



WATER-RIGHT DOCKET

Grand Canyon National Park

Docket No: 6

CLEAR CREEK WATER SYSTEM

Preliminary Docket Information

12-02-1938: application no. a-1879: covering appropriation of water

Grand Canyon, Arizona.
December 2, 1938.

APPLICATION NO.: A-1879.

COVERING APPROPRIATION OF WATER FROM: Clear Creek.

AMOUNT: 1,000 gals. per day for domestic use; 5 acre feet per annum for irrigation; 200,000 gals. per annum for stockwatering.

FOR USE AT: Public campground on Clear Creek at Termination of trail from Phantom Ranch.

DATE OF FILING: April 14, 1938, at 11:00 a.m.

FILING FEE: \$3.00, Receipt No. 228, dated April 14, 1938.

RECORDING FEE: \$11.20, Receipt No. 348, dated August 8, 1938.

PERMIT NO: A-1193.

PERMIT DATED: November 28, 1938.

DATE OF PRIORITY: April 14, 1938.

DATE BY WHICH CONSTRUCTION SHALL BEGIN: November 27, 1939.

DATE BY WHICH CONSTRUCTION SHALL BE COMPLETED: November 27, 1943.

DATE BY WHICH COMPLETE USE OF WATER SHALL BE MADE: November 27, 1944.

FURTHER ACTION REQUIRED: It is noted that actual construction shall begin on or about November 27, 1939. If, for any reason, it is found impossible to start work by that date, an amended application must be filed or authority for extension of time must be secured from the State Water Commission. In any event, there must be filed with the State Water Commission formal notice of beginning of construction and upon completion of the work there must be filed formal notice of completion of construction. Construction work must be completed by November 27, 1943, and complete application of the water to the proposed use shall be made within one year from that date. Consequently, on or before November 27, 1944, there must be filed with the State Water Commission "Notice of Complete Application of Water to a Beneficial Use", and also "Proof of Appropriation of Water". Upon filing such forms and payment of the required fee (\$3.50 at present), a Certificate of Water Right will be issued by the State Water Commission.

REMARKS: A copy of Application No. A-1879 (Permit No. A-1193) and a copy of this summary is being sent to the Director and also to Mr. Joseph E. Taylor. The latter should substitute the attached for the copy now in his files, especially since certain corrections have been made in the original application in accordance with the data submitted by Mr. Taylor's memorandum of October 10, 1938. It will be noted, too, that the final Application and Permit form as signed by the State Water Commissioner shows at the top of the last page an Order of Correction. The original of all papers, receipts and documents in connection with this case is on file in my office.

M. R. TILLOTSON,
Superintendent.

WATER RESOURCES/WATER RIGHT

DATE: May 24, 1976

WATER RIGHT/SOURCE DOCKET INFORMATION

REGION Western Region AREA Grand Canyon National Park
 SITE Clear Creek Water System
 STATE Arizona COUNTY Coconino DOCKET NO WR #6
 LOCATION SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 11, T31N, R3E, G&SRB&M
 REGIONAL BASIN Colorado River LOCAL BASIN _____
 ACQUIRED BY Appropriation
 APPLICATION A-1879 PERMIT A-1193 (cancelled) CERTIFICATE _____
 ACTION DUE see remarks PRIORITY Apr. 14, 1938 RESERVATION Jan. 11, 1908
 QUANTITY -0- USE None
 STATUS Inactive SOURCE Stream

REMARKS State cancelled Application A-1879 sometime prior to May 10, 1976.Hydrologic Unit #15010001NARRATIVE:

The Superintendent of Grand Canyon National Monument filed Application No. A-1879 with the State of Arizona on April 14, 1938. He proposed diverting 1,000 gallons per day from Clear Creek, a tributary of the Colorado River, for domestic, irrigation and stockwatering purposes. The flow of Clear Creek was to be diverted by a ditch which would flow through Clear Creek Camp and then return to the Mainstream. The water was to be used for picnickers, fishermen, and campers in the area and a portion was to be piped to horse watering troughs.

The Acting Superintendent of Grand Canyon National Park notified the State on March 1, 1944, that the project proposed by Application No. A-1879 had been abandoned. On October 27, 1973, Bill Werrell was informed by Bill Orr and Dick Rainer of Grand Canyon National Park that the project had never been carried to completion. On May 10, 1976, Gerald Walsh of the State of Arizona indicated to Bill Werrell that Application A-1879 had been cancelled. However, due to a new system being used to record water rights, the National Park Service has never received an official cancellation notice from the State. In any event, the campground appears to have been abandoned as a potential development.

Compiled by Kevin KidderApproved by W. WerrellPage 1 of 1

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZONA

C
o
p
y

March 1, 1944.

Miss Tessie L. Flynn, Secretary,
Water Division,
State Land Department,
Phoenix, Arizona.

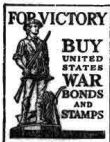
Dear Miss Flynn:

Reference is made to your letter of February 28, 1944, relative to Application No. A-1879 and Permit No. A-1193, Clear Creek.

Please be advised that this project has been abandoned and we do not care to extend the time for completion. Thank you very much for calling our attention to this matter, but due to conditions over which we have no control it will be impossible for us to carry out any construction work in the project, at least not until after the end of the war.

Very truly yours,

John M. Davis,
Acting Superintendent.



GCNP - Booked 6

4



OFFICE OF
State Land Department
STATE OF ARIZONA
Phoenix, Arizona

February 28, 1944

O. C. WILLIAMS
STATE LAND COMMISSIONER

Water Division

Superintendent
Grand Canyon National Park
Grand Canyon, Arizona

Re: App. No. A-1879
Per. No. A-1193
Clear Creek

ACTION	
Superintendent	
Asst. Secy	<i>[Signature]</i>
Chief Eng.	
Chief Clerk	
Chief of Camp	
Chief of Forest	
Chief of Game	
Chief of Irrigation	
Chief of Lands	
Chief of Survey	
Chief of Water	
Chief of Wildlife	
Chief of Forest	
Chief of Game	
Chief of Irrigation	
Chief of Lands	
Chief of Survey	
Chief of Water	
Chief of Wildlife	

Dear Sir:

We enclose form, in duplicate, to be filled out and returned to us in the above cited case. According to terms of the permit, construction work should have been completed on November 27, 1943.

If construction work has not been completed, it will be necessary for you to write us, asking for an extension of time within which to do so, and setting forth the reasons you require more time.

Very truly yours,

Tessie L. Flynn
Secretary, Water Division

s



STATE WATER COMMISSIONER
STATE HOUSE
PHOENIX, ARIZONA

File
H2B
See renewed permit
H2B

JESSE C. WANSLEE
COMMISSIONER

November
27
1939



Dr. H. C. Bryant
Acting Superintendent
Grand Canyon National Park
Grand Canyon, Arizona

Re: Application No. A-1879
Permit No. A-1193
Clear Creek

Dear Sir:

When you were in our office regarding an extension of time within which to begin construction under the terms of your permits to appropriate the waters of Bright Angel Creek, mention was not made about the beginning of construction in the above designated case.

Will you please file with us notice of the progress you have made in this case? Forms for the purpose are enclosed.

Sincerely yours,

Jesse C. Wanslee
JESSE C. WANSLEE
STATE WATER COMMISSIONER.

FROM	TO
✓ Superintendent	
Asst. Superintendent	
Chief Clerk	✓
Purchasing Clerk	
Storekeeper	
Cost Accountant	
Timekeeper	JCW:1
File Clerk	Enc.
Stenographer-Secretary	
Sanitary Inspector	
Park Engineer	
Chief Ranger	
Asst. Chief Ranger	
Information Desk	
Park Naturalist	
C. C. G.	
Plumber	
Electrician	
Mechanic	
FOR	✓
Action	
Comment: Verbal	
Comment: Memorandum	
Prepare Reply for Supt. Sign	

Carroll



SEP 22 1938

STATE WATER COMMISSIONER

STATE HOUSE

PHOENIX, ARIZONA

September 19, 1938

JESSE C. WANSLEE
COMMISSIONER

Mr. Joseph E. Taylor,
Regional Attorney,
National Park Service,
601 Sheldon Building,
San Francisco, California.

