreme financial hardship brought about by unforeseeable conditions?

7. Will the development and use of the water damage the park in any way?

X The discussion paper also mentioned that the use of water now being considered would be by special use permit, the water rights would be perfected in the name of the United States, and the costs attendant to such diversion would be borne by the applicant. If the decision is favorable to the motel these details can be taken care of at that time.

Please review the problem in the light of the above questions or any other factor that may be pertinent and recommend a course of action to this Office. By copy of this memorandum, we are requesting the Supervisory Hydraulic Engineer, Office of Land and Water Rights, San Francisco Planning and Service Center, to send you answers to (1) and (3) above and to add any hydrologic information that may be pertinent to the problem. In this connection, we understand that it would be possible to tap the present unused park well or develop another well or wells farther downstream, which would not interfere with the existing well. Subject to confirmation by the Supervisory Hydraulic Engineer, these two possibilities should be considered in making your recommendations.

Please reply as soon as possible.

(Sgd) Edward A. Nimmoff

cc:

Chief, Office of Land and Water Rights, SSC, Attn: Mr. Fields
Superintendent, Canyonlands



IN REPLY REFER TO:
A3815-DAL

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

*Water Rights
File copy file*

RECEIVED	
San Francisco Planning and Control Center Office of Land and Water Affairs NATIONAL PARK SERVICE	
NOV 16 1967	
ACT INFO	INITIALS DATE
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✓ ASST. DIR.	
✓ SUR. MGR.	
✓ AD. MGR.	
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NOV 16 1967

Hon. Frank E. Moss
United States Senate
Washington, D. C.

Dear Senator Moss:

Thank you for your inquiry of October 12 concerning the water problem of a certain motel operator and the surfacing of the road to the Cave Spring entrance to Canyonlands National Park. Your letter indicated that the motel operator is a Mr. Redd, but it is our understanding it is a Mr. Black.

The problem of water for the motel operator at Cave Spring requires additional study before we can make a responsive answer. We will provide you our reply on this matter as soon as the unresolved issues are settled.

In regard to the second problem having to do with the county road leading to the park entrance at Cave Spring, we wish to assure you of our wholehearted interest in working with San Juan County to get it improved.

Careful consideration is being given the county's proposal to undertake with its equipment the surfacing of the road with funding on a matching basis, \$100,000 of county funds plus \$100,000 to be provided by the National Park Service. The Service's participation in this proposal is dependent upon the availability of funds and satisfactory resolutions of such matters as ownership of the right-of-way, responsibilities for maintenance after completion, etc. Consultations are underway with the county, and we expect to follow through with an agreement providing for the cooperative improvement work.

Assuming satisfactory conclusions of the matters of right-of-way and post-improvement maintenance, the problem will then be the matter of availability of funds and scheduling of the work. We are unable to provide our share of the funds immediately. We are, however, now in the process of preparing our 1969 fiscal year construction program which will be considered by the Bureau of the Budget. Since the

amount and items to be included in the President's budget for 1969 have not yet been determined, we can give no assurance at this time that the amount needed for the road improvement work will be included. We are anxious, however, to provide for the road improvement work at the earliest possible date, and the need will be given full consideration in the preparation of the 1969 budget requests.

Your interest in the programs of the National Park Service is greatly appreciated.

Sincerely yours,

(S) GEORGE B. HARTZOG, JR.
Director

cc:
Regional Director, Southwest } w/c of inc.
Supt., Canyonlands }
Chief, D&C, SSC }
Chief, IW, SSC }
Attention: Mr. Fields }
WSC-D&C }
OIM, Mr. Reed }
DAL, Mr. Melvin }
WSC-D&C-PR }
D, Mr. Hartzog }

EWReed:CSSchuster:pj 10/26/67
Rewritten:CTEan:pj 11/3/67

COMMITTEE ON COMMERCE

Recd 10/12

Dear George:

The first has to do with the water problem of the concessionaire at Cave Spring. As you know, Mr. Redd has begun by building a very fine facility, and has plans for providing motel housing and other accommodations outside of the boundary of the park, but in keeping with the plans for the park. This is greatly needed at this time, as you are well aware.

I am advised that he has now drilled some 27 wells in an attempt to get water for his installation, and that all of the wells have been salt water. A short distance away, and across the park boundary, the Park Service has been able to bring in good fresh water wells. Mr. Redd would like to (a) be granted a permit to drill a well in the drainage area and bring the water from within the park to his facility, or (b) purchase water on a continuing contract from the National Park Service from a well which it would drill within the park boundary.

