



WATER-RIGHT DOCKET

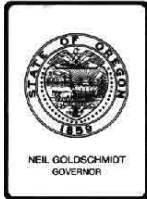
Crater Lake National Park

Docket No: 3

SAND CREEK DRAINAGE

State Water Rights Documentation

01-03-1990: letter to owen r. williams, your application for extension of the time limits to complete construction and make complet



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

January 3, 1990

Owen R. Williams
Chief Water Rights Branch
National Park Service
301 S. Howes St., Room 353
Fort Collins, CO 80521



Reference File: 19576

Your application for extension of the time limits to complete construction and make complete application of water under the terms of your Permit 15158 was received. We also have your requisition for \$100.

The application indicates reasonable diligence toward completion of the proposed project; therefore, the time limits to complete construction and make complete application of water are extended to October 1, 1994.

Sincerely,

Steven P. Applegate, Manager
Application/Permit Section

Kan

December 20, 1989

LS4(479)
PSW/CRLA

Mr. Stephen C. Brown
Senior Water Rights Specialist
Water Resources Department
3850 Portland Road SE
Salem, Oregon 97310

Dear Mr. Brown:

This is in response to your letter of June 6, 1989, in which you requested information regarding the status of water rights applications numbered 19574 through 19581 for appropriation of water within Crater Lake National Park (CRLA) by the United States.

The National Park Service (NPS) by this letter withdraws applications numbered 19578 (National Creek drainage), 19579 (Bybee Creek drainage), 19580 (Whitehorse--Castle Creek drainage) and 19581 (Red Blasket drainage) all of which are located within the Rogue River Basin. In addition, the NPS withdraws applications numbered 19575 (Bear Creek drainage) and 19577 (Sun-Widea Creek drainage), both located in the Klamath River Basin. However, the NPS specifically reserves the right to make Federal reserved water right claims for these and all other drainages in CRLA.

Enclosed are completed Applications for Extension of Time for water developments on Annie Creek and Sand Creek (applications numbered 19574 and 19576, respectively). Please find enclosed a requisition for \$250.00; the purchase order number will be FX 1299-0-0596. This amount is paid in the interest of comity and to cover state-incurred expenses associated with these applications. While this fee is being paid at this time, the NPS reserves the right to challenge any and all fees which are inconsistent with established law. Further information regarding the construction of these projects and the beneficial uses to which the water has been put will be included with the United States' claims for water rights in the Klamath River Basin Adjudication.

File No. 19576

Application for Extension of Time

TO THE WATER RESOURCES DIRECTOR OF OREGON

1, Owen R. Williams, Chief Water Rights Branch,
Name
National Park Service, 301 S. Howes St., Room 353
Mailing Address
Fort Collins, Colorado 80521
City State Zip

record owner of water permit No. 15158, do hereby request that the time in which:

- ☐ complete the construction of works and/or purchase and installation of the equipment necessary, the use of water, which time now expires on October 1, 19____, be extended to October 1, 19____ and/or the time in which to
- ☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1972, be extended to October 1, 1999

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

- (1) within the past year _____

- (2) prior to this past year _____ See Attachment.

- (3) and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) _____ See Attachment.

(If additional space is required, attach separate sheet)

Q. William C. H. Water Right Co.
(If signing for a corporation please identify your title)

Dated 16 Nov 89

MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$100.00 FOR EACH PERMIT TO:

Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

Attachment to Application for Extension of Time
Permit No. 15158, File No. 19576

- (2) prior to this past year Lost Creek has supplied water via pipeline to a 14-space campground with four hydrants and a comfort station. The water is chemically treated just below the point of diversion and flows by gravity to the place of use.
- (3) and have accomplished beneficial use to the extent of 2,000 to 3,000 gallons per day at the campground from July 1 through September 15. Use of the water is for park purposes including but not limited to administrative, domestic, visitor use, fire prevention, and dust suppression. Additional developments, coupled with an increase in visitation, may require more water to be consumed in the future.

1967 DEC 20 PM 4 45

CRATER LAKE NAT'L PARK
CRATER LAKE, OREGON

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
516 PUBLIC SERVICE BUILDING
SALEM 97310

19574
19575
19576
19577
19578
19579
19580
19581

REFER TO
FILE NO.

Your File L54

Docket No. 3

December 19, 1967

U. S. Department of Interior
National Park Service
Crater Lake National Park
Crater Lake, Oregon 97604

Attention: Marvin L. Nelson
Administrative Officer

	SUPT.	
☒	CHIEF I&RM	
	A TO SUPT.	
☒	ADM O	
	PSNL	
	PURCH	
	NAT	
	MAINT	
	BIOL	
	COMM	

Gentlemen:

From the examination of your applications for extension of the time limits under Permits Nos. 15156, 15157, 15158, 15159, 15160, 15161, 15162, and 15163, it appears due diligence has been exercised toward completion of the proposed projects; therefore, the time limits to complete construction and make complete application of water under all of the permits are being extended to October 1, 1972.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By *Trevor Jones*
Trevor Jones
Assistant

TJ:py

Application No. 19576

Application for Extension of Time

To the State Engineer of Oregon:

Paul A. Larson, Acting Superintendent

I, for the United States of America, of Crater Lake National Park

state of Oregon, am the owner and holder of Permit No. 15158, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before , 19, and complete application of water is required to be made on or before , 19.

I have heretofore done the following work described under said permit during the past year:
None

and did the following work prior to last year: Construct water system to Lost Creek Camp-ground for 16 campsites which includes 3,600 feet of 2 inch line and infiltration gallery. A drinking fountain has been constructed at Kerr Notch.

costing \$ 25,000, and I estimate the cost of completion to be \$ 50,000.

I have heretofore used water under said permit to the following extent: 2,000 gallons per day.

I am unable to {complete construction work } within the required time, for the following reasons, to wit: Construction funds are not available.
(Strike out phrase not applicable)

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work }
~~completion of application of water~~ } under said permit to October 1, 19 72
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Klamath } ss.

I, Paul A. Larson, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of September, 19 67


Paul A. Larson, Acting Superintendent

Subscribed and sworn to before me this _____ day of _____, 19 _____

[Notarial Seal]

Notary Public for Oregon

My commission expires _____

*from
make
copies and
leave left hand
side of packet*

251 FINANCE BUILDING
170 12TH STREET S. E.

*Hold this until
letter from Super arrives*



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

X *[Signature]*
Ketchum

REFER TO
FILE NO. 19574-01

July 16, 1962

Crater Lake National Park
P. O. Box 672
Medford, Oregon

Attention Mr. Ward Yeager, Superintendent

Gentlemen:

Enclosed is a copy of the State Engineer's order extending the time limits in which to complete construction work and make application of water under permits numbered 15156 through 15163, inclusive, to October 1, 1967.

Our receipt No. 34303 covering the statutory filing fee you submitted in the amount of \$16 is also enclosed.

Very truly yours,

CHRIS L. WHEELER
State Engineer

By
James W. Carver, Jr., Assistant

eh

enclosures
cc - Mr. John B. Wosky

© © © W

BEFORE THE STATE ENGINEER OF OREGON

Klamath County

IN THE MATTER OF EXTENSIONS)
OF TIME IN WHICH TO COMPLETE)
CONSTRUCTION WORK AND MAKE)
APPLICATION OF WATER UNDER)
PERMITS NOS. 15156 to 15163,)
INC., IN THE NAME OF CRATER)
LAKE NATIONAL PARK)
-----)

ORDER

The United States of America, Crater Lake National Park, is the holder of permits numbered 15158, 15157, 15160, 15161, 15162 and 15163 for municipal purpose and permits numbered 15156 and 15159 for municipal purposes and operation of a dam, to appropriate a total of 2.108 cubic feet per second of water from a number of springs and streams in Crater Lake National Park.

Mr. Neal G. Guse, Acting Superintendent, has advised the State Engineer that the appropriations have not been made as described in the permits, but it is the desire of Crater Lake National Park to preserve the rights for these developments.

Mr. Guse has further advised that although some construction work has been completed under the permits and a portion of the water has been applied to beneficial use there are no funds available for further construction work at the present time.

The statements in the applications for extensions filed regarding completion of the projects indicate reasonable diligence.

NOW, THEREFORE, it is ORDERED that the time limits in which to complete construction and make complete application of water under the terms of permits numbered 15156, 15157, 15158, 15159, 15160, 15161, 15162 and 15163 be extended to October 1, 1967, under the provisions of ORS 537.230.

Dated at Salem, Oregon this 13th day of July 1962.

/s/CHRIS L. WHEELER
State Engineer

C
O
P
Y

180 New Montgomery
San Francisco 5, California

May 8, 1962

State of Oregon
Water Resources Department
516 Public Service Building
Salem 10, Oregon

Attention: Mr. Lewis A. Stanley
State Engineer

Dear Mr. Stanley:

WATER DOCKET NO. 3

In accordance with Acting Superintendent Guse's letter of May 2, 1962 we are enclosing the original copies of Applications for Extension of Time for Permit Nos. 15156 to 15163 inclusive, covering water rights in the Crater Lake National Park.

You will note that in each case requests are made for extensions of time to October 1, 1967, as was recommended by Assistant State Engineer Trevor Jones in his letter of February 27, 1962 to Superintendent Yeager.

Sincerely yours,

(Sgd) John B. Wosky

John B. Wosky
Regional Chief of Operations

Enclosures 9

Copy to: Director w/c of each application and copy of incoming letter
Superintendent, Crater Lake w/c of each application
Chief, WODC (2) w/c of each application

C O P Y

2M-7-61

Application No. 19576**Application for Extension of Time**

To the State Engineer of Oregon:

Neal G. Guse, Acting SuperintendentI, for the United States of Americaof Crater Lake National Parkstate of Oregonam the owner and holder of Permit No. 15158, to appropriate the public waters of the state of Oregon.