Re: Applications No. A-1878, A-1879,
A-1880, and A-1881.

Dear Mr. Taylor:

We are in receipt of Mr. Tillotson's letter of August 16th transmitting copy of your letter to him of August 12, Mr. Dunn's memorandum of August 2, Mr. Dunn's report on Analysis of Water Right Ties and the Topographic Map of the Grand Canyon National Park.

After reading and considering Mr. Dunn's report we suggest that only Application No. A-1879, Clear Creek, be changed and return this application herewith for corrections as follows:

In Par. 3 correct tie line to agree with description of 40 acre tract in which point of diversion is located and map. Verify and correct, if necessary depth of water in Par. 6. Correct Par. 7 as indicated.

In order to retain its priority of filing this application must be corrected and refiled in this office on or before November 18, 1938.

After the explanations made in Mr. Dunn's Report we are not at all reluctant to now accept applications No. A-1878, A-1880, and A-1881 as we only brought the apparent discrepancies to your attention in our letter of July 7 in order that they could be corrected if they were found to be actual errors in computations as in the case of Application No. A-1879. In these cases, if at any time in the future the public survey system is extended into, or nearer, the area in which the projects are located it becomes desirable to do so; we know of no reason that would preclude the amending of the applications and permits for the purpose of correcting the description of location of points of diversion and places of use. This will also apply to the older cases where the applications have been approved, permits granted and certificates of water right issued.

Sincerely yours,

Jesse C. Wanslee
JESSE C. WANSLEE
STATE WATER COMMISSIONER.

JCW:L

*Copies mailed Director, Regional Director, Region III
and Asst. Tillotson 10/10/38.*

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZ.

REC'D AUG 1

August 16, 1938.

State Water Commissioner,
State Office Building,
Phoenix, Arizona.

Gentlemen:

Reference is made to Mr. Stewart's letter of July 7 in regard to Applications A-1878, A-1879, A-1880, and A-1881. As I advised you by my letter of July 21 your letter of July 7 was, necessarily, referred to our San Francisco attorney, Mr. Joseph E. Taylor, for the attention of Mr. Dunn who made the original survey. This for the reason that I did not have access to the original notes from which the surveys were made.

I am now enclosing a copy of Mr. Taylor's letter of August 12 to me, together with a copy of Mr. Dunn's memorandum of August 2 to Mr. Taylor, and a copy of Mr. Dunn's report dated August 2 analyzing the water right ties in this park. I believe that a study of the enclosed report will explain to your satisfaction the discrepancies, both real and apparent.

There will be noted Mr. Taylor's statement that one of the filings, namely A-1879, in connection with the Clear Creek diversion, is definitely in error. If you will kindly return that application with the accompanying map, direct to Mr. Taylor at 601 Sheldon Building, San Francisco, the necessary corrections will be made. As to the others, we will, as Mr. Taylor states, be guided by your wishes, and if you consider it necessary to return them for correction in view of Mr. Dunn's very complete analysis, and explanation, please feel free to do so. I trust, however, that you will not consider this absolutely necessary, and that the filings and maps will be found acceptable in their present form. In any event, please send me a copy of your letter of transmittal with which you forward any or all of the applications and maps to Mr. Taylor for correction.

I appreciate fully the desirability and necessity of checking all such matters very carefully, and I am glad that Mr. Stewart has gone into the matter with such detail. On the other hand, I am sure that you appreciate the fact that in terrain of this nature it is difficult to make a survey and map which will check exactly in every case, especially in view of the fact that area concerned is unsurveyed, probably never will be surveyed, and there is a

question as to the exact dimension of certain of the townships involved. I am sure, too, that you will appreciate the fact that both Mr. Taylor and I are conscientiously making every effort to submit these filings in such a way as to meet your every requirement, and to your entire satisfaction.

As suggested by the last paragraph of Mr. Stewart's letter of July 7, I am enclosing a copy of our base map (east half) scale 1/48000, on which I have indicated by an appropriate symbol, and just as accurately as possible, the approximate point of diversion and of use in connection with each application now before you. I trust that this will be of assistance in passing upon the various applications. If I can be of further assistance by making a visit to your office for the purpose of helping to clear up this entire matter, I shall be glad to do so.

Very truly yours,

M. R. Tillotson,
Superintendent.

CC: Mr. Taylor. ←

COMPARED
RECORDED

Permit No. A-1193.....

Application No. A-1879.....

APPLICATION FOR A PERMIT

To Appropriate Public Waters of the State of Arizona

Filed April 14, 1938 at 11:00 A.M.
(Applicant must not fill in the above blanks.)

The United States of America, by

I, M. R. Tillotson, Superintendent of Grand Canyon National Park
(Applicant's name as inserted here must agree with signature.)

of Grand Canyon, County of Coconino
(Postoffice.)

State of Arizona, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of Arizona.

1. The source of the proposed appropriation is Clear Creek
(Name of stream or name of reservoir and stream if water is diverted from reservoir.)
tributary of Colorado River

2. The amount of water which the applicant intends to apply to beneficial use is:

For domestic use, 1000 gallons per day
(Municipal or Domestic.) (Gallons per annum, or gallons per day.)

For irrigation use, 5 AF/Annum
(Irrigation.) (Acre feet per acre per annum.)

For stock watering use, 200,000 gallons per annum
(Mining or Stock Watering.) (Cubic feet per second, or gallons per annum.)

For use, cubic feet per second.
(Power.)

For use,
(Name of use.)

3. The point of diversion is N 67 degrees, 18' 11" E, 34,100' feet
located from the SW
(State bearing and distance or coordinate distances to section or quarter section corner.)
corner Section 24, T 31 N, R 2 E, G and SR B & M

being within the SE 1/4 NE 1/4 (unsurveyed) of Sec. 11, T. 31 N
(State 40-acre subdivision of U. S. Government survey or projection thereof.) (No. N. or S.)

R. 3 E, G. & S. R. B. & M., in the County of Coconino
(No. E. or W.)

(Note—Complete paragraph below for all proposed uses of water, except irrigation.)

4. The water will be used for domestic and stock in the NE 1/4 SE 1/4 (unsurveyed)
(40 or 10 acre subdivision.)

of Sec. 11 and for domestic and stock in the NW 1/4 SW 1/4
(40 or 10 acre subdivision.)

of Sec. 12, T. 31 N, R. 3 E, G. & S. R. B. & M., Coconino County, Arizona.

DESCRIPTION OF WORKS

5. Diversion Works: (a) Diversion will be by gravity, the diverting dam to be none feet in height (stream bed to overflow) long on top, and constructed of no diverting
(Concrete, earth, brush, etc.)

structures necessary; water flows directly into ditch and pipe

(b) Description of headgate timber, or simple check gate design
(Timber, concrete, etc., number and size of openings.)

(c) If water is to be pumped give general description
(Size and type of pump.)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

Do not use this form in making application for a permit to construct a reservoir and store water. A special form for this purpose may be obtained from the State Water Commissioner.

*(this is a true copy of Applicant's application and permit
in files of Dept. Grand Canyon N.P. - 1/2 6/39 - S.H.)*

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6. **Conduit System.** (a) ~~Cross ditch, 4 ft. wide~~ ^{4 2} Width on top (at water line) 3.2 feet; width at bottom 2.0 feet; depth of water ~~0.20~~ ^{0.6} feet; length 1300 feet; grade 1.5 feet per 1,000 feet; materials of construction sandy clay with some boulders

(b) Pipe line: Diameter inches; length feet; grade feet per 1,000 feet; total fall from intake to outlet feet; kind

(Riveted steel, cement, wood-stave, etc.)

NOTE—If different sizes or kinds of conduit are to be used, attach extra sheets with complete description, also show location of each clearly on map.

7. **Distributing Works.** troughs. Material iron 2' x 2' x 6'
 180 (No.) (Tanks or Troughs.) (State dimensions)
270 gallons (for horses) and capacity of each.

8. **Cost and Construction Schedule.** The estimated cost of the proposed project is \$500.
 It is proposed to begin construction within one year after the approval of this application, to complete construction within five years thereafter and to completely apply the water to the proposed use five years after the beginning of construction.
 (Not over 1 year.) (Not more than 5 years.) (State time in months or years.)

