



WATER-RIGHT DOCKET

Chickasaw National Recreation Area

Docket No: 15

CUNNINGHAM SPRING

Preliminary Docket Information

08-15-1995: dockets; august 15, 1995

August 15, 1995

L54(479)

Memorandum

To: Files

From: Owen Williams, Chief, Water Rights Branch *OW*

Subject: Dockets

This is one of two springs in the "Chalyboate group" as defined by Charles N. Gould in 1905. The springs are named:

Base Spring	Docket	16
Cunningham Spring		15

No water quality data are included in these CHIC springs dockets. If such become available, they should be added because of the original purposes for which the park was established. Water quality data would not normally be a part of a docket, but CHIC's springs were viewed as medicinal at the time of the park's establishment. This reason, among others, necessitated the protection and preservation of CHIC springs.

The State of Oklahoma has been informed of the U.S.'s claim to the springs but no quantification of a right under the reservation doctrine, or any other doctrine, has been made.

WATER DOCKET INFORMATION

AREA Chicksaw NRA

DOCKET NO. 15

APPLICATION NO. _____

STATE RIPARIAN NO. _____

CERTIFICATE NO. _____

TITLE OF DOCKET Cunningham Spring

PRIORITY _____

REMARKS _____

*Complete letter
in CHK - 30*

LS4(SWR-OM)

MAY 27 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P.O. Box 53583
Oklahoma City, Oklahoma 73152

Dear Mr. Barnett:

Following the National Park Service's "Declaration of Water Rights" to all springs and wells (see Enclosure A for individual listing), at Chickasaw National Recreation Area dated May 9, 1983, enclosed you will find the following additional information:

1. Excerpts of correspondence, office memoranda, etc., dated from the early 1900's generally describing the development of selected springs within the Sulphur Springs Reservation (formerly Platt National Park).
2. Photographs showing visitor use of selected springs through the years.

In addition to the above declarations, the National Park Service obtains water from the following water sources for municipal purposes.

1. City of Sulphur, Oklahoma.
2. Rural Water District No. 1.
3. NPS Water Treatment Plant.

Municipal water purchased from the City of Sulphur and the Rural Water District No. 1 from 1976 to 1982 is as follows:

<u>Year</u>	<u>City of Sulphur</u>	<u>RWD No. 1</u>
1976	1.431	.093
1977	2.199	.021
1978	4.363	.032
1979	3.237	.133
1980	1.035	.066
1981	1.639	.015
1982	1.195	3.037

The above metered values are in million of gallons per year.

Supplemental mineral water is obtained from the overflow of an artesian well (Caylor Well), which is located on non-National Park Service property within Sulphur, Oklahoma. The water has been flowing into park land since 1937, as nearly as we are able to determine at this time. A formal agreement reflecting the above verbal agreement, which has been in effect since 1937(?), was entered on June 3, 1961. The initial flow to the park from Caylor Well is estimated at 15 to 20 gallons per minute.

Visitation figures to the area (see Enclosure 3), compiled by the staff of Chickasaw National Recreation Area from 1907 to 1982 are also enclosed. As you will note, visitation to the area shows an increasing trend from 106,332 in 1908 to 2,094,319 in 1982. Visitation has increased in part because of the increasing size of the park and construction or replacement of physical facilities, plus the discovery of the recreational and aesthetic benefits of the area by first time visitors to the area.

Additional information is available, should you and the board request it. The information may take some time to secure as it is stored in Dallas, Texas. Obtaining additional information may require as much as two months work and attendant costs estimated at \$10,000.

Sincerely,

/s/ JACK NECKELS

Associate Regional Director,
Park Operations, SWR

Enclosures 8

bcc:
Field Solicitor, Santa Fe
Superintendent, Chickasaw
Chief, WASO/497
Solicitor, Regional Office, P.O. Box 3156, Tulsa, Oklahoma 74101 (Attn: K. King)
(each w/o enclosures)

GMoore:og:5/26:83

Enclosure A

LISTING OF DECLARATION OF WATER RIGHTS

1. Antelope Springs
2. Buffalo Springs
3. Cunningham Spring
4. Base Spring
5. Big Tom Springs
6. Arsenic Spring
7. Little Tom Springs
8. Swords' Spring
9. Townsley's Spring
10. Dog Springs
11. Unnamed Spring
12. Hillside Spring
13. Beach Springs
14. Beach Springs
15. Beach Springs
16. Sand Springs
17. Bromide Spring
18. Cliff Bromide Spring
19. Unnamed Spring
20. Black Sulphur Spring
21. Sulphur Spring
22. Tuff's Spring
23. Iron Spring
24. Soda Spring
25. Sulphur Springs
26. Sulphur Springs
27. Wilson Spring
28. Churchill Spring
29. Rucker's Spring
30. Iron Spring
31. Jericho Spring
32. Unnamed Springs
33. Vendome Well
- Observation Well No. 1
- Observation Well No. 2

LS4(SWR-OM)

May 9, 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P.O. Box 53565
Oklahoma City, Oklahoma 73152

Dear Mr. Barnett:

In accordance with an agreement reached during a meeting between members of our respective staffs on April 21, 1983, the National Park Service declares a water claim to all waters issuing from a total of 33 springs which were identified by Dr. Charles N. Gould, Professor of Geology at the University of Oklahoma, in 1906. In addition, the National Park Service declares its claims to water which issue from the Vendome Well, a free flowing artesian well.

Within 2 weeks, the National Park Service will submit under separate cover, two packages consisting of photographs and excerpts of correspondence dating back to the turn of the century, concerning these claims.