Under the terms and conditions of said permit, construction work is required to be completed on or before _____, 19____, and complete application of water is required to be made on or before _____, 19____.

I have heretofore done the following work described under said permit during the past year:

None

and did the following work prior to last year: Construct water system to Lost Creek Camp-ground for 16 campsites which includes 3,600 feet of 2 inch line and infiltration gallery. A drinking fountain has been constructed at Kerr Notch.

costing \$ 25,000, and I estimate the cost of completion to be \$ 50,000

I have heretofore used water under said permit to the following extent: 2,000
gallons per day.

I am unable to { complete construction work
make complete application of water } within the required time, for the following
(Strike out phrase not applicable)
reasons, to wit: Construction funds are not available.

(If additional space is required, attach separate sheet)

(A fee of \$2.00 for each permit involved must accompany this application.)

(OVER)

WHEREFORE, I ask that the State Engineer extend the time for the

{ completion of construction work } under said permit to October 1, 1967
~~to complete application on or before~~
(Strike out phrase not applicable)

AFFIDAVIT OF APPLICANT

STATE OF Oregon
County of Klamath } ss.

I, Neal G. Guse, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of May, 1962

Neal G. Guse
Neal G. Guse, Acting Superintendent

Subscribed and sworn to before me this _____ day of _____, 19_____

[Notarial Seal]

Notary Public for Oregon

My commission expires _____

*Recd
1/26/62*



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
316 PUBLIC SERVICE BUILDING
SALEM 10

January 25, 1962

Signature
Permits 15156
through 15163
Crater Lake Na
Park
Your File No.
L-54-CBL

Merriss

Mr. Lawrence C. Merriss, Regional Director
National Park Service, Region Four
180 New Montgomery Street
San Francisco, California

Dear Mr. Merriss:

Reference is made to the letter dated July 27, 1961 from Lewis A. Stanley, State Engineer, to Mr. A. van V. Dunn, Chief, Water Resources Section, National Park Service and Mr. van V. Dunn's reply dated August 2, 1961 regarding permits to appropriate water for Crater Lake National Park. Mr. van V. Dunn notified us that the matter was referred to you and I presume copies of previous correspondence have been furnished you.

Your attention is invited to the last paragraph of Mr. Stanley's letter of July 27, 1961 regarding application for extension of the time limits under these permits if you are not using the full amount of water as set forth in the permits as the correspondence seems to indicate. Although action under the permits in question had been suspended for some time, we believe that it is advisable to make application for an extension of the time limits to avoid any possible question regarding the permits. The date for complete application of water specified in the permits is October 1, 1964 so application for extension of time should be for a sufficient period not only to bring this up to date but also to provide for a reasonable time to complete the appropriations.

We should have continued correspondence after Mr. van V. Dunn's letter and we apologize for not doing so particularly in reference to Mr. van V. Dunn's question regarding proofs. Deferring proof until beneficial use of water to the extent intended would be the normal course of action and we believe preferable to attempting proof on the basis of installed capacity of the systems only. If the appropriation has been completed under any of the permits, then proof could be made on these and extension of time requested on the others. In line with this, I have enclosed forms for making application for extension of time. You may rewrite the form so as to include all necessary permits in one application but a fee of \$2.00 for each permit will be required even if a single form is used.

Very truly yours,

LEWIS A. STANLEY
State Engineer

TJ:jb - Enc.

cc: Park Superintendent
Crater Lake National Park
cc: U. S. Dept. of Interior
Attention: Mr. A. van V. Dunn

By Trevor Jones, Assistant

August 2, 1961

154-CRL

Mr. Lewis A. Stanley
State Engineer
251 Finance Building
170 12th Street, S.E.
Salem, Oregon

Re: Water Right Appl. 19574-19581
Permits 15156-15163
Crater Lake National Park

Dear Mr. Stanley:

We are very pleased to accept the suggestions in your letter of July 27, to make proof for confirming certificates under each subject permit by stream system tributary to the points where those streams leave the Park. The matter is being referred to our Regional Director, Mr. Lawrence C. Merriam, Region Four, 180 New Montgomery Street, San Francisco, and the Park Superintendent, to whom the responsibility for such proofs has been delegated since I prepared the applications for the Superintendent in 1941.

The detailed form of the applications resulted from my attempt to comply with rules and regulations of your office. Mr. Stricklin did not prescribe any particular form although he spoke favorably of it when issued the permits. Neither he nor those in the Park Service anticipated the post war recreational trends and resulting changes in Park developments and proof.

The only point which was discussed by Mr. Stricklin and our attorneys before the applications were filed was whether the water should be appropriated for municipal purposes. The same question was considered at about the same time in connection with the applications for Bryce and Zion National Parks, Utah, and the North and South Rim developments at Grand Canyon National Park, Arizona. Municipal status was accepted in each case. Proof of completed installed capacity for full municipal use has been made, and the certificates have been issued on the permits for Zion and the South Rim of Grand Canyon without too much evidence that the full use was made at the time of licensing, although the rights have been fully exercised at times. A supplemental claim for the South Rim is still in permit form, and there has

been no proof on that, or for the North Rim of Grand Canyon because the water systems are only being enlarged as the demand justifies.

This leads to the question whether you will require proof under the municipal permit of only the adequate installed capacity, as in Utah, or actually of at least one date on which the authorized quantity of water was fully used, as in Arizona. The type of proofs may dictate the number of proofs which are possible at this time. Your reply to this question and any special proof forms for municipal use might be sent to the Regional Director, with a copy to us.

Sincerely yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Solicitor, Portland, Oregon
✓ Regional Director, Region Four
Superintendent, Crater Lake
Chief, WERC (2)



251 FINANCE BUILDING
170 12TH STREET S. E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO 15156 thro
FILE NO. 15163

Crater Lake National
Park, Oregon

July 27, 1961

L54

Mr. A. van V. Dunn, Chief
Water Resources Section
U. S. Department of the Interior
National Park Service
Washington 25, D. C.

Price
EE Lee
Dunn 8/2/61

Dear Mr. Dunn:

On examination of our files and correspondence in connection with Permits Nos. 15156 through 15163, it seems to me that there may have been unwarranted and unnecessary refinement in the applications and permits, particularly in the descriptions of diversion points and quantities of water to be appropriated at each point. I do not know whether this resulted from your desire to meticulously comply with our rules, or whether this office recommended the procedure.

It surely is in the public interest to take any steps indicated to establish and preserve the rights of the National Park Service to take water as needed for use anywhere within the Park. I do not believe you should be tied down to specific quantities and specific points of diversion unless you desire it that way. If the matter was before me now for determination, I would be favorable to issuance of blanket permits which would set forth the total quantity of water desired from a stream and its tributaries, to be diverted at any point and used at any point within the Park. I think the Park Service should have that right so that changes can be made to meet changing patterns of development. In my view, such blanket rights cannot injure downstream water rights because the total depletion of flow downstream from the Park is dependent on the quantity used in the Park and not upon the specific location of use.

If you concur in this thinking, I suggest that I could issue you a water right certificate confirming the right under each permit for that particular stream system. The certificate would confirm the right to the quantity of water specified in the permit from the stream named and its tributaries for use within the Park and to be diverted

CRLA

A. van V. Dunn

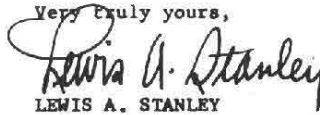
-2-

July 27, 1961

within the Park. Priority would be the date of filing the applications, November 28, 1941. Then if you determine that the quantity of water covered by these permits is not sufficient for future needs, you could file a new application for additional water.

If you are not now using the full amount of water as set forth in the above numbered permits, and if you expect to increase the use, there is no reason why you must make final proof at this time. I will extend the times for completion of construction and complete application of water if you so request.

Very truly yours,


LEWIS A. STANLEY
State Engineer

LAS:ks

cc: Harry J. Hogan
Regional Solicitor

LS4-CBL

July 20, 1961

State Engineer
State of Oregon
Salem, Oregon

JUL 21 '61	
SURNAME	DATE
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
INTERP.	

Re: Water Right Application 15157-1961
Permits 15156-15163, Crater Lake

Attention: Mr. Jones

Dear Sir:

The enclosed copy of memorandum to Mr. Hogan, Regional Solicitor, Department of the Interior, is in reply to the one forwarded to you with letter of July 13 from Mr. Lufgren of Mr. Hogan's Office.

The problem hinges on whether you consider each application and related permit as one right to water tributary to the designated stream system where it leaves the Park, as I intended in 1941, or a group of rights to the individual sources within that tributary stream system. There are no private lands, or other water claimants within the Park, and I hope that we agree that the controlling points of diversion are on the Park boundary.

The longer we can defer proof of water use for any Park or Monument, the better we can preserve valuable priorities for the increasing public demand. However, the present trends of public use suggest that supplemental appropriations may be needed before proof should be made on the existing permits. I also hope that no rights are restricted by any premature adjudications where some conditional rights might not be recognized.