DESCRIPTION OF PROPOSED USE

9. **Domestic Use.** Domestic use is proposed as follows: To supply picnic parties, fishermen and packers with camping facilities in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12 (unsurveyed) in T 31 N, R 3 E, G & SR B & M not exceeding one-half acre, stating number of persons and number of domestic stock to be served, etc.)

10. **Municipal Use.** To supply the city of having a present population of , and an estimated population of in 19

11. **Irrigation Use.** (a) The land to be irrigated has an area of 10 acres; is located in Coconino County, Arizona, and is particularly described by legal subdivisions as follows:

(Describe the subdivisions of the township or section the entire area of which it is proposed to irrigate, by the largest possible legal subdivisions, in the table below, inserting the area in the acreage column. In cases of irregular shaped parcels use a separate line to describe each 40 acre subdivision in which they occur and insert only the area of such subdivision to be irrigated in the acreage column.)				
Tp.	Range	Sec.	SUBDIVISIONS	Number Acres To Be Irrigated
31N	3 E	11	NE $\frac{1}{4}$ SE $\frac{1}{4}$	2
31N	3E	12	NW $\frac{1}{4}$ SW $\frac{1}{4}$	8
			(all in unsurveyed land)	

(If more space is required, attach separate sheet.)

(b) What is the character of the soil? sand, boulders, and small amount of clay and loam

(c) What quantity of water is necessary to raise proposed crops? 5 AF/A/Annum
 (Acre feet per acre per annum.)

(d) Land to be irrigated is owned by The United States of America (Nat'l. Park Service)
 (Name of owner.) (If applicant is lessee, etc., so state.)

(e) The irrigation season will begin about April and end about October
 (Beginning date each season.) (Closing date each season.)

(f) Has the land to be irrigated any water right or source of water supply other than that herein applied for? No Describe the nature and amount of any additional supply.

12. **Stock Watering Use.** (a) What kind of stock is it proposed to serve? horses and mules

(b) What is the average number of stock it is proposed to serve? 50

(c) What is the maximum number of stock it is proposed to serve? 100

(d) The use of water will begin about April and end about October
 (Beginning date each season.) (Closing date each season.)

13. **Power Use.** (a) The maximum amount of water to be used through the penstock is.....
cubic feet per second.

(b) Total amount of power to be developed.....theoretical horsepower.
(Second feet $\times$ fall $\div$ 8.8.)

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

(d) The nature of the works by means of which the power is to be developed.....
(Turbine, Pelton wheel, hydraulic ram, etc.)

(e) The works to be located, and the water to be released, in.....of Sec.....
(40-acre subdivision.)

T....., R....., G. & S. R. B. & M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?..... If so, name stream and describe location of
point where returned.....in the.....Sec.....T.....
(Name of stream.) (40-acre subdivision.) (No. N. or S.)

R....., G. & S. R. B. & M.
(No. E. or W.)

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

(Give general description of locality where power will be used.)

14. **Mining Use.** The mines to be served are.....known
(Placer gold, lode gold, copper, etc.)

as the.....
(Names of claims or name of group.)

located in....., Sec....., T....., R....., G. & S. R. B. & M.
(40-acre subdivision.) (No. N. or S.) (No. E. or W.)

and owned by.....

The method of utilizing the water is.....

Will the water be polluted by chemicals or otherwise?.....
(Explain nature of pollution, if any.)

What disposition is made of water after use?.....
(State if stored for reuse. If returned to a stream give name of stream and description of 40-acre tract to which returned.)

GENERAL

15. Are the maps required by the Rules and Regulations filed with Application?.....Yes..... If not,
(Yes or No.)
state specifically the time required for filing same.....

16. The proposed point of diversion is on land of The United States of America (Nat'l. Park Ser.)
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)

17. The proposed conduit system is on land of The United States of America (Nat'l. Park Service)
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)

18. The land at the proposed place of use is owned by The United States of America (Nat'l. Park Ser.)

19. Post office used by those living near the proposed point of diversion is Grand Canyon, Arizona

20. Of the applicant's knowledge, has the water described herein ever been appropriated, claimed or used by others?..... If so, file a statement herewith furnishing names of former appropriators or users of the water, and supporting applicant's claim that the water is now subject to appropriation.

21. If the source of supply is a stream, state names and addresses of three water users from the stream below the proposed point of diversion; or, if there are no water users from stream below the proposed point of diversion, or if the source of supply is other than a stream, furnish the names and addresses of at least three residents of the vicinity familiar with the source of supply and the proposed use of water.

None

The United States of America
By (Sgd) M. R. Tillotson
Signature of Applicant.
Superintendent, Grand Canyon Nat'l. Park

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h-3

RECORDED

COMPARED

ORDER OF CORRECTION

STATE OF ARIZONA,

County of Maricopa.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In Par. 3 correct tie line to agree with description of 40 acre tract in which point of diversion is located and map. Verify and correct, if necessary depth of water in Par. 6. Correct Par. 7 as indicated.

In order to retain its priority, this application must be corrected, completed and refiled in the office of the State Water Commissioner on or before November 18, 1938.

WITNESS my hand and seal of office this 19th day of September, 1938.

Jesse C. Wanslee

State Water Commissioner.

Application No. A-1879RECORDED
COMPARED
PERMITPermit No. A-1193

STATE OF ARIZONA,

County of Maricopa.

This is to certify that I have examined the foregoing application and do hereby approve the same, and grant to the applicant a permit to appropriate the water described therein subject to the following limitations and conditions:

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and shall not exceed One thousand (1,000) gallons per day for Domestic Use, three and three quarter (3 3/4) acre feet per acre per annum for irrigation and Two hundred Thousand (200,000) gallons per annum for stockwatering purposes.

The priority of date under this permit is April 14, 1938.

Actual construction work shall begin on or before November 27, 1939 (allowed to lapse) and shall be prosecuted with reasonable diligence and be completed on or before November 27, 1943.

Complete application of the water to the proposed use shall be made on or before Nov. 27, 1944.

WITNESS my hand and seal of office this 28th day of November, 1938.

(Sgd) Jesse C. Wanslee.

State Water Commissioner.

Application No. A-1879Permit No. A-1193

PERMIT

To Appropriate Public Waters of the State of Arizona

District No.

This instrument was first received in the office of the State Water Commissioner at Phoenix, Arizona, on the 14th day of April, 1938, at 11:00 o'clock A. M.

Returned to applicant for correction

September 19, 1938

Corrected application refiled

November 28, 1938

oved

Recorded in Book No. 11 ofApplications for Permit at page 1879

(Sgd) Jesse C. Wanslee.

State Water Commissioner.

BY ARIZONA PRINTERS, INC.

ORDER OF CORRECTION

RECORDED
COMPARED

STATE OF ARIZONA,

County of Maricopa.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In Par. 3 correct tie line to agree with description of 40 acre tract in which point of diversion is located and map. Verify and correct, if necessary depth of water in Par. 6. Correct Par. 7 as indicated.

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WITNESS my hand and seal of office this 19th day of September, 1938.

James C. Wanslee
State Water Commissioner.

Application No. A-1879.....

RECORDED
COMPARED
PERMIT

Permit No. A-1193.....

STATE OF ARIZONA,

County of Maricopa.

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The priority of date under this permit is April 14, 1938.

Actual construction work shall begin on or before November 27, 1939, and shall be prosecuted with reasonable diligence and be completed on or before November 27, 1943.

Complete application of the water to the proposed use shall be made on or before Nov. 27, 1944.

WITNESS my hand and seal of office this 28th day of November, 1938.

James C. Wanslee
State Water Commissioner.

Application No. A-1879.....

Permit No. A-1193.....

PERMIT

Appropriate Public Waters of
the State of Arizona

Ticket No.

It was first received in the office
of the State Water Commissioner at Phoenix,
Arizona, on the 14th day of April,
1938 at 10:00 o'clock A. M.

Application for correction
received on November 19, 1938.
Application refiled
on November 28, 1938.

Book No. 11 of
for Permit at page 1879

James C. Wanslee
State Water Commissioner.

Permit No.

Application No.