Sincerely,

/s/ Robert L. Kerr

Regional Director,
Southwest Region

Separate Cover

cc:
Field Solicitor, Santa Fe)
Superintendent, Chickasaw) each w/copy of enclosure
Chief, WASO/497)
Mr. K. King, Solicitor, Regional Office, P.O. Box 3156, Tulsa, OK 74101 w/enc.
[Moore:edr:5/9/83]

OM

DECLARATION OF OWNERSHIP OF WATER RIGHTS

No. 3. G Ingham Spring - Sulphur Artesian Basin
Basin Name

- Declaration No. _____ Date received _____
1. Name of Declarant United States of America, National Park Service
 Mailing Address Chickasaw National Recreation Area, Box 201, Sulphur OK 73086
 County of Murray State of Oklahoma
2. Source of water supply Simpson/Arbuckle Group *(see Sec. 8A)
 (artesian or shallow water aquifer)
3. Describe well location under one of the subheadings:
 a. NE 1/4 SW 1/4 NE 1/4 of Sec. 2 Twp. 15 Rge. 3E IPM, in
Murray County.
 b. Tract No. _____ of Map No. _____ of the _____
 On land owned by United States of America
4. Description of well: date drilled _____ driller _____ depth _____ feet.
 outside diameter of casing _____ inches; original capacity _____ gal. per min.; present
 capacity _____ gal. per min.; pumping lift _____ feet; static water level _____ feet (above)
 (below) land surface; make and type of pump _____
 Make, type, horsepower, etc., of power plant _____
 Fractional or percentage interest claimed in well _____
5. Quantity of water appropriated and beneficially used _____
 historical and current uses: (acre feet per acre)
public drinking water, livestock watering, education, re-
creation, fish and wildlife including support purposes.
 (acre feet per annum) or existing natural riparian ecosystem.
6. Description of spring: Developed or Undeveloped (Circle One)
 Date Developed: _____ by _____
7. Water was first applied to beneficial use 4/1/82 07 01 1982
 month day year
 and since that time has been used fully and continuously for the above described
 purpose in Number 5.
8. Additional statements or explanations 8A. Classified as part of Chalyboate Group by Dr.
Charles N. Gould, Geologist, in "Report of Springs", August 13, 1906.
8B. See attached.

I, Robert J. Smith being first duly sworn upon my oath, depose
 and say that the above is a full and complete statement submitted in evidence of
 ownership of a valid water right, that I have carefully read each and all of the items
 contained therein and that the same are true to the best of my knowledge and belief.

Robert J. Smith declarant
 by _____

Subscribed and sworn to before me this 9th day of May, A.D., 1982

My commission expires February 21, 1987 John S. Wilbani Notary Public

Page 2 of 2

8. . This Declaration is provided pursuant to the policy of the Secretary of the Interior to recognize and grant deference to state laws, regulations and procedures where those secure water rights and uses of the United States. This Declaration is given as a matter of comity, cooperation and information. It does not consent to the jurisdiction of the State in regards to judicial or other adjudications, the rights of the United States to the use or amount of water, or the amount described in this Declaration. This Declaration cannot affect vested rights under Federal or State law.

These Declarations concerning ownership of or flows of springs - developed and undeveloped - and wells should be taken and considered in totality as part of the entire Chickasaw National Recreation Area.



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
REGIONAL OFFICE, SOUTHWEST REGION
P. O. BOX 3156
TULSA, OKLAHOMA 74101

APR 27 1983
April 22, 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P. O. Box 53585
Oklahoma City, Oklahoma 73152

Re: Determination of Prior Vested Ground Water Rights, Murray County

Dear Mr. Barnett:

In accordance with the conclusions reached during the discussion on April 21, among members of your staff, employees of the National Park Service, and me in the Office of the Chief, Division of Stream Water, concerning the determination of prior vested ground water rights in Murray County as they affect the Chickasaw National Recreation Area, additional time is hereby requested to May 9, 1983, within which National Park Service will submit evidence and information to supplement the record on behalf of historical uses by the National Recreation Area and its predecessor National Park.

It was agreed during our discussion that, subject to your approval of this request for additional time, supplemental information and evidence will be provided to O.W.R.B. by May 9 in order to allow timely completion of the ongoing determination process.

Sincerely yours,

Kathleen King
Department Counsel
National Park Service

cc: Office of the General Counsel, OWRB, Attention: Glen Hammonds

bcc: Regional Director, NPS, Attn: Gary Moore, Hydrological Engineer
Field Solicitor, Santa Fe, Attn: John Harrington

TIS R3E IM

[illegible]

Charrell	SW NE	under	5 gpm	7-1-02
Spring	SW	SPR		
Ruckers	SW NE	under	3 gpm	7-1-02
Spring	SW	SPR		
Iron	SW NE	under	4.65 gpm	7-1-02
Spring	SW	SPR		
Delecho	SW NE	under	3 gpm	7-1-02
SPR	SW	SPR		
under	SW NE	under	4.65 gpm	7-1-02
Spring (2)	SW	SPR		

September 11, 1995

L54(479)

Memorandum

To: Files

From: Owen Williams, Chief, Water Rights Branch

Subject: Land Status Information - CHIC Dockets

Information concerning land status for CHIC is contained in the file folder labeled CHIC Deeds rather than in individual dockets.

Docket Information

Number of Documents in Docket 12

Documents Dated from 4/22/1983 to 8/15/1995

Docket Compiled: 2/3/2011