Sincerely yours,

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Enclosure

Copy to: Regional Solicitor, P. O. Box 3537, Portland, Oregon
Regional Director, Region Four, w/c incoming
Superintendent, Crater Lake, w/c incoming

LS4-CBL

July 20, 1961

RECEIVED	
NPS REGION FOUR OFFICE	
JUL 21 '61	
SURNAME	DATE
REG. DIR.	
ASST. R.O.	
✓ PERMITTING	
ADMIN.	
RECREATION	
INTERP.	
DANGER ACT	

X. Paulding 665 7/21

Memorandum

To: Regional Solicitor
1001 N.E. Lloyd Blvd.
P. O. Box 3537
Portland, Oregon

From: Chief, Water Resources Section

Subject: Water Right Applications 19574 - 19581, Permits 15156-15163,
Crater Lake National Park, Oregon

Your memorandum of July 13 indicates that Mr. Jones of the State Engineer's Office confirmed their conception of the status of the subject rights to you and Mr. Dysart as previously suggested in a letter of July 7, 1955, to me from State Engineer Stanley. The most important point is the more up-to-date confirmation that proofs for licenses may be further deferred until full use is made of the claimed quantities, or until a smaller demand is found to be adequate.

My concern resulted from a report of my counterpart in the Fish and Wildlife Service, about two years ago, that the Klamath Termination Act (68 Stat. 718) would become effective on this past January 1, 1961, and an adjudication would follow. I have heard nothing further about an adjudication, but anticipated some confusion over the number of claims to water at different points in the drainage, and at different stages of development, which are covered by such filings as Application 15974, Permit 15156 for water from Annie Creek and its tributaries above the point where that Creek leaves the Park, to use one example.

As Mr. Jones apparently suggested, it will be desirable, and in the public interest, to defer proof at this time because most of the water systems are being reconstructed in our MISSION 66 development program. That program, which was started in 1956, is to provide the facilities needed for the anticipated demand of about 1966. The construction and reconstruction may not be complete by 1966, and the full use of the facilities may not occur as soon as they are available although some units are being completed and fully used ahead of schedule.

As a further consideration the MISSION 66 development plans of 1956 have made those described in the subject water right applications of 1941 partially obsolete. The number of annual Park visitors is increasing more rapidly than originally anticipated, and the visitors do not want the same type of facilities or wish to stay in the areas for the same lengths of time. The quantity of water diverted at some points, or tributary sources, may never be as great as anticipated in 1941, but the quantity diverted at other points may be greater, while the estimated ultimate demand at other points may still be good except for the date when that demand will be reached.

I have assumed that the Park Service can modify the portions of the total claim to 1.26 c.f.s. from Annie Creek, which are diverted at each of the nine points at the time of proof (changes in points of partial diversion) without difficulty. For all practical purposes, the permit is to divert the combined quantity from Annie Creek before it becomes available to others, at the Park boundary, and the portion from Annie Spring and Castle Garden Springs, respectively, does not matter.

However, without confirming records, I believe that Park water use is still within the quantities authorized by the permits, but diversions at some designated points are so close to the authorized totals that they must be supplemented by transfer or new application. I do not know whether a supplemental claim to more water from Annie Creek will be needed by 1966 or 1975, and this is now a matter for our Regional Office, rather than for me, to determine. However, we should establish the priority for any necessary supplemental appropriation as soon as possible.

I do not believe that any of the eight permits should be abandoned, as Mr. Jones seems to have suggested, because the trend of Park attendance does not suggest any ultimate limits of public demand. We may hope at this time that expanded, concentrated facilities at the Lodge area, on the rim, at the Headquarters Area, just below the rim, and at Annie Spring area will eliminate the need for part of the development and water demand at the South Entrance which was contemplated in 1941, but I should hate to see the authorized quantity of water for the South Entrance Area reduced materially by transfer of part of the claim to Annie Spring until we know whether unanticipated future increases in the number of Park visitors may require restoration of plans for more development at the South Entrance.

In talking with Mr. Dysart, I suggested that he might see if we could make proof of full use of the available supply from a source such as Annie Creek before making proof of full use of Castle Garden Spring which was to be a supply to supplement the Manson Springs supply for the Lodge and Headquarters Areas under the 1941 plan. Mr. Jones advised that there would be no point in such action, and I agree that this might place an undesirable restriction on the priority of rights under which part of the most essential water might be diverted in 1975 unless rights under the established permits, and new ones which may become necessary, were redistributed by another amendment in 1975.

By copies of this memorandum to the State Engineer and our Regional Director, I am suggesting that all of the subject permits be left in their present status until the MISSION 66 development is complete, or until the full authorized quantity of water is used from the stream system to which each permit applies. I also recommend that supplemental applications for the appropriation of water in excess of the authorized quantity from each stream system be filed as soon as the estimates of excess demands from individual sources or points of diversion, of 1975 or 1980 can be determined. The ties to, and descriptions of headgates in the supplemental applications would cover minor changes in points and methods of diversion under the subject permits. The new applications should cover the interchangeability of rights under the two priorities, and there would doubtless be a somewhat excessive claim to water until eliminated by final proofs for licenses.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: State Engineer, Salem, Oregon
Regional Director, Region Four
Superintendent, Crater Lake

July 13, 1961

State Engineer
State of Oregon
Salem, Oregon

Re: National Park Service Water Right
Applications 19574-19581,
Permits 15156-15163

Attention: Mr. Jones

Dear Sir:

Attached for your information is a copy of the report to Mr. Dunn of the National Park Service of our telephone conversation this morning regarding the subject applications and permits.

I trust that this properly reflects the information received from your office on this matter.

Yours very truly,

For the Regional Solicitor

David E. Lofgren, Jr.
Attorney

Enclosure

cc: Chief, Water Resources Section, NPS ✓



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
PORTLAND REGION
1001 N.E. LLOYD BLVD.
P.O. BOX 8837
PORTLAND, OREGON

LS4
Pace
N.E. Lee
Dunn

July 13, 1961

Memorandum

To: Mr. Allison van V. Dunn
Chief, Water Resources Section, NPS
Washington, D. C.

From: Regional Solicitor, Portland

Subject: Applications for Water Right Permits, State of Oregon

During Mr. Dysart's conference with you in Washington, D.C., recently you indicated your concern about the status of applications to the State of Oregon for water rights which date back several years.

This matter has been taken up with the State Engineer's office, and we have been advised that in so far as that office is concerned the order of the State Engineer dated November 17, 1942, which granted permits 15156 to 15163, allowed you to defer indefinitely the development of the rights covered by applications numbered 19574 to 19581, and this sufficiently protects the Government as to the rights applied for. Mr. Jones, with whom we talked, advised that there would be no point in obtaining a final certificate for each diversion, particularly since the rights are clearly in the public interest, being located on federal lands, and are not controverted. He suggested, however, that if all the rights applied for on one or several of the applications are developed, certificates could be issued for those applications and the corresponding permits. He also indicated that when you review this matter further you may wish to drop some of the rights applied for in the event you find they are no longer needed. This, however, would merely serve to clear the record to reflect changes you may wish to make. I did not receive the impression, however, that this is something you must undertake immediately.

If we can be of further assistance to you in this matter, please do not hesitate to call on us.

Harry J. Hogan
Regional Solicitor

cc: State Engineer
State of Oregon

Reg. J

Abstract of Permit No. 15158

Application No. 19576

Certificate No.

Name United States of America; by Ernest P. Leavitt, Supt. of
Crater Lake National Park
Address Crater Lake, Oregon (Winter Address, Medford)
Source of water supply Sand Creek, a tributary of Klamath River through
Klamath Marshes.
Use Municipal in Crater Lake National Park
Point of diversion See Rider
Number of acres NOTE: Action suspended indefinitely by Special Order
of the State Engineer dated Nov. 17, 1942

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
Wheeler Creek Pipe Line at East Entrance:																		
31S	7½E	28																(municipal)
31S	7½E	33																(Municipal)
Lost Creek Pipe Line at Lost Creek Area:																		
31S	7½E	18																Mun.
31S	7½E	19																Mun.
31S	7½E	20																Mun.
Kerr notch PipeLine:																		
31S	6E	1																(central portion of the West ½)

Priority date November 28, 1941

Amount of water

0.15 cubic feet per second measured at the point of
diversion from the stream. Being 0.038 c.f.s. from

Time limit to begin construction

January 30, 1943

Time limit to complete construction

10-1-43 extended to

Time limit to completely apply water

10-1-44 extended to

extended to

Remarks:

Points of Diversion

Wheeler Creek Diversion is to be N. 12° 09' W. 2427 ft. from the
Boundary monument No. 97 of Crater Lake Park; and N. 74° 26' W. 1624
ft. from the SE corner of Sec. 28, T. 31 S., R. 7½ E., W.M.
as said corner was tied to said boundary monument during resurvey of
the Section in 1905 and resurvey of the park boundary in 1909;
being within the SW¼ of the SE¼ of Sec. 28, T. 31 S., R. 7½ E., W.M.

Lost Creek is S. 74° 46' W. 13,891 ft. from boundary monument No. 90
being within the NE¼ of the SW¼ of Sec. 18, T. 31 S., R. 7½ E., W.M.

Kerr Notch Diversion is at a nameless spring N. 71° 21' W. 17,782 ft.
from boundary monument No. 90, being within the probable SW¼ of the
SE¼ of Sec. 1, T. 31 S., R. 6 E., W.M.

RECEIVED WITH MEMO OF 11/6/41

COPY

154-L

July 15, 1955

Mr. Louis A. Stanley
State Engineer
Salem, Oregon

Dear Mr. Stanley:

We are pleased to accept your suggestion to leave Water Right Applications 19574 through 19581, Permits 15156 through 15163, for the use of water at Crater Lake National Park, in their present inactive status until we are ready to make proof on all use authorized under a single permit. We shall advise you as each proof can be made.

Sincerely yours,

/s/ A. van V. Dunn

A. van V. Dunn
Chief, Water Resources Section



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. _____

July 7, 1955

254
P. Dunn

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

Dear Mr. Dunn:

This will reply to your letter dated July 1, 1955 referring to Applications Nos. 19574 through 19581, Permits Nos. 15156 through 15163.