APPLICATION FOR A PERMIT

To Appropriate Public Waters of the State of Arizona

Filed at M.
(Applicant must not fill in the above blanks.)The United States of America, by
I, M. E. Tillotson, Superintendent of Grand Canyon National Park
(Name of Applicant.)of Grand Canyon County of Cocconino
(Postoffice.)State of Arizona, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of Arizona:1. The source of the proposed appropriation is Clear Creek
(Name of stream or name of reservoir and stream if water is diverted from reservoir.)
tributary of Colorado River

2. The amount of water which the applicant intends to apply to beneficial use is:

For domestic use, 1000 gallons per day.
(Municipal or Domestic.)For irrigation use, 5.47 cu ft/annum
(Irrigation.) (Cubic feet per second, or acre feet per acre per annum.)For stock watering use, 1000 gallons per day
(Mineral or Stock Watering.) (Cubic feet per second, or gallons per day.)For power use, cubic feet per second.
(Power.)For use,
(Other.)3. The point of diversion is located N 67 degrees 18' E, 34.100 ft.
(State bearing and distance or coordinate distances to section or quarter section corner.)
T 11 N, R 12 E, G & S R. B. & M.being within the N 1/4 (unsurveyed) of Sec. 11, T. 11 N
(State 40-acre subdivision of U. S. Government survey or projection thereof.) (No. N. or S.)R. 12 E, G. & S. R. B. & M., in the County of Cocconino
(No. E. or W.)4. The main ditch to be 0.25 miles in length, terminating in the
(Main ditch, canal or pipe line.)N 1/4 Sec 12 (unsurveyed) of Sec. 12, T. 11 N, R. 12 E, G. & S. R. B. & M.,
(State 40-acre subdivision of U. S. Government survey or projection thereof.) (No. N. or S.) (No. E. or W.)

the proposed location being shown throughout on the accompanying map.

DESCRIPTION OF WORKS

5. Diversion Works: (a) Diversion will be by gravity, the diverting dam to be none feet in
height (stream bed to overflow), long on top, and constructed of
(Concrete, earth, brush, etc.)(b) Description of headgate Timber, of simple check gate design.
(Timber, concrete, etc., number and size of openings.)(c) If water is to be pumped give general description
(Size and type of pump.)

Do not use this form in making application for a permit to construct a reservoir and store water. A special form for this purpose may be obtained from the State Water Commissioner.

6. Conduit System. (a) ~~Canal, ditch, flume.~~ Width on top (at water line) 3.2 feet; width at bottom 2.0 feet; depth of water 0.06 feet; length 1300 feet; grade 1.5 feet per 1,000 feet; materials of construction sandy clay with some boulders.

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per 1,000 feet; total fall from intake to outlet _____ feet; kind _____
(Riveted steel, cement, wood-stave, etc.)

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

7. Distributing Works. ~~Fence or Trough:~~ Material iron Size 2' x 2' x 6'
Capacity 170 gallons (for horses.)

8. Cost and Construction Schedule. The estimated cost of the proposed project is \$ 500.
It is proposed to begin construction within 1 year after the approval of this application, to complete construction within 5 years thereafter and to completely apply the water to the proposed use 5 years after the beginning of construction.
(Not over 1 year.)

DESCRIPTION OF PROPOSED USE

9. Domestic Use. Domestic use is proposed as follows: To supply picnic parties, fishermen and packers with camping facilities in the NE 1/4 Section 11, and NW 1/4 Section 12 (unsurveyed) in T31N, R1W, S1A, Coconino.
not exceeding one-half acre, stating number of persons and number of domestic stock to be served, etc.)

10. Municipal Use. To supply the city of _____ County, having a present population of _____, and an estimated population of _____ in 19____.

11. Irrigation Use. (a) The land to be irrigated has an area of 5 acres; is located in Coconino County, Arizona, and is particularly described by legal subdivisions as follows:

(Describe the subdivisions of the township or section the entire area of which it is proposed to irrigate, by the largest possible legal subdivisions. In the table below, inserting the area in the acreage column. In case of irregular shaped parcels use a separate line to describe each 2 1/2 acre subdivision in which they occur and insert only the area of such subdivision to be irrigated in the acreage column.)

Tp.	Range	Sec.	SUBDIVISIONS	Number Acres To Be Irrigated
<u>31N</u>	<u>3E</u>	<u>11</u>	<u>NE 1/4 SE 1/4</u>	<u>6</u>
<u>31N</u>	<u>3E</u>	<u>12</u>	<u>NW 1/4 SW 1/4</u>	<u>4</u>
			<u>(All in unsurveyed land.)</u>	

(If more space is required, attach separate sheet.)

(b) What is the character of the soil? sand, boulders, and small amount of clay and loam.

(c) What quantity of water is necessary to raise proposed crops? 5 AT/A/Annum
(Acre feet per acre per annum.)

(d) Land to be irrigated is owned by The United States of America (National Park Service)
(Name of owner.) (If applicant is lessee, etc., so state.)

(e) The irrigation season will begin about April and end about October
(Beginning date each season.) (Closing date each season.)

(f) Has the land to be irrigated any water right or source of water supply other than that herein applied for? No Describe the nature and amount of any additional supply.

12. Stock Watering Use. (a) What kind of stock is it proposed to serve? horses and mules.

(b) What is the average number of stock it is proposed to serve per annum? 50

(c) What is the maximum number of stock it is proposed to serve? 100

13. **Power Use.** (a) The maximum amount of water to be used through the penstock is cubic feet per second.
- (b) Total amount of power to be developed theoretical horsepower.
(Second feet $\times$ fall $\div$ 8.8.)
- (c) Total fall to be utilized feet.
(Pressure head.)
- (d) The nature of the works by means of which the power is to be developed
(Turbine, Pelton wheel, hydraulic ram, etc.)
- (e) The works to be located, and the water to be released, in of Sec.
(40-acre subdivision.)
- T., R., G. & S. R. B. & M.
(No. N. or S.) (No. E. or W.)
- (f) Is water to be returned to any stream? If so, name stream and describe location of point where returned in the Sec., T.
(Name of stream.) (40-acre subdivision.) (No. N. or S.)
- R., G. & S. R. B. & M.
(No. E. or W.)
- (g) The use to which the power is to be applied is
(For distribution and sale or private use, etc.)

14. **Mining Use.** The mines to be served are known
(Placer gold, lode gold, copper, etc.)
- as the
(Names of claims or name of group.)
- located in Sec., T., R., G. & S. R. B. & M.,
(40-acre subdivision.) (No. N. or S.) (No. E. or W.)
- and owned by
- The method of utilizing the water is
- Will the water be polluted by chemicals or otherwise?
(Explain nature of pollution, if any.)
- What disposition is made of water after use?
(State if stored for reuse. If returned to a stream give name of stream and description of 40-acre tract to which returned.)

GENERAL

15. Are the maps required by the Rules and Regulations filed with Application? Yes If not, state specifically the time required for filing same
(Yes or No.)
16. The proposed point of diversion is on land of The United States of America (National Park Service)
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)
17. The proposed conduit system is on land of The United States of America (National Park Service)
(Insert name of owner, or state on Public Domain, National Forest, State Land, etc.)
18. The land at the proposed place of use is owned by The United States of America (National Park Service)
19. Post office used by those living near the proposed point of diversion is Grand Canyon, Arizona
20. Of the applicant's knowledge, has the water described herein ever been appropriated, claimed or used by others? No If so, file a statement herewith furnishing names of former appropriators or users of the water, and supporting applicant's claim that the water is now subject to appropriation.
21. If the source of supply is a stream, state names and addresses of water users from the stream below the proposed point of diversion; or, if the source of supply is other than a stream, furnish the names and addresses of at least three residents of the vicinity familiar with the source of supply and the proposed use of water.

None.

United States of America

By
Signature of Applicant.
Superintendent, Grand Canyon National Park.

ORDER OF CORRECTION

STATE OF ARIZONA, }
County of Maricopa. } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows:

In order to retain its priority, this application must be corrected, completed and refiled in the office of the State Water Commissioner on or before _____, 19_____.

WITNESS my hand and seal of office this _____ day of _____, 19_____.

State Water Commissioner.

Application No. _____

Permit No. _____

PERMIT

STATE OF ARIZONA, }
County of Maricopa. } ss.

