



WATER-RIGHT DOCKET

Canyonlands National Park

Docket No: 6

ANDERSON BOTTOM SPRING.

State Water Rights Documentation

00-00-0000: letter to state engineer: request for extension of time - 1971

LS4(WSC)LMW
CANY-WR DOCKET #8

January 13, 1971

AIRMAIL

State Engineer's Office
Division of Water Rights
Department of Natural Resources
442 State Capitol
Salt Lake City, Utah 84114

Gentlemen:

In response to your December 1, 1970, letter, enclosed is a request
for extension of time for Application No. 38782(93-1107) for a spring
at Canyonlands National Park.

Sincerely yours,

(Sgd.)

Dustin M. Aughenbaugh
Acting Chief, Water Resources Section
Office of Land Acquisition and Water
Resources

Enclosures

cc:

LMW-WASO

Director, Southwest Region
Superintendent, Canyonlands

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. 38782(93-1107)
STATE OF UTAH
COUNTY OF WAYNE

DUSTIN M. AUGHENBAUGH, 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 source, Anderson Bottom Spring, is to be diverted and carried by 3/4" galvanized and/or plastic pipe to facilities to be used by employees and visitors to the park. Further development is anticipated in this area and full beneficial use of the water source is yet to be established.

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

from January 31, 1971, to January 31, 1974

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.

Dustin M. Aughenbaugh
Acting Chief, Water Resources Section,
Office of Land Acquisition and Water Resources,
Western Service Center, 450 Golden Gate Ave.
Box 36025 APPLICANT San Francisco, CA 94102
(If a corporation, give title of officer signing)

Subscribed and sworn to before me this 13 day of January, 1974

Michael W. [Signature]
NOTARY PUBLIC
DEPUTY CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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
DEPARTMENT OF NATURAL RESOURCES

442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114

Form 37

Canyonlands National Park
National Park Service
United States Department of Interior
P.O. Building
Moab, Utah 84532

December 1, 1970

A rectangular stamp from the Division of Water Rights, State Engineer. In the top left corner, there is a large checkmark. The top right corner contains a date stamp: "May 1934". Below the date, there is a small table with two columns. The first column has the word "File" in the bottom cell. The second column is empty. The text "DIVISION OF WATER RIGHTS" is printed in the center, and "HUBERT C. LAMBERT" is printed below it, followed by "STATE ENGINEER".

Gentlemen:

Re: Application No. 38782 (93-1107)

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 January 31, 1971.

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 on or 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,

Hubert C. Lambert, State Engineer

j1

Encs. Forms 29 & 152

Registered Mail

PROOF DUE

RECEIVED
NATIONAL PARK SERVICE
DEC 26 2 45 PM '73

L54(MWR)PSW
CANY/WR#6

December 11, 1973

Dee C. Hansen
Utah State Engineer
Department of Natural Resources
442 State Capitol Building
Salt Lake City, Utah 84114

Dear Mr. Hansen:

In reply to your letter of November 30, 1973, enclosed is your Form 152
showing beneficial use of Water Application No. 38782 (93-1107).

Sincerely yours,

(Sgd.) Richard W. Ketcham

Richard W. Ketcham
Supervisory Hydraulic Engineer

Enclosure

cc:

WASO-Manuel Morris w/enc*
Supt., CANY w/enc*
Utah State Director

*Please file in Canyonlands Water Right Docket No. 6.

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

Form 152

BEFORE THE STATE ENGINEER OF THE STATE OF UTAH

ELECTION TO FILE WATER USER'S CLAIM

APPLICATION NO. 38782 (93-1107)

STATE OF UTAH)
COUNTY OF WAYNE) ss.

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
"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 that 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 10 day of

Dec, 19 73.



Reuben Werblow
NOTARY PUBLIC



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) 328-6071

November 30, 1973

DIRECTING ENGINEERS

HAROLD D. DONALDSON
DONALD C. NORSETH
EARL M. STAKER

54
U.S. National Park Service
1709 Jackson Street
Omaha, Nebraska 68102

Gentlemen:

L54(WSC)LWW

CANY-WR DOCKET #6

RE: Application No. 38782 (93-1107)

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 January 31, 1974.

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 on or 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

jh
Encs.: Forms 29 & 152

Certified Mail

PROOF DUE

Form 19



STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
442 STATE CAPITOL
SALT LAKE CITY, UTAH 84114

DIVISION OF
WATER RIGHTS

HUBERT C. LAMBERT
STATE ENGINEER

February 8, 1971

Office of Land Acquisition and Water Resources
U. S. Department of the Interior
National Park Service
Western Service Center
450 Golden Gate Ave. P.O. Box 36025
San Francisco, California 94102

Canyonlands National Park
National Park Service
U. S. Department of Interior
P. O. Building
Moab, Utah 84532

L54 (WSC) LWM
CANY-WR DOCKET #6
38782 (93-1107)

Gentlemen:

RE: APPLICATION NO.

Request for extension of time in which to
submit Proof of Appropriation or Proof of Change contem-
plated by the above application has been considered and
the time for receiving proof is hereby extended from
January 31, 1971 to January 31, 1974
inclusive.

Yours truly,

ADDRESS ALL COMMUNICATIONS TO:

STATE ENGINEER
442 State Capitol
Salt Lake City, Utah 84114

j1

EXTENSION GRANTED

P.S. 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 contingencies
might arise in the future; the present possession of
your certificate might stand you in good stead.