I note that Mr. Stricklin, former State Engineer, entered an order on the 17th day of November 1942, reciting the facts with regard to these applications and stating:

"IT IS HEREBY ORDERED that action under Permits No. 15156 to No. 15163, inclusive, in the name of The United States of America, be suspended until such time hereafter as general conditions have reached a stage permitting the resumption of work under these permits and it is further ordered that the permits remain in good standing during the interim."

I believe his action was properly in the public interest and that no change in the status of the permits should be made until you are ready to make your final proof. If you so desire, we will simply hold the permits in an inactive status until you advise that you are ready to make proof under them. With that concept it will not be necessary for you to make final proof on any particular portion of the appropriation until all have been completed or until you have completed the appropriation to your own satisfaction.

Very truly yours,

Lewis A. Stanley

LEWIS A. STANLEY
State Engineer

LAS:VC

CHLA

C
O
P
Y

L-54-L

July 1, 1955

Rec'd: July 6, 1955

Mr. Lewis A. Stanley
State Engineer
Salem, Oregon

2/
re: Application 19574 - 19581
Permits 15156 - 15163
Crater Lake National Park

Dear Sir:

An Order suspending action on the eight designated water rights was issued on November 17, 1942, in response to a letter of November 12, 1942, from former Superintendent E. P. Leavitt of the Park. The action was requested due to war time conditions which were followed by a recovery period during which Congress appropriated few funds for development of the national parks and monuments. In fact, we are still unable to obtain adequate funds to complete and enlarge the Park facilities to accommodate the Park visitors which have increased from an annual total of 273,564 in 1941 to 370,554 in 1954 at Crater Lake.

We assumed that Mr. Stricklin would notify us when he considered more rigid compliance with the state water laws necessary but none were received before he retired. We shall appreciate your suggestions as to whether to leave the claims in suspended status or reactivate them, and apply for an extension of time in which to complete construction. You will note from Mr. Leavitt's letter of November 12, 1942, that we did not anticipate completion of the systems and full use of the water until 1960 when we expected the national population and probable Park use to reach a stable maximum. On that basis, we could now request a five-year extension of time.

Of course, the date for maximum national population, and its magnitude have been re-estimated since the war, and the assurance of a limit within a reasonable time is less clear. We are now re-appraising park uses and working on a program to try to cope with 1966 attendance which may still be increasing. For that reason, the suggested five-year extension of time for water right perfection may, or may not, be sufficient.

You will also note that the water right applications each cover a number of water systems in one drainage. If all water systems covered by one application and permit must be completed before proof for final license is made, the time will have to be extended until

C O P Y

C O P Y

the most backward development is completed. I wonder, therefore, whether we have to wait until we can prove up on all systems under one claim, or whether we could prove up on each unit as the use of the authorized quantity of water or lesser maximum available supply is reached. We are doubtless using all available or authorized water from some of the spring sources now.

Yours sincerely,

(Signed)

A. van V. Dunn
Chief, Water Resources Section

Copy to: Regional Director, Region Four
Superintendent, Grater Lake
Western Office of Design and Construction

C O P Y

C O P Y

*Crater Lake
Sand //*

STATE OF OREGON
OFFICE OF THE
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

November 18, 1942

File No. 19574-81

Mr. E. P. Leavitt, Superintendent
Crater Lake National Park
Medford, Oregon

Dear Mr. Leavitt:

This will acknowledge receipt of your letter of November 12, with which you enclosed reports of beginning of construction under Permits No. 15156 to No. 15163, inclusive, in the name of The United States of America.

Pursuant to the request contained in your letter, action on these permits is being suspended, as indicated in State Engineer's Order of November 17, 1942, a copy of which order is enclosed herewith.

Very truly yours,

CHAS. E. STRICKLIN
State Engineer

By /s/ Ed. K. Humphrey

Ed K. Humphrey, Assistant

EKH:LD
Enclosure

BEFORE THE STATE ENGINEER OF OREGON

Klamath County

IN THE MATTER OF THE SUS-)
PENSION OF ACTION UNDER)
PERMITS NO. 15156 TO NO.)
15163, INCLUSIVE, IN THE)
NAME OF THE UNITED STATES)
OF AMERICA (CRATER LAKE)
NATIONAL PARK).)
-----)

O R D E R
SUSPENDING ACTION

On November 28, 1941, the United States National Park Service through its agent, Mr. E. P. Leavitt, the superintendent of Crater Lake National Park, filed Applications No. 19574 to No. 19581, inclusive, for permits to use water from a number of springs and streams in Crater Lake National Park for municipal purposes.

These applications were approved January 30, 1942, by issuance of Permits No. 15156 to 15163, inclusive.

On November 13, 1942, reports of beginning of construction indicating due diligence in the prosecution of work under all of the above-numbered permits, were received by the State Engineer.

These reports were transmitted by a letter from Mr. Leavitt, setting forth that the present national emergency seriously curtails the use of water as contemplated under the permits in question and that no further funds nor equipment will be available to the Park Service during the war and for an indeterminate period thereafter and requesting that the usual requirements as to the submitting of reports of progress under the filings involved, be waived for the duration of the emergency.

Upon consideration of the foregoing facts and the further fact that diligence has been shown by the permittee in the preparing and submitting of comprehensive reports, maps and data in connection with the permits in question, and that the water involved is for the use of the public,

IT IS HEREBY ORDERED that action under Permits No. 15156 to No. 15163, inclusive, in the name of The United States of America, be suspended until such time hereafter as general conditions have reached a stage permitting the resumption of work under these permits and it is further ordered that the permits remain in good standing during the interim.

Dated at Salem, Oregon this 17th day of November, 1942.

CHAS. E. STRICKLIN
State Engineer

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CRATER LAKE NATIONAL PARK
MEDFORD, OREGON

Nov. 12, 1942

State Engineer,
Salem, Oregon.

Re: Water Right Applications 19574-19581.

Dear Sir:

We enclose notices of beginning of construction of the water systems covered by the above applications. May we also take this opportunity to request the most liberal consideration possible in time limits to complete these developments.

We have claimed municipal status to permit us to develop and expand the systems as needed with increasing park attendance, which we do not expect to reach its peak until about 1960. In addition, for the duration of the war no further funds can be expected for construction even if we could find the labor and obtain high enough priority to permit delivery of materials. Park attendance has also fallen to less than half of that of 1941 during the current season so that no proof of beneficial use can be expected until after the war. Even the permanent staff is greatly depleted.

For these reasons, we make the added suggestion that all further reports might be suspended until one or two years after the war with resulting saving in work for your staff as well as ours. On request, California has already granted us certain similar concessions.

We might add that the Federal Government is preparing for post war stabilization activity. The Park Service is now preparing an "on the shelf program" of designs mentioned in the notices of beginning of construction so far as the past summer's work has applied to the completion of designs for the diversions from Castle Crest Garden Spring, Annie Creek and Wheeler Creek. It is anticipated

that, subject to reconversion of manufacturing plants, and the time needed to assemble crews, there will be considerable work on water systems shortly after the close of the conflict and much completed construction should be reported within two years.

Yours very truly,

/s/ E. P. Leavitt

E. P. Leavitt,
Superintendent.

Enclosure 2122062.

Form A

Application No. 19576

NOTICE OF BEGINNING OF CONSTRUCTION

I, United States of America, by E. P. Leavitt, Supt.,
Crater Lake National Parkthe holder of Permit No. 15158,
to appropriate the public waters of the state of Oregon, began the actual construction of the works described
therein ~~on the~~ about the 15th day of July, 19 24Remarks: Lost Creek and Kerr Notch pipe lines were completed, except for minorThe appropriator should state the manner of beginning construction work, number of men employed, the amount of work completedfeatures, and placed in use in 1924, and 1935 respectively. Detailed surveys for Lost
up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.Creek diversion were made in summer of 1942. No construction during 1942 because of war
conditions.IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of November, 19 42E. P. Leavitt
(Signature of Applicant)UNITED STATES OF AMERICA,
By E. P. Leavitt
(Signature of Applicant)113 Vancouver Ave., Medford, Oregon

(Address)

Superintendent, Crater Lake National Park.
Medford, Oregon.
(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is begun.

STATE PRINTING DEPT.

C O P Y

STATE OF OREGON
Office of the
STATE ENGINEER
Water Resources Department
SALEM

February 14, 1942

United States Dept. of the Interior
Crater Lake Nat'l. Park
Crater Lake, Oregon

Attention: Mr. E. P. Leavitt, Superintendent

Gentlemen:

Herewith you will find Application No. 1957⁶, Permit No. 15158,
together with blue print.

The application has been approved and recorded in this office.

PLEASE READ CAREFULLY THE FOLLOWING INSTRUCTIONS:

Your permit has been recorded in this office, but you should hold the original as evidence of your water right unless the land described therein is disposed of. In that event you should file an assignment to the new owner for record in this office. Assignment blanks will be furnished upon request.

Your application indicates that construction of your project described in this permit has already begun. Therefore no Notice of Beginning of Construction will be required. You will note that the permit, which appears on the back page of the application form, limits the time within which you may complete construction and make complete application of water. The State Engineer is authorized to grant extensions of time on proper showing for the completion of work.

Whenever a measuring device becomes necessary for the proper distribution of water the permittee will be required to install one to the satisfaction of the State Engineer as provided by Section 116-501, O. C. L. A.

Notices are attached to the permit for your convenience in submitting your report on completion of construction work and complete application of water. As soon as the work is completed and the water applied to the proposed use, you should notify the State Engineer, who will then give consideration to the matter of final proof, after which a water right certificate will be issued.

If your use of water is for irrigation, proof can be made only after you have actually irrigated ALL of the land described in your permit which you intend to irrigate.