This is to certify that I have examined the foregoing application and do hereby approve the same, and grant to the applicant a permit to appropriate the water described therein subject to the following limitations and conditions:

The amount of water appropriated shall be limited to the amount which can be applied to beneficial use and shall not exceed _____.

The priority of date under this permit is _____.

Actual construction work shall begin on or before _____, and shall be prosecuted with reasonable diligence and be completed on or before _____.

Complete application of the water to the proposed use shall be made on or before _____.

WITNESS my hand and seal of office this _____ day of _____, 19_____.

State Water Commissioner.

Application No. _____

Permit No. _____

PERMIT

To Appropriate Public Waters of
the State of Arizona

District No. _____

This instrument was first received in the office of the State Water Commissioner at Phoenix, Arizona, on the _____ day of _____, 19_____, at _____ o'clock _____ M.

Returned to applicant for correction

Corrected application refiled

Approved

Recorded in Book No. _____ of
Applications for Permit at page _____

State Water Commissioner.

THE MANUFACTURING SYSTEMS INC. PHOENIX, ARIZONA

FILE COPY

October 10, 1938.

Hon. Jesse C. Wanslee,
State Water Commissioner,
State House,
Phoenix, Arizona.

Re: Applications Nos. A-1878, A-1879,
A-1880, and A-1881.

Dear Mr. Wanslee:

We wish to acknowledge receipt of your letter of September 19,
with which was returned to us our application No. A-1879, Clear
Creek, for corrections.

We wish to thank you for your acceptance of applications Nos.
A-1878, A-1880, and A-1881. If, in the future, the public survey
system is extended near enough to the systems involved in said
applications so that any actual errors are susceptible of deter-
mination, amendments to these applications will be sought as sug-
gested by you.

We are this day forwarding to the Superintendent of Grand
Canyon National Park application No. A-1879, together with the
corrected tracing and blue-print, in order that they may correct
their records prior to forwarding this material to you. We regret
to state that the tracing was received by us in a rather creased
state, and we merely wish you to understand that it had not been
negligently handled here or at the park during the correction.

Sincerely yours,

Joseph E. Taylor,
Regional Attorney.

JET:SH

CC: Director.
Regional Director.
Supt., Grand Canyon National Park.

Other Supporting Information

L54(WR)RWR
LAME/AWR #s 1,
4, 11, and 12
GRCA/WR #6 ✓

May 27, 1976

Memorandum

To: Chief, Division of Water Resources, Western Region
From: Hydrologist, Division of Water Resources, Western Region
Subject: Various Water Rights of LAME and GRCA

On May 3, 1976, I visited the Arizona State Water Rights Offices in Phoenix, Arizona. This visit was made as a follow up of Divisional efforts regarding updating of water dockets at Lake Mead NRA (ref. trip report of April 13, 1976 in which this visit is referred to in the "recommendations").

I met with Mr. Gerald Walsh of the State Office and requested information as to the current status of numerous applications. The State is in the process of computerization of records, but the system is not yet operable. Mr. Walsh obtained the status through a card index system.

The following information was obtained regarding Lake Mead:

<u>Application No</u>	<u>Docket No.</u>	<u>Status</u>
A-1845	AWR 1	Active Cert. #982
R-850 to & including R-858	AWR 4	Cancelled
R-867 " " " R-869	AWR 4	Cancelled
R-877 " " " R-880	AWR 4	Cancelled
A-2687 " " " A-2689	AWR 4	Cancelled
A-2682	AWR 4	Cancelled
A-2683	AWR 4	Cancelled
A-2672	AWR 4	Cancelled
A-2667	AWR 4	Cancelled
A-2648	AWR 4	Cancelled
A-2729	AWR 4	Cancelled
A-2926	AWR 4	Cancelled
A-2750	AWR 4	Cancelled
R-1052	AWR 11	Active Cert. #2800
A-2728	AWR 12	Cancelled Sep 19, 1951

The following information was obtained regarding Grand Canyon NP:

<u>Application No.</u>	<u>Docket No.</u>	<u>Status</u>
A-1879	WR 6 ✓	Cancelled Sep 21, 1951

Mr. Walsh was unable to supply me with copies of the cancellation notices of the above, such notices are now filed in the State Archives and would require great effort to retrieve for copying. Dates of State cancellations were listed for only two of the Applicants.

The above information greatly assists the Divisional efforts to update the LAME and GRCA dockets.

SIGNED

W. Werrell

Both Bill Orry recent North District Ranger, and Dick Rainer, at GRCA Park headquarters, have reported no knowledge as to this ditch-- they conclude that this proposed project was never carried to completion.

W. Werrell
October 27, 1973

1944/5/1

April 22, 1944.

MEMORANDUM for the Regional Director, Region Four.
Attention: Hydraulic Engineer Dunn.

Reference is made to Water Rights Application No. A-1879 and Permit No. A-1193, Clear Creek.

Attached you will find copies of letters exchanged with the Water Division, State Land Department, which are pertinent to the above mentioned project and which should be included in your file.

Copies are also being sent to Region Three office for their files and the Director's.

John M. Davis,
Acting Superintendent.

Enclosures.

cc: Regional Director, Region Three (2).

CMC/ja

FILE COPY

FILE COPY

601 Sheldon Building
November 1, 1939

Memorandum for Acting Superintendent Bryant,
Grand Canyon National Park:

Reference is made to your memorandum of October 24, with which you enclosed an original letter to the Arizona State Water Commissioner, suggesting an abandonment of Applications A-1879, A-1880, and A-1881, upon the ground that there is no immediate hope that these developments can be undertaken at an early date because of lack of funds.

Rather than see these totally abandoned at this time, we feel it worth while to make an attempt to secure an extension, at least with respect to the Bright Angel Creek applications, Nos. A-1880 and A-1881, based upon possible recognition of municipal character of use. Accordingly, we are returning herewith your letter to Mr. Wanslee, with the recommendation that it be not sent at the present time.

In addition, we are enclosing a copy of our memorandum for the Director of October 31, requesting a travel order for Associate Attorney Albert L. Johnson, from which you will note that we have some hope of retaining these applications in good standing by interviews with the Water Commissioner and the State Attorney General.

We are now engaged in a research, designed to find authority for the State Water Commissioner to extend these permits, if any such authority can be found. We believe it is highly desirable, and we hope it will be profitable, to have Mr. Johnson interview the State officials as soon as a travel order can be secured for him.

We would welcome any suggestion you care to make as to the possibility of your accompanying Mr. Johnson, or whether you would like to see him at the park before he proceeds to Phoenix. We feel that this matter is important, not only from the standpoint of the particular future water uses involved, but also in the way of establishing a precedent for clear recognition of municipal status on both the South and the North Rims.

In lieu of the letter which you proposed to send, we suggest that you acknowledge Mr. Wanslee's letter of October 16, and state that it is probable that a representative of the Park Service will call upon him, and that the Service is attempting to work out certain propositions intending to substantiate the jurisdiction of the Commissioner to extend the time in these instances.

If, after consultation with the State Water Commissioner and the Attorney General, it is found that the jurisdiction for extension of time seems unlikely, it still seems possible to us to save these filings by some performance of actual work, either of a CCC character, or inexpensive work under regular funds. This matter will be further discussed with you by Mr. Johnson.

Joseph E. Taylor,
Regional Attorney.

Encl. 1645500.

JET:SH

cc: Director.
Regional Director, Region III.

601 Sheldon Building,
San Francisco, Calif.,
October 26, 1939.

Memorandum for Regional Attorney Teylor:

Re: Grand Canyon Water Rights,
Proposed Systems

It is unfortunate that Acting Superintendent Bryant did not send his letter of October 24, 1939, to us before replying to State Water Commissioner Wanslee. I feel that we have grounds for a court case if the United States wishes to press the matter.

The Commissioner has refused to extend the time for the construction of the following systems:

Application 1880 - Permit 1194 - Bright Angel Creek
Diversion for South Rim Auxiliary Supply.

Application 1881 - Permit 1195 - Bright Angel Creek
Diversion for Phantom Ranch Power.

Application 1879 - Permit 1193 - Clear Creek Diversion
for Campground Use.

- ? (We tried to get municipal status for the South Rim Area, and the Commissioner (then Mr. Stewart) would not recognize it. I have always felt that we could establish that status if we took it to court.