Either of these proposals would be satisfactory, but we do need immediate action, since he cannot, of course, proceed further with his investment until he has been assured of a water supply. I would appreciate it if you could take this matter under your personal jurisdiction and get it quickly resolved.

The second problem has to do with surfacing the county road which comes to the entrance of the park at Cave Spring. As you are well aware, the road is gravel surfaced and is in a very washboard condition. I think we got more shaking around driving that road at the increased rate that we traveled, of course, than we did on some of the very spectacular four-wheel

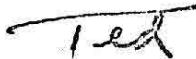
The Honorable George B. Hartzog
October 12, 1967
Page Two

drive type roads within the park. To have this road rough and unsurfaced is a great annoyance to our tourists, and we get more complaints about this than anything else connected with the park. It is also a fact that many times we've had tire damage and other damage due to the sharp rocks on the road and the rough coverage.

As we discussed in Utah, the county of San Juan is prepared to undertake the surfacing of the road with its own equipment, provided the Park Service can match the funds which the county has for that purpose. It is their estimate that with \$100,000 put up by the county, and \$100,000 by the National Park Service, and with the county using its own equipment and its own personnel, the road can be surfaced yet this fall. I would urge that this bargain proposal be accepted forthwith. As you are aware, the legislation creating the park provided authority for building access roads. Under that authority, it is my opinion that certainly you can participate in providing surface material for access roads, and the amount involved is minor compared with the benefits to be derived.

I would appreciate a quick decision in this matter so that I could call the chairman of the county commission. The reason for their visit with us on Sunday as we left Canyonlands was to seek an answer to this problem.