Very truly yours,

/s/ Chas. E. Stricklin

CHAS. E. STRICKLIN
State Engineer

FORM #109

Permit—5M-5-39

Permit No. 15158

Received
8:00 A.M.
NOV. 28 1941
STATE ENGINEER
SALEM, OREGON

* APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

United States of America,
I, By Ernest P. Leavitt, Superintendent of Crater Lake National Park
(Name of applicant)
of Crater Lake (Winter address, Medford), County of Klamath,
(Post office)
State of Oregon, do hereby make application for a permit to appropriate the
following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Sand Creek
(Name of stream)
a tributary of Klamath River through Klamath Marshes.
2. The amount of water which the applicant intends to apply to beneficial use is 0.15
Wheeler Creek, 0.038 sec. ft.;
cubic feet per second. Lost Creek, 0.093 sec. ft.; Kerr Notch Spring, 0.019 sec. ft.
(If water is to be used from more than one source, give quantity from each)
- **3. The use to which the water is to be applied is municipal in Crater Lake National Park.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of See rider.
(Section or subdivision)
(If preferable, give distance and bearing to section corner)
(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
being within the of Sec. of Sec. of Sec. of Sec. of Sec.
(Give smallest legal subdivision) (N. or S.)
R. W. M., in the county of
(E. or W.)
5. The See rider to be to be
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the of Sec. of Sec. of Sec. of Sec. of Sec.
(Smallest legal subdivision) (N. or S.)
R. W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

See rider.

6. (a) Height of dam feet, length on top feet, length at bottom
feet; material to be used and character of construction
(Loose rock, concrete, masonry,
rock and brush, timber crib, etc., wasteway over or around dam)
- (b) Description of headgate
(Timber, concrete, etc., number and size of openings)
- (c) If water is to be pumped give general description
(Size and type of pump)
(Site and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Applications for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM OR PIPE LINE— See rider.

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

(b) At.....miles from headgate: width on top (at water line).....feet; width on bottom.....feet; depth of water.....feet; grade.....feet fall per one thousand feet.

(c) Length of pipe,.....ft.; size at intake,.....in.; size at.....ft. from intake.....in.; size at place of use.....in.; difference in elevation between intake and place of use,.....ft. Is grade uniform?..... Estimated capacity,.....sec. ft.

8. Location of area to be irrigated, or place of use.....

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
Wheeler Creek Pipe Line at East Entrance:				
31 S	7½ E	28	SE¼ SE¼	All irrigation to be
31 S	7½ E	33	NE¼ NE¼	incidental and limited
Lost Creek Pipe Line at Lost Creek Area:				
31 S	7½ E	18	SE¼ SE¼	to shrubs around
31 S	7½ E	19	NE¼ NW¼	buildings
31 S	7½ E	20	NW¼ NW¼	
Kerr Notch Pipe Line:				
31 S	6 E	1	Central portion NW¼	

(If more space required, attach separate sheet)

(a) Character of soil.....

(b) Kind of crops raised.....

POWER OR MINING PURPOSES—

9. (a) Total amount of power to be developed.....theoretical horsepower.

(b) Quantity of water to be used for power.....sec. ft.

(c) Total fall to be utilized.....feet.

(Head)

(d) The nature of the works by means of which the power is to be developed.....

(e) Such works to be located in.....of Sec.....

(Legal Subdivision)

Tp....., R....., W. M.

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream?.....

(Yes or No)

(g) If so, name stream and locate point of return.....

....., Sec....., Tp....., R....., W. M.

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is.....

(i) The nature of the mines to be served.....

MUNICIPAL OR DOMESTIC SUPPLY

10. (a) To supply ~~the city of administrative units of Crater Lake National Park,~~
~~Klamath~~ County, having a present population of ~~see rider~~
(Name of)
 and an estimated population of in 193.....

(b) If for domestic use state number of families to be supplied.....

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 20,000.....

12. Construction work ~~will begin~~ ^{was begun} on or before 1924 See rider.....

13. Construction work will be completed on or before 1960.....

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

UNITED STATES OF AMERICA

By E. P. Leavitt

(Signature of applicant)

Superintendent

Crater Lake National Park.

Signed in the presence of us as witnesses:

(1) Thomas C. Parker 1324 Queen Ave. Medford Oregon
(Name) (Address of witness)

(2) G. T. Hopper 331-W-6th Medford Oregon
(Name) (Address of witness)

Remarks:

STATE OF OREGON, }
 County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before....., 193.....

WITNESS my hand this..... day of....., 193.....

STATE ENGINEER

PERMIT

STATE OF OREGON }
 County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same,
 SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use
 and shall not exceed 0.15 cubic feet per second measured at the point of diversion from the
 stream, or its equivalent in case of rotation with other water users, from Wheeler Creek, Lost
Creek, and Kerr Notch Spring, being 0.096 c.f.s. from Wheeler Creek, 0.093 c.f.s.
from Lost Creek, and 0.019 c.f.s. from Kerr Notch Spring.
 The use to which this water is to be applied is MUNICIPAL use.

If for irrigation, this appropriation shall be limited to " " " of one cubic foot per
 second

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is November 28, 1941

Actual construction work shall begin on or before January 30, 1943 and shall
 thereafter be prosecuted with reasonable diligence and be completed on or before
October 1, 1943

Complete application of the water to the proposed use shall be made on or before
October 1, 1944

WITNESS my hand this 30th day of January, 1942

/s/ Chas. E. Stricklin

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. <u>19776</u>	Division No. <u> </u>	District No. <u> </u>
Permit No. <u>1918</u>	This instrument was first received in the	
TO APPROPRIATE THE PUBLIC		
WATERS OF THE STATE		
OF OREGON		
office of the State Engineer at Salem, Oregon		
on the <u>28th</u> day of <u>November</u>		
19 <u>41</u> at <u>9:00</u> o'clock <u>A.</u> M.		
Returned to applicant:		
Corrected application received:		
Approved:		
Recorded in book No. <u>71</u> of		
Permits on page <u>13196</u>		
CHAS. E. STRICKLIN STATE ENGINEER		
Drainage Basin No. <u>14</u> Page <u>23</u>		
Fees Paid <u>10.00</u>		

Rider

4. Points of Diversion:

All of the following diversions are based on the central meridian of Crater Lake National Park which differs from bearings on accompanying map by 1°07' which is the difference between said true mean north and the azimuth of the Plane Coordinate Grid for the State of Oregon. All streams and springs herein mentioned are tributary to Sand Creek.

Wheeler Creek Diversion is to be N 12°09' W 24.27 feet from the Boundary Monument No. 97 of Crater Lake National Park; and N 74°26' W 1624 feet from the SE corner of Section 28, T 31 S, R 7½ E, as said corner was tied to said Boundary Monument during resurvey of the section in 1905 and resurvey of the park boundary in 1909; being within the SW¼ of the SE¼ of said Section 28, T 31 S, R 7½ E, W. M.

Lost Creek Diversion is located S 74°46' W 13,891 feet from Boundary Monument No. 90 of Crater Lake National Park, being within the NE¼ of the SW¼ of Section 18, T 31 S, R 7½ E, W. M.

Kerr Notch Diversion is located at a nameless spring N 71°21' W 17,782 feet from said Boundary Monument No. 90, being in unsurveyed land in what would probably be the SW¼ of the SE¼ of Section 1, T 31 S, R 6 E, W. M.

5. Pipe Line Location:

The Wheeler Creek Pipe Line is to be approximately 700 feet in length, terminating at the East Entrance area of Crater Lake National Park in the SE¼ of the SE¼ of Section 28, T 31 S, R 7½ E, W. M.

The Lost Creek Pipe Line is approximately 30 feet in length, terminating at a reservoir in the NE¼ of the SW¼ of Section 18, T 31 S, R 7½ E, W. M. The distribution pipe for this system is 3562 feet in length, terminating in the SE¼ of the SE¼ of said Section 18, T 31 S, R 7½ E, W. M., at the principal place of use.

The Kerr Notch Pipe Line is 3715 feet in length, terminating in unsurveyed land in what would probably be the NW¼ of the SW¼ of Section 1, T 31 S, R 6 E, W. M.

6. Diversion Works:

(a) Diversion from Wheeler Creek will be in a well of concrete lining construction, built in the bank of said stream with filtration galleries through which water will seep or percolate from that stream.

Diversion from Lost Creek is made in a small masonry collecting sump built about a spring in the bank of said stream.

Diversion from Kerr Notch Spring is from a masonry collecting sump built about said spring.

(b) Lost Creek headgate is a 2-inch pipe into a collecting reservoir from which the overflow is returned to the stream.

Kerr Notch headgate is a 1-inch pipe through which water only flows when spigots are turned on at place of use. If reservoir is needed and added later, a float valve or other device will be provided to prevent waste of water.

(c) The pump unit for Wheeler Creek is not fully designed. It will have a capacity of at least 20 g.p.m. and will probably be driven by gasoline or diesel power unit. The pump lift will be 255 feet to area of use including an elevated tank tower 40 feet in height. A remote alternate for the elevated tank is a pressure tank to operate under an average 40 pound pressure if electric power becomes available for automatic operation.

7 (c) Pipe Sizes:

Wheeler Creek Pipe Line:

Length 700 feet; diameter 2 inches; pump lift 255 feet. A pump unit of 20 g.p.m. capacity will be ample, but a 30 g.p.m. unit is also practical.

Lost Creek Pipe Line:

Length 30 feet to distribution reservoir; diameter 2 inches; fall 2.2 feet; grade even; estimated capacity 0.093 sec. ft. This pipe is the limiting factor in capacity, and the system is capable of conveying more than 0.5 sec. ft. if this section were enlarged.