Referring to Section 3288, page 10, of the Arizona Water Code, construction shall begin within one year "except under applications by a city or town for its municipal uses". The South Rim area is a town of 10,000 people. It is entitled to municipal status as much as other towns of the same size. It has permanent residents, a postoffice (Grand Canyon, Arizona), station, hotels, stores, restaurants, and shops. Its chief businesses are commerce and the resort industry. It is an all-year community of all-year business and residence.

Assuming that we request the municipal status and get the Commissioner's decision in writing, Section 3292, page 12, of the Code advises that the Superior Court then has authority.

Application 1880 for 1.00 sec. ft. is definitely an auxiliary municipal water supply. Application 1881 was primarily for power at Phantom Ranch, but I always tried to show additional use to pump water to the South Rim. Mr. Tillotson and the Fred Harvey Company objected to the latter on the ground of limited power capacity, but Mr. Bryant might now agree if it permitted an extension of time. Certainly the right under application 1880 cannot be perfected without power. Hence, I feel these two denials by the Commissioner should be protested if Mr. Bryant's letter of October 23, 1939, was not too injurious.

Application 1879 for Clear Creek does not fit into municipal status as a unit. Yet the federal government should have certain time limit waivers similar to a town because, like a town, its needs grow and its ability to construct is dependent on appropriation. Also, like a town, the federal government is not supposed to spend public funds until growth gives justification.

The Arizona Code is narrow and limited. Other problems have resulted which make it impossible to establish water rights for most of the national monuments in the state. Hence, I feel that now is the time to take legal action.



A. van V. Dunn,
Associate Engineer.

REC'D OCT 26 1939

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZ.

October 24, 1939.

Mr. Joseph E. Taylor, Regional Attorney,
National Park Service,
601 Sheldon Building,
San Francisco, Calif.

Dear Taylor:

Enclosed find copy of a letter from Jesse C. Wanslee indicating impossibility of the Water Commission to extend the time for the beginning of construction work on App. No. A-1879, No. A-1880 and No. A-1881. Due to lack of appropriations we have been unable to begin construction, and there is little hope of funds being available in the near future. Therefore we have written State Water Commissioner Wanslee to allow the applications to lapse pending our ability to begin developments. We enclose the letter to Mr. Wanslee for your approval before mailing. Please post the letter unless you have suggestions as to some other course of action.

Very truly yours,

H. C. Bryant

H. C. Bryant,
Acting Superintendent.

*Joe: I think Bryant was busy in answering water
conservation govt. But who should be the Federal
procurement?*

C. J.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ECW REGION FOUR
601 SHELDON BUILDING
SAN FRANCISCO, CALIFORNIA



October 10, 1938.

Memorandum for Superintendent Tillotson:

With reference to the application for water right No. A-1879, Grand Canyon National Park, we are herewith returning the corrected original application, the tracing to accompany said application, and one blue-print, all the aforementioned to be filed with the Arizona State Water Commissioner. There are also enclosed two revised blue-prints for your records, and you are requested to destroy the old ones. *done most*

There is also enclosed in duplicate a copy of Associate Engineer Dunn's memorandum to me of September 27, explaining the treatment used in the preparation of the map, and this also contains comments upon the errors existing in the previous application and map. While we can see no reason for not having a copy of this memorandum go to the State Water Commissioner, we are leaving that in your discretion.

As Mr. Dunn states, we have made the corrections in our copies of the application, and in that for the Director, but you are reminded to insert these corrections upon your own copy before forwarding to the State Water Commissioner.

It is requested that we be advised as soon as permit has been issued upon this application, and upon applications Nos. A-1878, A-1880, and A-1881.

Joseph E. Taylor
Joseph E. Taylor,
Regional Attorney.

Encls.

W.M.C.
In duplicate.

CC: Director.
Regional Director, Region III. *done most*

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
ECW REGION FOUR
601 SHELDON BUILDING
SAN FRANCISCO, CALIFORNIA

September 27, 1938.

Memorandum for Mr. Joseph E. Taylor, Regional Attorney:

Re: Application for Water Right No. A-1879,
Grand Canyon National Park.

In accordance with Mr. Wanslee's letter of September 19, 1938,
I have corrected application A-1879 as follows:

1. I have treated the imaginary sections between the SW corner of Section 24, T 31 N, R 2 E, and the Clear Creek Diversion as standard sections, and computed the tie to that diversion as shown on the map, to fit the area as previously described. This seems to be in accordance with Mr. Wanslee's instructions, and mathematically correct although it does not recognize the irregular sections known to exist along the South Rim of the Canyon.

This method of correction will be the easiest to follow, and keeps the map changes at a minimum. It does not agree exactly with the suggested data shown on my last map in my "Analysis of Water Right Ties". The variation is 75 feet North to South, and 808 East to West.

2. I have changed the depth of ditch from 0.06' to 0.6'. This was clearly a typographical error. The ditch clearly has far greater capacity than is needed for the demand. I have assumed that Mr. Carrel's design is to care for rather excessive evaporation and seepage losses, and that if the latter are so great it indicates a very rapid return to the creek.

3. I have corrected the capacity of the trough to agree with the dimensions as requested by Mr. Wanslee. I cannot recall my reason for the mathematical error of 10 gallons unless I had some data on free-board which I cannot now find.

I am still somewhat mystified at the error in section tie. The line, as originally drawn on the map, to smaller scale, is correct, but the value in figures was in error. It looks as though two applications became mixed in typing, or in assembling the data. (Of course Mr. Carrel used my value in figures when drawing the large scale insert.)

Mr. Wanslee should be advised that we have made all corrections on the original application and tracing because of the State notations which have been made. The tracing was received in very poor condition, being badly creased even though the tube did not show much wear.

Superintendent Tillotson should be reminded to correct his copy of the application before forwarding the original.

The enclosed tracing and one blue-print are to be returned to the Arizona State Water Commission. The blue-print to accompany the tracing should be signed by Mr. Carrel, as it does not seem to print well from the tracing.

There are also enclosed two revised blue-prints for the Superintendent's records. The extra prints are for our office copy and the Director's copy of the application, and the old ones should be destroyed.

Encls.

A. van V. Dunn,
Associate Engineer.

*Copy mailed Director,
2 Copies mailed Superintendent } 10/10/38*

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZ.

REC'D AUG 19 1938

August 16, 1938.

State Water Commissioner,
State Office Building,
Phoenix, Arizona.

Gentlemen:

Reference is made to Mr. Stewart's letter of July 7 in regard to Applications A-1878, A-1879, A-1880, and A-1881. As I advised you by my letter of July 21 your letter of July 7 was, necessarily, referred to our San Francisco attorney, Mr. Joseph E. Taylor, for the attention of Mr. Dunn who made the original survey. This for the reason that I did not have access to the original notes from which the surveys were made.

I am now enclosing a copy of Mr. Taylor's letter of August 12 to me, together with a copy of Mr. Dunn's memorandum of August 2 to Mr. Taylor, and a copy of Mr. Dunn's report dated August 2 analyzing the water right ties in this park. I believe that a study of the enclosed report will explain to your satisfaction the discrepancies, both real and apparent.

There will be noted Mr. Taylor's statement that one of the filings, namely A-1879, in connection with the Clear Creek diversion, is definitely in error. If you will kindly return that application with the accompanying map, direct to Mr. Taylor at 601 Sheldon Building, San Francisco, the necessary corrections will be made. As to the others, we will, as Mr. Taylor states, be guided by your wishes, and if you consider it necessary to return them for correction in view of Mr. Dunn's very complete analysis, and explanation, please feel free to do so. I trust, however, that you will not consider this absolutely necessary, and that the filings and maps will be found acceptable in their present form. In any event, please send me a copy of your letter of transmittal with which you forward any or all of the applications and maps to Mr. Taylor for correction.

I appreciate fully the desirability and necessity of checking all such matters very carefully, and I am glad that Mr. Stewart has gone into the matter with such detail. On the other hand, I am sure that you appreciate the fact that in terrain of this nature it is difficult to make a survey and map which will check exactly in every case, especially in view of the fact that area concerned is unsurveyed, probably never will be surveyed, and there is a

question as to the exact dimension of certain of the townships involved. I am sure, too, that you will appreciate the fact that both Mr. Taylor and I are conscientiously making every effort to submit these filings in such a way as to meet your every requirement, and to your entire satisfaction.