Sincerely,



Frank E. Moss
United States Senator

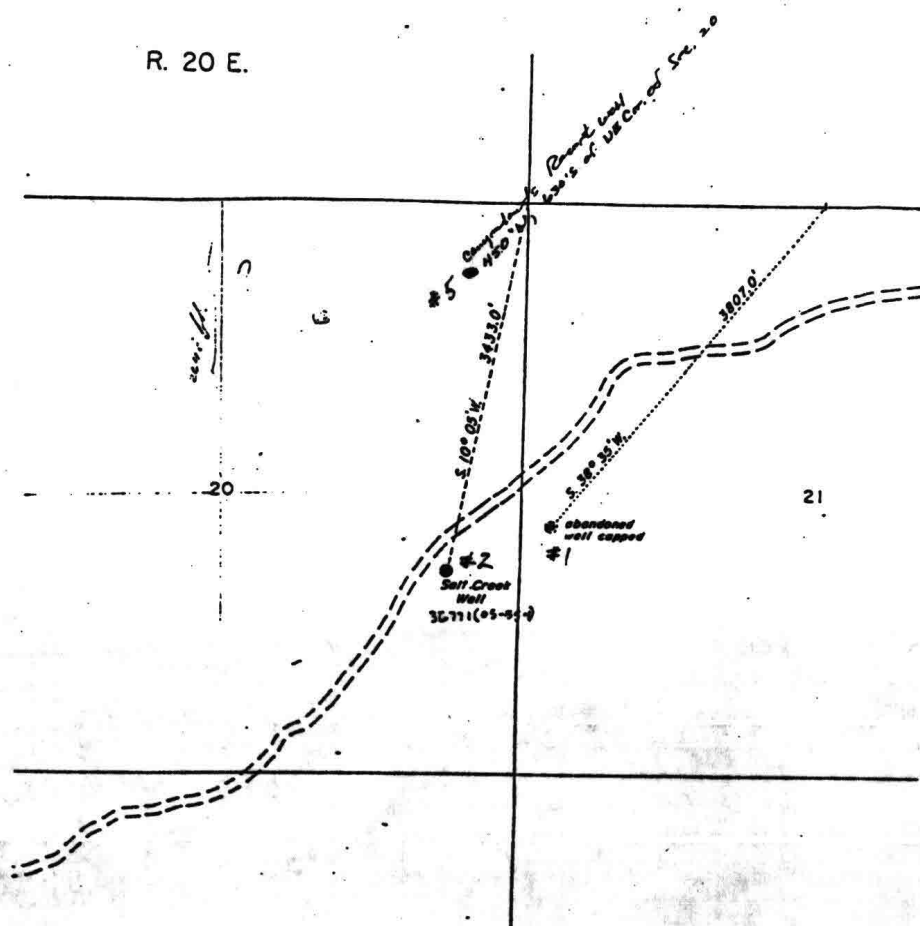
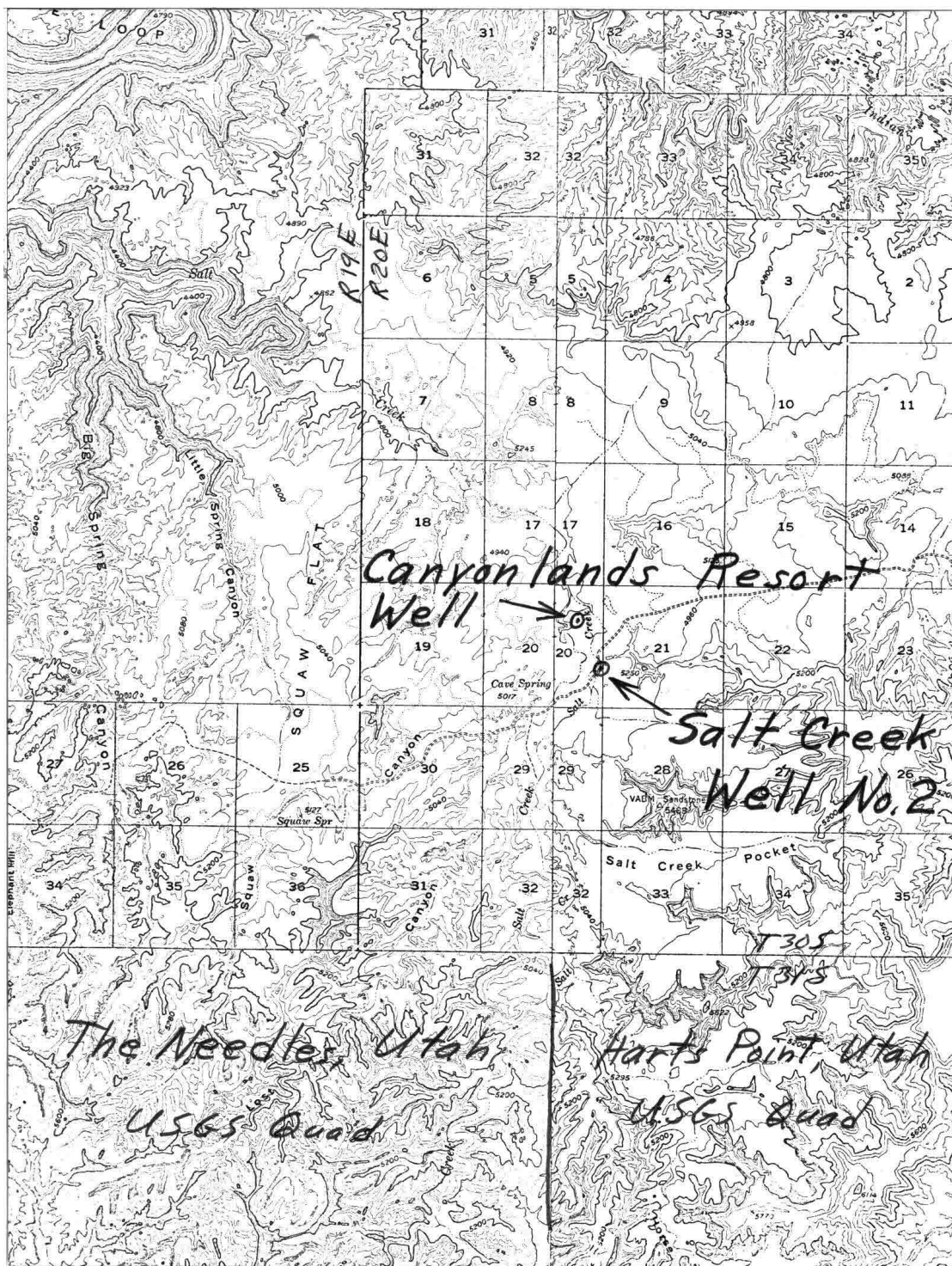


Figure 1.2-2. Locations of Needles Wells W-1, W-2 and W-5.



Docket Information

Number of Documents in Docket 63

Documents Dated from 10/12/1967 to 8/13/1993

Docket Compiled: 2/2/2011