Kerr Notch Pipe Line:

Length 3715 feet; diameter 1 inch; fall 339 feet, all below gradient of 91.3 feet per 1000 feet. Estimated capacity 0.019 sec. ft.

10. Municipal Use:

For details of municipal use at Crater Lake National Park see accompanying application by the claimant to appropriate waters of Annie Creek, which shows average present population to be 3000 people and estimated population of 5000 in 1960.

The Wheeler Creek Pipe Line is to serve public comfort stations, checking station and residences for rangers and their families at the East Entrance of the park. These facilities have been provided at Lost Creek and are to be moved to east boundary for better park administration.

Lost Creek includes a residence for a ranger and his family, a barn, CCC camp which is not now in use, and public campground. The campground now has facilities for 25 cars, and is to be enlarged to double capacity at once. Further enlargement is anticipated during the next twenty years. The area between Lost Creek and Kerr Notch offers some of the best skiing in the park, and plans are now being developed to provide winter facilities at Lost Creek.

The Kerr Notch Area is a popular picnic site with drinking fountains. Public comfort stations are to be provided in the near future, and shelters and other facilities for skiers are now under consideration.

12. Priority:

The present development at Lost Creek was constructed in 1924. The heaviest use of the Kerr Notch system was during construction of the present road in 1935 and 1936. The Wheeler Creek system will be constructed as soon as funds are provided and material priorities will permit. All of this development is part of a general park development started by construction of the Lodge at the Rim Area in 1903.

C O P Y

x Mt. Rainier-Tipsoo Lake
x Mt. Rainier-Ohanapeesh
x Mt. Rainier-White River
x Mt. Rainier-Carbon River
x Yosemite-Mariposa Grove
x Tonto 660-05.7
Crater Lake 660-05.7
x Pinnacles 660-05.7

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CHICAGO, ILLINOIS
54

March 24, 1944.

MEMORANDUM for the Regional Director, Region Four.

This will acknowledge Mr. Dunn's memorandum of March 6, together with complete assemblies of Pinnacles National Monument deeds Nos. 4 and 5, and water right applications 8969 and 9083 respectively.

This will also acknowledge Mr. Dunn's memorandum of March 16, together with Yosemite National Park deed No. 47; Mt. Rainier National Park deeds 3-13 inclusive; Tonto National Monument deeds Nos. 3 and 4; and Crater Lake National Park deeds Nos. 9-17 inclusive.

/s/ Conrad Wirth

Chief of Lands.

Supporting Hydro Data

1994 Water Usage at
Crater Lake Natl. Park

Oregon

WATER
RESOURCES
DEPARTMENT

Dear Water User:

Oregon Revised Statutes, ORS 537.099 and Oregon Administrative Rules, Chapter 690 Division 85 require governmental entities to annually report the amount of water they divert from streams, pump from wells and store in reservoirs.

Our records index points of diversion by numbers noted as POD-ID. The POD-ID of the water rights pertinent to your group are listed on the enclosed "Summary of Water Right for Detailed Water-Use Report" and/or "Summary of Water Right for Abbreviated Water-Use Report". Please review the summaries. The amount of water diverted, pumped or stored each month must be reported for all points of diversion (POD). The Department may approve combining water flow from more than one point of diversion for measurement through a single measuring device.

A change in ownership of property with a water right usually is not reflected in Department records so you may have a water right from the purchase of property, annexation or reorganization that is currently not listed on the summary report. To save further follow-up notices and reporting needs, fill out a Monthly Water Use Reporting form to cover unlisted water rights and note the permit and/or certificate number on the form. If a water right has been abandoned note it on a reporting form and include the form with the other reporting.

For all the water rights listed on the "Summary of Water Rights for Detailed Water Use Reports" complete one "Detailed Water-use Report" form. For each POD-ID listed in the "Summary of Water Rights for Detailed Water Use Reports" complete a "Monthly Water Use Reporting Form". Make as many copies of the enclosed Monthly Water Use Reporting Form as you need or call 503-378-8455 Ext. 245 for additional copies. If you have obtained approval for combined flow measuring, report the total water use on one form listing all the POD-ID numbers.

For all water rights listed on the "Summary of Water Rights for Abbreviated Water Use Reports" complete the "Abbreviated Water-use Report" form. Only one form is required for all rights listed on the abbreviated report list.

Please submit the Water-use Report form(s) along with a copy of any corrected Summary of Water Rights sheets and the completed Monthly Water Use Forms (for detailed reporting only) to the Oregon Water Resources Department, Attn: Bill Ferber, 158 12th St. N.E., Salem, OR 97310-0210. If you have any questions on reporting water use call the Water Resources Department, Bill Ferber at (503) 378-8455 Ext. 245.

The Department is currently analyzing water use reporting data to better understand water use state-wide, regionally, locally and seasonally. Measured data or an estimate compiled locally by the public agency supplying water will usually be better than the Department's file information or what can be obtained from other sources. This is an important part of our continuing effort to better manage the state's waters. Please complete the following form and enclose it with your Water Use Report.

If you have any questions about the following form please contact Jack Donahue at (503) 378-8433 Ext. 283.

Sincerely,

William E. Ferber

William E. Ferber
Water Data Coordinator



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Note.
(0) on

1993

08/31/93	3688650	81,880	10,946
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09/20/93	3750560	61,910	8,276 cu/ft
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Total Water Used For 1993	143,790 gal.	19,105 cu/ft	
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LOST CK. WATER USAGE 1994

07/31/94	3792570	42,010	5,616
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08/31/94	3857900	65,330	8,733
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09/30/94	3901810	43,910	5,870
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TOTAL WATER USED FOR 1994	151,250 GAL.		
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Lost Creek Water Usage. System #4190183

1990

Date	Meter reading	Gal. Pumped.	Cu/ft
6/24/90	2273070		
6/30/90	2331730	61,190	8,180
7/31/90	2712340	380,610	50,883
8/31/90	3106320	393,980	52,671
9/16/90	3314780	208,460	27,868
Total Water Pumped for 1990		1,417,710 gal.	139,266 cu/ft

Lost Creek Water Usage.

1991

Date	Meter reading	Gal. Pumped.	Cu/ft
7/26/91	3355660		
7/31/91	3365050	9,390	1,255
8/31/91	3410600	45,550	6,089
9/23/91	3438680	28,080	3,754
Total Water Pumped for 1991		83,020 gal.	11,098 cu/ft

Note.= The leak in the 5,000 gal. water tank was fixed in July of 1991.
 So the water usage went down.
 Also the water filters were installed on Aug. 26, 1991.
 (FILTERITE FILTERS)

Lost Creek Water Usage

1992

Date	Meter reading	Gal. Pumped	Cu/ft.
6/01/92	3439500	4,540	flushing
6/30/92	3473580	34,080	4,556
7/31/92	3523680	48,610	6,498
8/31/92	3575640	50,210	6,712
9/23/92	3606770	29,830	3,987
Total water pumped for 1992		167,270 gal.	22,362 cu/ft

Lost Creek Water Usage 1993

1/31/92	9362160	104,950	15,458	11hrs
15,194	18hrs			
2/29/92	9469750	107,590	15,466	8hrs
15,215	21hrs			
3/31/92	9603810	134,060	15,474	8hrs
15,245	30hrs			
4/30/92	9776310	172,500	15,488	14hrs
15,278	33hrs			
5/31/92	0068550	284,980	15,508	18hrs
15,340	62hrs			
6/30/92	0559140	490,590	15,616	104hrs
15,393	53hrs			
7/31/92	1402390	843,250	15,751	128hrs
15,569	176hrs			
8/31/92	2157830	755,440	16,021	270hrs
15,702	124hrs			
9/30/92	down---	898,560	16,316	285hrs
15,729	27hrs			
10/31/92	-----	732,000	16,532	216hrs
15,763	34hrs			
11/30/92	-----	389,000	16653	114hrs 15772
9hrs				
12/31/92	56,520	158,520	16672	19 hrs 15808
36hrs				
Total for dec 1992 = 158,520 Gal.		T. HRS 1,225	# 2	632
HRS				
Total for 1992 = 5,071,440				

WATER USEAGE		HAEDQUARTERS	PUMPS	# 4101080	1993
DATE	ME TER READING	GAL. USED	PUMP HRS #1	# 2	
01/31/93	110270	53,750	16685.0	=	13HRS
15813	=				5HRS
02/28/93	396740	286,470	16779.5	=	94HRS
15813	=				0
03/31/93	610480	213,740	16851	=	72HRS
15813	=				0

October 1, 1993

1993 ~~1994~~ Water Usage
At Crater Lake Natl. Park

Oregon

WATER
RESOURCES
DEPARTMENT

Dear Water User:

At the end of each water year, governmental entities holding water rights are required to submit annual water use reports. This letter is to inform you that the annual water use reports for the 1993 Water Year are due by December 31, 1993.

Enclosed are the Water Right Summary Sheets listing the water rights that are pertinent to your entity. Please review the listing and make corrections and additions as needed. Also enclosed are the reporting forms you will need for this reporting period. Please make as many copies of the Monthly Quantities Form as you need. Return the completed *Monthly Quantities Forms*, corrected *Water Right Summary Sheets*, and *Water-use Report cover sheets* to Bill Ferber at the address listed below.

If you have any questions regarding the Water Use Reporting Program, the reporting forms or rules, please contact Bill Ferber at the address or phone number listed below.

Thank you for your participation in the Water Use Reporting Program.