As suggested by the last paragraph of Mr. Stewart's letter of July 7, I am enclosing a copy of our base map (east half) scale 1/48000, on which I have indicated by an appropriate symbol, and just as accurately as possible, the approximate point of diversion and of use in connection with each application now before you. I trust that this will be of assistance in passing upon the various applications. If I can be of further assistance by making a visit to your office for the purpose of helping to clear up this entire matter, I shall be glad to do so.

Very truly yours,

M. R. Tillotson,
Superintendent.

CC: Mr. Taylor. ←

FILE COPY

/////

August 12, 1938.

The Superintendent,
Grand Canyon National Park,
Grand Canyon, Arizona.

Dear Mr. Tillotson:

Reference is made to your letter of July 12, with which was enclosed a copy of the letter dated July 7, 1938, written by Edwin T. Stewart, Engineer for the State Water Commission. This letter of Mr. Stewart, as you may recall, questioned some of the survey ties set forth in applications Nos. 1878, 1879, 1880, and 1881.

A recheck of all filings made at Grand Canyon has been made by Mr. Dunn, and it is found that the application relating to the Clear Creek diversion -- that is, No. A-1879 -- is definitely in error, and it is requested that you seek to have the original application and tracing returned to us for correction.

Conjecture as to probable section subdivision, where projection is necessary under the present unsurveyed status, may give rise to some difference of opinion with respect to probable location, and consequently we will of course be guided by the wishes of the State Water Commissioner with respect to the North Rim applications, and if he desires we will make whatever amendments he considers necessary if and when they are returned to us.

For the purpose of explaining to you and to the Engineer for the State Water Commission, a report by Mr. Dunn containing an analysis of his method of procedure has been prepared, and it is felt that it contains an explanation sufficient to justify the method of procedure adopted in the preparation of the Grand Canyon applications and filing maps. Special attention is called to the new map which Mr. Dunn has just prepared as an independent check, entitled "Analysis of Water Right Ties", contained in his report.

This report is submitted to you in duplicate, the extra copy being for submission to the State Water Commission or its engineer, and we are doing it in this way for the reason that we feel

the Dunn report should be examined by you and the Park Engineer before being transmitted to the State Water Commission, in order that any changes you might desire to make may be considered, or any statements rephrased.

You may recall that when submitting to you on June 12, 1937, the proposed applications for Clear Creek, Bright Angel Creek for Cottonwood Camp, Bright Angel Creek for Proposed Enlargement South Rim, and Bright Angel Creek for Phantom Ranch Hydro Plant, we stated in our letter of that date that data upon which those applications had been prepared was quite meager, and we thought it possible that the procuring of more accurate data might be advisable. We offered to finance a field party for such work, but in your letter of July 15 you advised that it seemed unnecessary that additional field surveys be made. Due to Mr. Stewart's present attitude, it might now be advisable, as suggested in Mr. Dunn's report, to make at least a triangulation for a mathematical location of the points of diversion for Cottonwood and Clear Creek Camps from the South Rim coordinate grid, and use these figures in the pending applications.

If the report enclosed herewith meets with your approval, we should be delighted to have you submit it to the Engineer for the State Water Commission for his comments and further directions. It is also suggested, in accordance with Mr. Stewart's request contained in the final paragraph of his letter of July 7, that you furnish the State Water Commission with a print of the park base map with the projects filed upon indicated by spotting. Since the reorganization we are not able to supply this map. Mr. Dunn did start a copy with correspondence shortly after his visit of a year and a half ago, but it seems to have been mislaid somewhere.

Sincerely yours,

In duplicate.

JET:SE

Joseph E. Taylor,
Regional Attorney.

Encls.

CC: Director, with enclosures ~~(without report)~~ for attention of Chief Engineer
Acting Regional Director,
Region III - with enclosure.

107 Tamalpais Road,
Berkeley, California.
July 15, 1938.

REC'D JUL 13 1938

Memo to Mr Joseph E Taylor,
Regional Attorney,
Region IV
National Park Service.

Handwritten: Not mailed return

Re: Applications
A-1878; A-1880;
A-1879; A-1881.

I am enclosing Mr Stewart's letter of July 7 th, and Mr Tillotson's letter of July 12 th for safe keeping until I return to the office.

A check of the ties, or the land sub-division of the area involved in each case, will be too involved to attempt here at home. Some of the computations for Grand Canyon were made by me and some by Mr Wilkinson and , perhaps, by Mr Jackson. I believe they were all checked by another of the three who had not made the original computations. Hence, if there is an error, it is probably in multiples of a quarter section, which can be easily corrected - but, I shall wish to give it my personal attention.

There is another complication which may have been inadequately explained to Mr Stewart in that there is an off-set in the range lines, and I believe also in the township lines, which makes it impossible to carry sections from the South to the North rim without a special guide. I am not sure whether this involves the Cottonwood Camp system or not, but it makes it more essential that I have all my notes from the office before attempting checks. It may also be necessary to prepare a sketch of these off-sets as an explanation for Mr Stewart if they are involved.

Mr Stewart has also called attention to the apparant degree of accuracy in the bearings and distances of ties. This was not great accuracy, but an attempt to keep the error down. The data we have had from the Park has been very meagre. In fact, I have always considered the maps of Cottonwood and Clear Creek systems as little more than sketches. Since I made the maps from Mr Carrel's data for him to sign, the ties were intended to show the exact mathematical computation in order that he would be signing for no error other than that which he might have made in "spotting" the diversions. If the computations have been made incorrectly, my purpose was killed. On the other hand, now that the methods have been fairly well "aired", it may be well to round off the tie values to prevent confusion in the office of the State Water Commissioner.

Incidentally, if the Commissioner wishes great accuracy, I feel that further field surveys should be made. Mr Carrel may be satisfied (after I check the mathematics), but I should hate to sign the Clear Creek and Cottonwood maps without tying them to the South Rim by triangulation. In the correspondence of a year or

more ago, you will find a letter to Mr Tillotson which transmitted preliminary prints of these maps, called attention to the megre data from which they were prepared, and requesting a check by Mr Carrel to be sure that they were satisfactory for him to sign. Then, early in June 1937, we offered funds with which to make further field surveys if desirable. The reply was that the maps seemed satisfactory.

A. van V. Dunn

A. van V. Dunn
Associate Engineer

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZ.

RECD JUL 17 1937

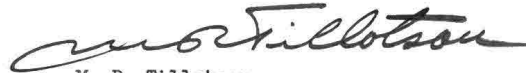
July 15, 1937.

Mr. Joseph E. Taylor, Attorney at Law,
U. S. Department of the Interior,
110 Sutter Street,
San Francisco, Calif.

Dear Mr. Taylor:

Reference is made to your letter of June 21 with which you transmit drafts of applications in connection with the proposed Clear Creek and Cottonwood Camps filings. These are very complete and apparently quite in order. I have no suggestions, additions or criticisms to offer except in connection with the Clear Creek filing where under paragraph 11 the area to be irrigated is shown as five acres whereas the tabulation immediately following shows a total of ten acres. I should say that the five acre figure is more nearly correct.

Very Sincerely Yours,



M. R. Tillotson,
Superintendent.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Branch of Land Acquisition and Regulation
~~Legal Division~~
110 Sutter Street
San Francisco, Calif.

June 21, 1937



Mr. M. R. Tillotson,
Superintendent,
Grand Canyon National Park,
Grand Canyon, Arizona.

Dear Mr. Tillotson:

Several days ago we sent you prints of the Clear Creek and Cottonwood Camp water system maps for comments before filing with the State Engineer. We also suggested at that time that you might wish to make certain field checks before signing any applications, and offered a portion of our funds for such work.

It was hoped that we would complete the balance of the Bright Angel Creek applications before the end of this week and forward for your comments, but unforeseen interruptions have retarded the work somewhat. We are therefore forwarding the applications to go with the Clear Creek and Cottonwood Camp prints at this time, and will send the other applications within the next few days, in order to give you time to study them before the end of the fiscal year.