JWR
Roberts

W
Weaver

L54 LWSSC

September 1, 1967

CANY

Mr. Robert C. Lambert
State Engineer, State Capitol
Salt Lake City, Utah 84134

Dear Sir:

Enclosed is an application to appropriate water (Form 57 LOM 2-62)
from the spring at Anderson Bottom in Canyonlands National Park.

Would you please bill us per the attached Purchase Order for the
required \$10.00 fee.

Sincerely yours,

James W. Roberts
Acting Supervisory Hydraulic Eng.

Enclosure

cc: Chief, Branch of Water Resources
Regional Director-SWR
Supt., Canyonlands NP

JRoberts/vb
8/31/67

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 Canyonlands N.P., National Park Service, U.S. Dept. of Interior
3. The Post Office address of the applicant is P.O. Building, Moab, Utah 84532
4. The quantity of water to be appropriated is .0022 second-feet or acre-feet
5. The water is to be used for Domestic from Jan. 1 to Dec. 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 a spring (Name of stream or other source)
Green River
which is tributary to , tributary to Colorado River
*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 Wayne County, situated at a point* true compass bearing of approximately 355°30' and a distance of 3,400 feet from the common $\frac{1}{4}$ corner of Sec. 23 and Sec. 24 T28S, R17E, S16M
- *Note.—The point of diversion should 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 3/4" Galvanized and/or plastic pipe
10. If water is to be stored, give capacity of reservoir in acre-feet NA 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:
NA
 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 NA
15. If application is for mining, the water will be used in NA Mining District at the mine, where the following ores are mined
16. If application is for stockwatering purposes, number and kind of stock watered NA
17. If application is for domestic purposes, number of persons , or families visitors and employees
18. If application is for municipal purposes, name of municipality NA
19. If application is for other uses, include general description of proposed uses visitors and employees camping or day use in the park
20. Give place of use by legal subdivision of the United States Land Survey for all uses described in paragraphs 14 to 19, incl. SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 14, T28S, R17E Salt Lake Base and Meridian
21. The use of water as set forth in this application will consume second-feet of water and second feet will be returned to the natural stream or source at a point described as follows: Use will vary greatly according to seasonal fluctuation in park travel

EXPLANATORY

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

Nothing herein shall constitute a waiver or relinquishment by the United States of any rights they may have to the use of this water or any other water in the State of Utah.

(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.

James W. Roberts
Signature of Applicant*
Acting Supervisory Hydraulic

*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, }
County of..... } 24

On the day of, 19....., 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:

(SFAT.)

Notary Public

EXPLANATORY CONTINUED

All waters in this state, whether above or under the ground, are the property of the public, subject to all existing rights to the use thereof. No appropriation of the unappropriated public water may be made and no rights to the use thereof shall be recognized except Application for such appropriation first be made to the State Engineer.

The approval of this Application is not a Certificate of Appropriation. It is merely your authority to begin construction work, which must be prosecuted diligently to completion. To secure a Certificate of Appropriation under this Application, Proof of Appropriation must be submitted within the time limit allowed by the State Engineer. The amount of water for which Certificate will be issued will depend upon the amount of water actually put to a beneficial use, not to exceed, however, the amount of water specified in this Application. Proof of Appropriation must be made in accordance with the requirements of the law. For further information write the State Engineer.

Page No. 3

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 per second.
over 15.0		100.00
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 acre feet.
over 7500		100.00

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

STATE ENGINEER'S ENDORSEMENTS

1. Application received ^{by mail} _{over counter} in State Engineer's office by.....
2. Priority of Application brought down to, on account of.....
3. Application fee, \$....., received by..... Rec. No.....
4. Application copied in book....., page....., and indexed by.....
5. Application platted by.....
6. Application examined by.....
7. Application returned, ... or corrected by office.....
8. Corrected Application resubmitted ^{over counter} _{by mail} to State Engineer's office.....
9. Application approved for advertisement by.....
10. Notice to water users prepared by.....
11. Publication began; was completed.....
Notice published in.....
12. Proof slips checked by.....
13. Application protested by.....
14. Publisher paid by M.E.V. No.....
15. Hearing held by.....
16. Field examination by.....
17. Application designated for ^{approval} _{rejection}.....
18. Application copied or photostated by..... proofread by.....
19. Application ^{approved} _{rejected}.....
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.....
c.
21. Time for making Proof of Appropriation extended to.....
State Engineer.
22. Proof of Appropriation submitted.
23. Certificate of Appropriation, No....., issued

Application No.....

Other Supporting Information



IN REPLY REFER TO:

L54

UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Canyonlands National Park
Arches and Natural Bridges National Monuments
Moab, Utah 84532

August 23, 1967

Memorandum

To: Supervisory Hydraulic Engineer Fields, SSC
From: Superintendent, Canyonlands
Subject: Water Right Application, Anderson Bottom

Following our recent discussion, attached is the information from the spring at Anderson Bottom. We have checked with the State Engineer's Office and found that no one has filed on subject spring, or on any springs in the nearby vicinity. We understand your office will complete the application.

Bates E. Wilson
Bates E. Wilson

cc:
Reg.Dir.,SWRO
Chief, Br.of Wtr.Res.,WASO

RECEIVED	
San Francisco Planning and Service Center Office of Land and Water Rights NATIONAL PARK SERVICE	
AUG 25 1967	
ACT. INFO.	INITIALS/DATE
CHIEF	
ASST. CHIEF	
STAFF ASST.	
SUPV. AD. R.	
SUP. Hyd. Eng.	9/22
DOCKET	
FILE	

Maps and Miscellaneous Information

Number of Documents in Docket	15		
Documents Dated from	8/23/1967	to	12/11/1973
Docket Compiled:	2/2/2011		