Sincerely,

William E. Ferber

William E. Ferber
Water Use Coordinator



3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Lost Creek

AUG, 1993 = 81,880
SEPT, 1993 = 61,910

OCT, 1992 TO SEPT, 30, 1993 = 61,910

TOTAL USED 1993 = 143,790

L54
(PNR)PS

November 1, 1972

Mr. Chris L. Wheeler
State Engineer
State of Oregon
1178 Chemeketa N.E.
Salem, Oregon 97310

Dear Mr. Wheeler:

As a follow up to our discussions in your office on September 10,
and a phone conversation held the next day with Regional Hydrologist
Don Barrett, we are sending you a tabulation of water usage data
from Crater Lake National Park.

<u>Permit No.</u>	<u>Name of Drainage</u>	<u>Current Usage</u>	<u>Remarks</u>
15156	Annie Creek (inc. Munson Creek)	66,000 GPD	Maximum use in summer. In use all year.
15157	Bear Creek	None	Area recommended for wilderness.
15158	Sand Creek	2,000 GPD at Lost Creek (seasonal use). 1,000 GPD at Kerv Notch (seasonal use).	
15159	San-Vida Creeks (Vida Falls)	None	Proposed four-unit flush toilet.
15160	National Creek	Diversion at patrol cabin removed. Spring at Devil's Backbone not being used.	Area recommended for wilderness except North Junction. Proposed development at Devil's Backbone and North Junction would require some water.

15161	Bybee Creek	Estimated maximum use: 1,000 gal./ month; present use: 100 gal./mo.	Area recommended for wilderness except for Watchman (seasonal use).
15162	Whitehorse-Castle Creeks	None	Area recommended for wilderness.
15163	Red Blanket Creek	None	Area recommended for wilderness.

The National Park Service intends to make every effort to cooperate with the State in keeping records of usage current. If we can be of further aid to you, please feel free to call upon us.

Sincerely yours,



Bennett T. Gale
Associate Director,
Professional Support

DCBarrett:jcp 11/1/72

2-559
4581

U. S. DEPARTMENT OF THE INTERIOR - NATIONAL PARK SERVICE

FIXED PROPERTY RECORD

DESCRIPTION OF PROPERTY (Include reference to the location within the Park; how the asset was acquired, name of contractor, etc.)

WATER SYSTEM, Lost Creek Campground. Source of supply is Lost Creek. The intake is located approximately 3,500 feet Northwest of Lost Creek Barn. Water is used without treatment. There is a 4,000 gallon concrete underground reservoir filled by 30' of 4" VCtile pipe from the intake. Distribution consists of 3,570 LinFt of 2" wrought steel pipe. This system serves the campground area only.

Line	DATE	REFERENCE		QUANTITY			COST		
		Journal Vou.	Other	Unit	No. of Units	Accumulated Total	Direct Costs	Indirect Costs	Accumulated Costs
1	1-27-60	34-17		Each	1	1	7,142.00		7,142.00
2									
3									
4									
5									
G.L. Acct. N.		General Classification			Sub-Classification		Region	State	Park or Office
220.7		UTILITIES SYSTEM			Water System		23-71	4	Oregon
									Crater Lake

Other Supporting Information



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Crater Lake National Park
Medford, Oregon

March 4, 1960

Site CRLA Docket 3
reg in Docket 2
IN REPLY REFER TO:
L 54

RECEIVED	
NPS REGION FOUR OFFICE	
MAR - 7 '60	
SURNAME DATE	
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
INTERP.	
RANGER ACT	

Memorandum

To: Regional Director, Region Four

From: Superintendent, Crater Lake

Subject: Water Rights, Sand Creek and Bear Creek
Tributary to Klamath River, Dockets 2 and 3, Crater Lake

Reference is made to Regional Chief of Operations Wosky's memorandum dated February 19, 1960

There have been no changes in the subject water systems since 1941, except for the removal of a Ranger Station at Lost Creek. The water formerly used in this ranger station is still used at the same location in a house-trailer stationed there seasonally, so we regard this system as unchanged.

The Wheeler Creek System (Proposed) has never been constructed.

The status of these systems has been indicated in red on one copy of the map Mr. Wosky supplied, and it is attached hereto.

Otto M. Brown
Otto M. Brown
Superintendent

Attachment

X Spaulding 3/9
✓ Whitworth
✓ Kandy BFM
3/9

CRLM Docket 2 # 3

194

Spaulding LSS

McClintock Later

Whitworth

Mantoy 05

Wosky now

February 19, 1960

Memorandum

To: Superintendent, Crater Lake

From: Regional Chief of Operations

Subject: Water Rights, Sand Creek and Bear Creek Tributary to Klamath River, Dockets 2 and 3, Crater Lake

Please let us have your comments on Mr. Dunn's memorandum of January 6, a copy of which you probably received.

To identify the water systems involved we prepared the two attached sketches based on the USGS Crater Lake National Park map. The diversions are shown in better detail on drawing HP-CL 6976, copies of which are in Dockets 2 and 3.

Please let us know if any changes in the systems have been made since 1941 and if the Wheeler Creek system was constructed as proposed. One set of the sketch maps may be marked and returned showing changes.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Attachments

Copy to: Director (2)(with attachments
Chief, WOSC (2)(with attachments

LSSpaulding:lq

FILE COPY

D 5039

February 11, 1960

WR1
Memorandum

To: Regional Director, Region Four
From: Supervisory Engineer, WDC
Subject: Water Supply, Lost Creek and Annie Springs, Crater Lake

Reference is made to Acting Regional Chief of Operations letter of November 17, 1959, to Chief, WDC, File B-50, on the above subject, whereby our opinion was solicited as to the advisability of using a slow sand filter for the Lost Creek system made from an available redwood tank.

From the information that is available in this office there is not an intake structure for the system. The gravity supply line extends into the creek and is a four-inch V. C. tile line with a total head of approximately 2.0 feet. This, of course, is not enough head to allow a filter unit of any type to be placed in the system ahead of the reservoir.

It is our suggestion that the redwood tank not be converted to a slow sand filter, but that consideration be given to:

1. Construction of a simple intake structure with a perforated pipe buried in a bed of sand and gravel in the stream bed.
2. The possibility of burying a perforated collection pipe alongside the stream. This would only be possible if the soil was porous enough for percolation through the natural soil from the stream to the perforated collection pipe.
3. The use of a manufactured automatic valveless filter. These are available in small sizes with a capacity of approximately 1000 g.p.d. to 50,000 g.p.d. This would require moving the intake upstream until adequate head was available for its operation.

To be doubly sure of a safe system a small motor operated hypochlorinator should be installed between the tank and proposals 1, 2, or 3 above. This too would require that the intake be moved upstream until adequate head was available for operation.

The Annie Springs water system is supplied by two hydraulic runs and more recently a gasoline driven pump was installed to make up for the deficiency of the two runs. It is understood that this pump has to operate two to four hours per day. When the second run was installed in 1958, the two were supplying approximately 12,000 gallons per day. Since the system serves only approximately 100 campsites, 5 comfort stations, one residence and the checking station, it would appear that the runs are not working to their capacity and perhaps require some maintenance and adjustment. There is also the possibility of a line leak. A development the size of Annie Springs and Mammoth would normally have a water demand of approximately 12,000 g.p.d. If it is still planned to expand the Mammoth Campground it would appear that consideration should be given to a more permanent type of pumping equipment to furnish an adequate water supply for the existing and future needs of the area.

We will have a project crew in Crater Lake on a part time basis this summer making surveys for future projects. At that time, if you so desire, we will assist in making a study of the water problems and make further recommendations.

(Sgd.) Percy E. Smith
P. E. Smith
Supervisory Engineer

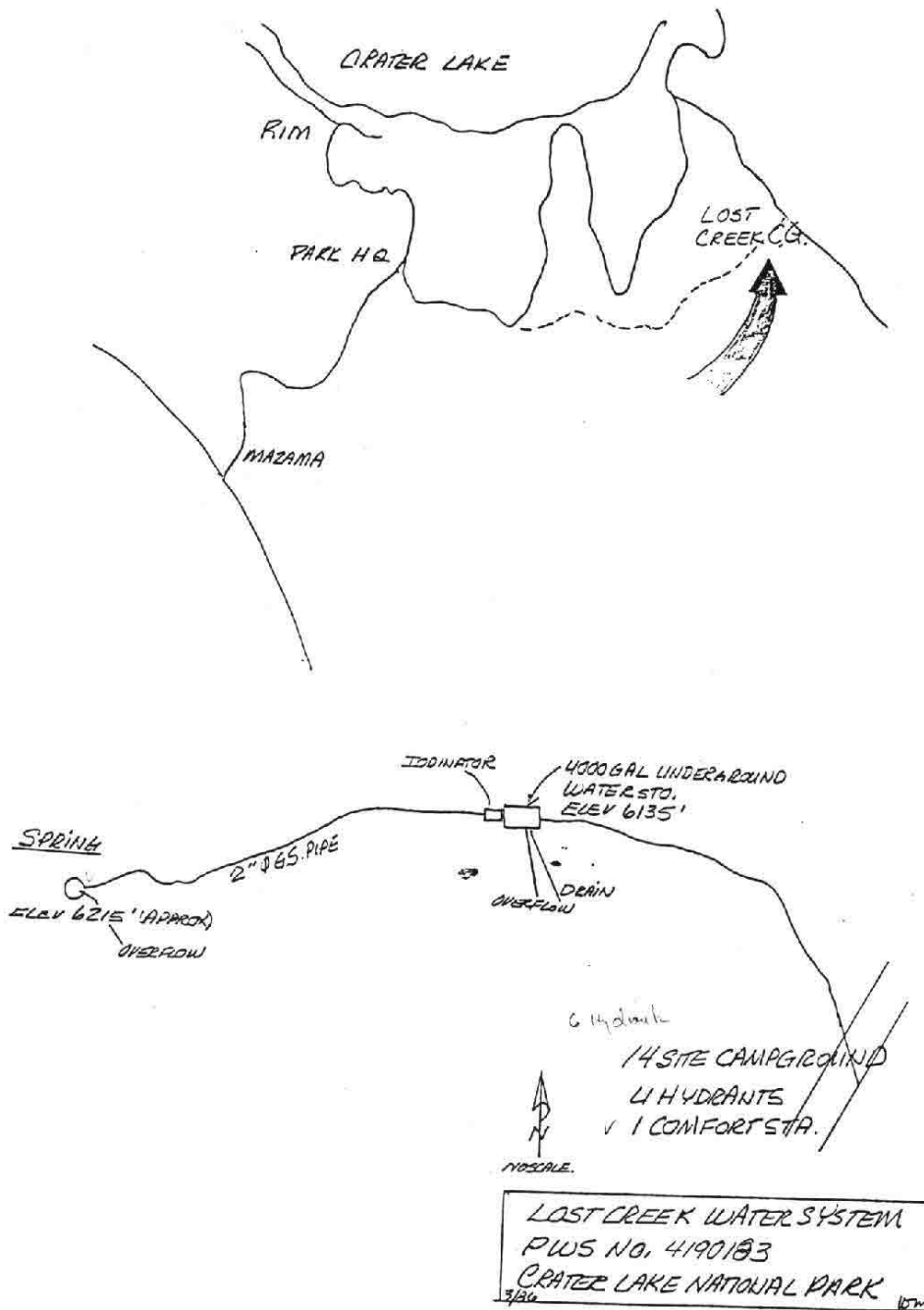
In duplicate

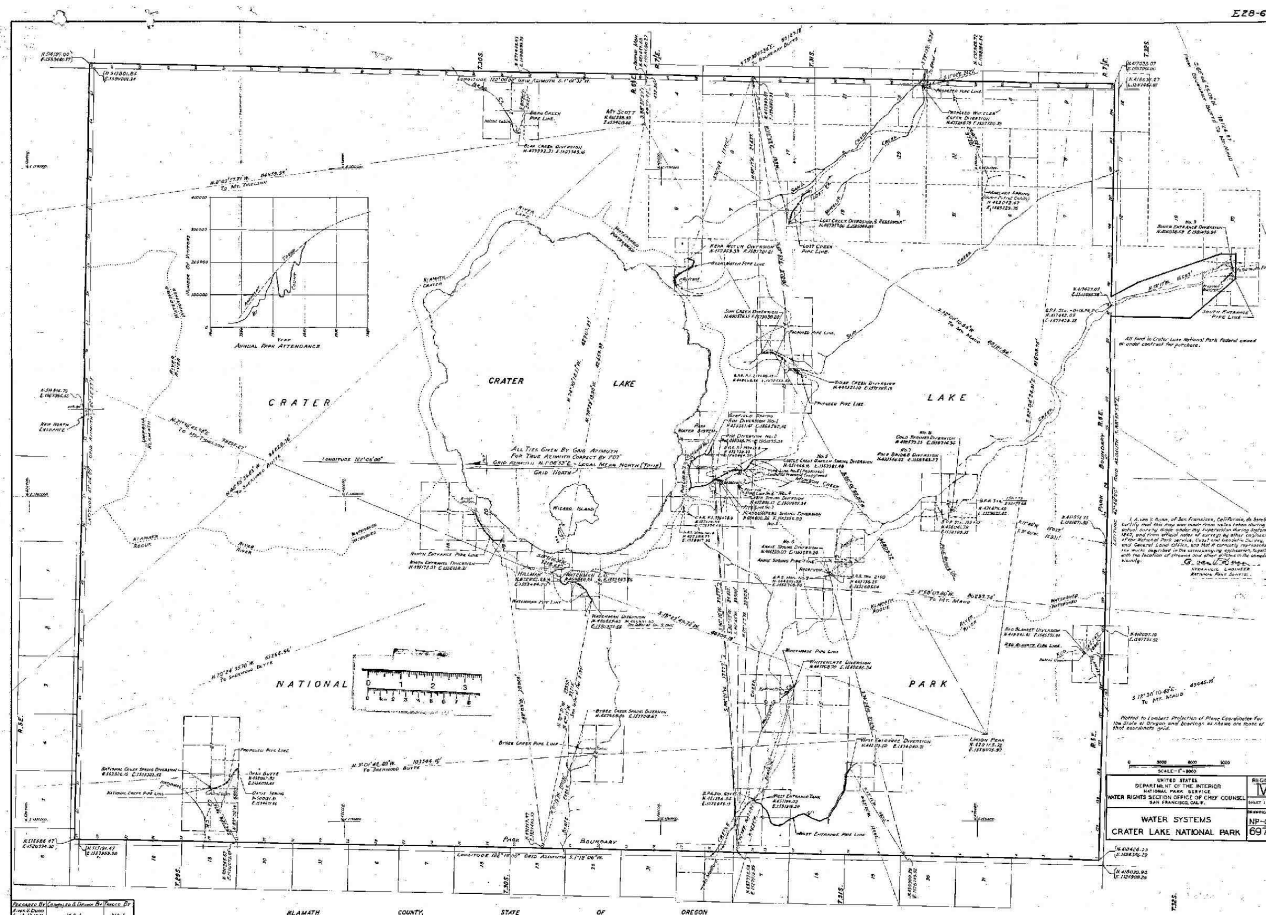
Copy to: Chief, D&C
Chief, Water Resources Section
Supt. Crater Lake

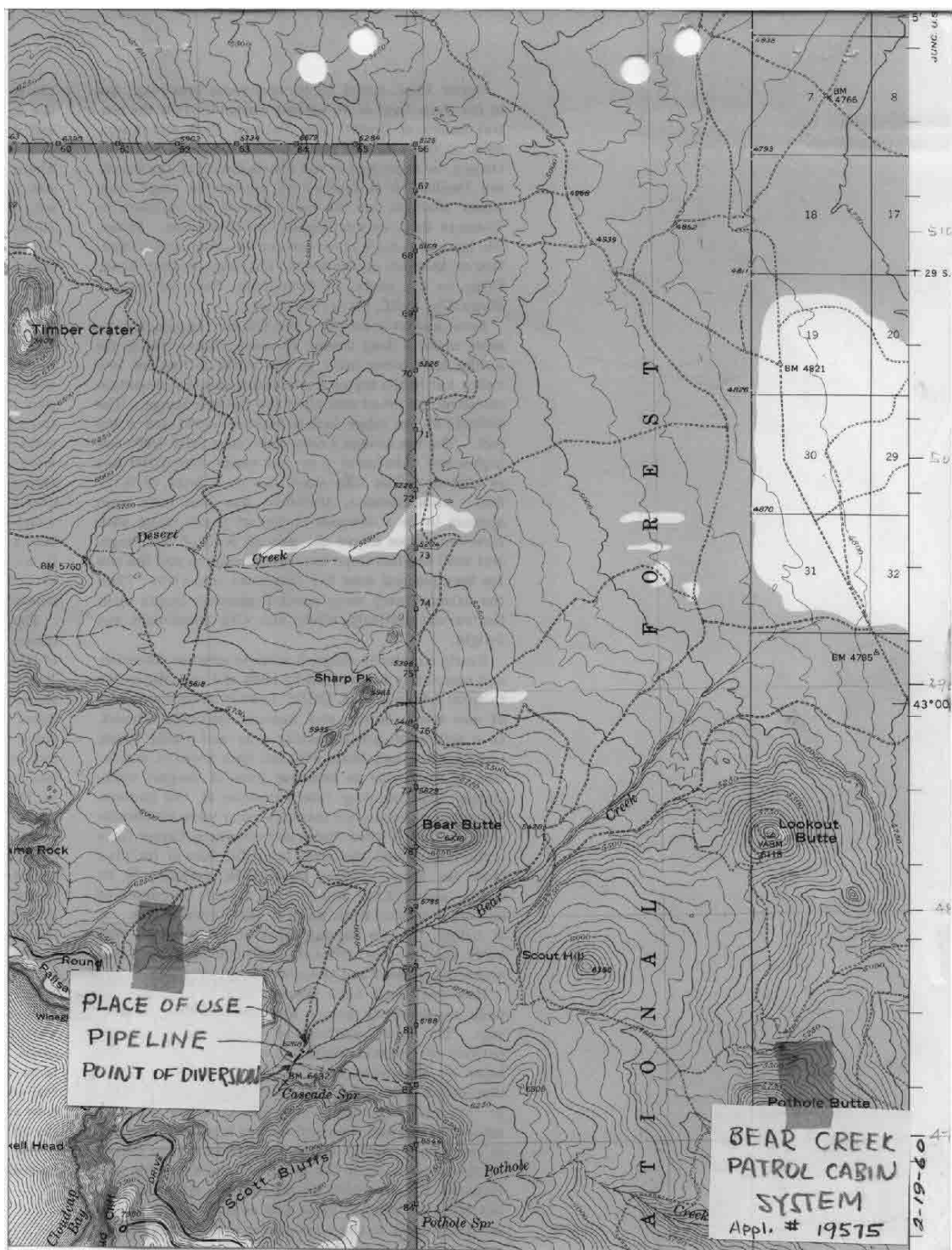
MAP NOTE

FOR UPDATED WATER-SYSTEM MAP,
SEE KLAMATH ADJUDICATION FILES FOR
24 X 30 INCH MAP, DATED DECEMBER 1996

"EXISTING USES UNDER SAND CREEK FEDERAL RESERVED
WATER RIGHT CLAIM, LOST CREEK WATER SUPPLY SYSTEM"







Docket Information

Number of Documents in Docket 61
Documents Dated from 7/15/1924 to 10/1/1993
Docket Compiled: 2/14/2011