I enclose for your benefit two prints of a portion of Bright Angel Creek and Clear Creek which I have prepared to show the relative positions of sections, and particularly the odd section or oversize section on the north line of Township 32 North. As plotted on this map, the size and location of the sections and the offset on the township line were obtained by projecting sections from the North and South Rim respectively, and using the triangulation system worked out for Phantom Ranch. These are just for your information and records.

Sincerely yours,

Joseph E. Taylor,
Attorney.

Encls.

By

A. van V. Dunn
A. van V. Dunn,
Associate Engineer.

CC: Mr. Kittredge.

FROM	TO
Superintendent	
Assistant Superintendent	
Chief Clerk	
Purchasing Clerk	
Warehouseman	
Cash Accountant	
Treasurer	
File Clerk	
Stenographer-Secretary	
Sanitary Inspector	
Park Engineer	
Asst. Ranger	
Asst. Ranger Collins-Brown	
Asst. Ranger	
Interpreting Deck	
Asst. Ranger	
Asst. Landscape Foreman	
ECW Engineer S. R.	
ECW Wildlife Technician	
ECW Supt. NP	
FOR	
Action	
Comments: Verbal	
Comments: Memorandum	
Comments: Reply for Supt. Sign	
Initial and Return	
Initial and Return to Files	

NATIONAL PARK SERVICE
Branch of Land Acquisition and Regulation
Legal Division

Report
On
Investigation of Water Rights
For Grand Canyon and Southwestern Monuments

By

A. van V. Dunn
Associate Engineer

San Francisco, Calif.,
December 17, 1936.

Introduction

This report constitutes a review of my activities on a trip to Arizona in connection with National Park Service water rights in that State. The trip was made in the company of Associate Attorney Albert L. Johnson, on instructions from Attorney Joseph E. Taylor of the Branch of Land Acquisition and Regulation.

We left San Francisco November 29, and returned December 11. We visited Grand Canyon, Casa Grande, Phoenix, and Los Angeles.

Grand Canyon

At Grand Canyon we found that Superintendent Tillotson was away on leave, but outlined our program to Acting Superintendent Lloyd, and arranged for an interview with Mr. Tillotson in Phoenix. We also discussed the various water systems of the Park with Park Engineer Carrel.

The desirable water rights for the Park are as follows:

1. Indian Gardens supply for South Rim, 300,000 g.p.d., which is the full flow of the source of supply. We were able to file the application on this supply while in Phoenix, and arrange for the map, which will be submitted within thirty days, after incorporating data obtained from the Santa Fe Railway Company in Los Angeles.

2. Union Pacific Hydro-electric Development on Bright Angel Creek for North Rim, 5 second feet.

3. Roaring Spring Supply for North Rim, 30,000 g.p.d. during four summer months.

Only part of the necessary data for filing on these two systems was available in the Park, so Mr. Lloyd wrote to the Union Pacific for the additional information. When this is received, maps and applications will require two to three weeks of office work.

4. Fish Hatchery (proposed) on Roaring Spring, 1/2 second foot.

5. Fifteen Impounding Dams for Wild Life, 225 acre feet, of which twelve dams are now constructed. By specifications of the State Water Code, Wild Life and Fish are not recognized as beneficial use, so that these two items are not now subject to appropriation. However, the Park can lose the water through private filings below its boundary for recognized beneficial use, and the State is anxious to liberalize its code, so it would seem highly desirable to have as much correspondence on the matter with the State as possible. Mr. Tillotson has agreed to write one letter to place his problems on record.

6. Cottonwood Camp Supply, 300 g.p.d., and irrigation of five acres. The maps and application will require a part of a week of office work.

7. Clear Creek (proposed), 100 gallons per week, and irrigation of ten acres. A preliminary application and map were prepared in the field, for use as an illustration with the Water Commission, and can be completed and filed very quickly.

8. Phantom Ranch on Bright Angel Creek, 7000 g.p.d. present use and irrigation of twenty acres. It is also proposed to divert 1/2 second foot to augment the Indian Gardens supply for the South Rim, and the Fred Harvey interests are considering a hydro-electric plant which might require an additional five or six second feet. This combined system may be partially combined with items 2 and 3, and will require approximately a month of office work. The data is now on file in the office of the Chief Engineer, but will require considerable modification for use.

Except for the developments by the Union Pacific, data for filing can now be prepared from data obtained in the interview with Mr. Carrel, or from maps in the office of the Chief Engineer.

Southwestern Monuments

In our interview with Superintendent Pinkley at Casa Grande, we discussed all Southwestern Monuments, irrespective of State boundaries. The following tabulation of Mr. Pinkley's problems is clearly more of adjustments and legal interpretations than of actual filing on rights in the various states. Without doubt, Mr. Johnson will be able to adjust many of these problems during the next few months.

1. Montezuma National Monument, Arizona:

Domestic use is from wells which are not subject to appropriation.

Beaver Creek should be appropriated for much needed irrigation. (Water from the Coolidge Dam has been refused for some reason, though the ditches bound the monument on two sides.) There is a controversy over this water, however, as there is already a diversion for an unpatented homestead, and the homesteader wishes to use the diversion as proof in his patent. Either an adjustment between the United States and this homesteader, or haste in obtaining first priority for the Park Service, seems necessary if the monument is to be protected on the irrigation of 20 acres.

2. Pipe Springs National Monument, Arizona:

These springs were first developed and used by the Mormons about 1870. An interdepartmental agreement was reached in 1933, granting 5 g.p.m. to the neighboring stockmen, 75% of the remainder (approximately 30 g.p.m.) to the Indian Service, and the remainder to the monument. Neither Mr. Pinkley nor the stockmen seems satisfied with the agreement. Disregarding the allocation of the water, further investigation is needed to determine whether proper filings have been made for appropriation by the United States.

3. Chiricahua National Monument, Arizona:

The present supply is from a spring. Further study is needed to determine whether this spring is subject to appropriation. There is also a stream which Mr. Pinkley does not regard as a necessary supply at this time. It seems possible, however, that commingling the waters of the spring and stream to make both subject to appropriation, might provide greater protection.

4. Tonto National Monument, Arizona:

A small spring on this monument does not flow beyond boundary. It has been used as watering hole, and farmers would protest fencing the area. Further investigation should be made toward protecting the monument rights.

5. Tumacacori National Monument, Arizona:

An irrigation ditch crosses the monument, but does not supply water to, or concern the monument. The monument will obtain its water from a well or precipitation.

6. Walnut Canyon, Arizona:

Water is needed, but there is only an intermittent flow in the canyon. The Santa Fe Railway Company built an impounding dam below the monument, which does not hold water. The Park Service plans a metal catchment for precipitation, but it might be well to file on an impounding dam until further study of local conditions can be made.

7. Wupatki National Monument, Arizona:

A spring of 4 to 5 g.p.m. now flows off of the monument in pipe layed in 1927 by Babbitt Brothers Sheep Company. Babbitt Brothers wish to take up the pipe, but the Park Service questions title to the pipe. Mr. Pinkley does not wish water now, but wishes to protect rights for future. He prefers having stock watered off of monument. He wishes legal advice, which Mr. Johnson will doubtless provide.

8. Kofa and Organ Pipe National Monuments, Arizona:

These prospective monuments need water. Possible sources should be studied, and appropriation made if possible.

9. White Sands National Monument, New Mexico:

It is planned to try to sink a suitable well for domestic use. The "artesian well", at the Pool of Siloam, was created by man in drilling for oil, and as such is not technically subject to appropriation.

10. Bandelier National Monument, New Mexico:

The source of supply is Frijoles Creek, which is also used by the operator to irrigate her garden in the monument. The operator claims her right through an old filing by Judge Abbott, though neither the operator nor Judge Abbott owns the land. Since it is desirable to eliminate the operator's garden, Mr. Pinkley wishes to prove the Abbott filing inactive if possible. A Park Service filing should be made, and a thorough study of its relation to the one of Judge Abbott.

11. Arches National Monument, Utah:

A small spring is to be developed, but both filing and development are dependent on acquisition of the land on which the spring is located.

12. Hovenweep National Monument, Utah and Colorado:

There is no water on the portion of the monument in Colorado, and no plan to provide any. A small spring in Utah will be needed for domestic supply, and should be filed upon. Mr. Pinkley is not sure whether the spring has been used before or not, and the matter should be investigated.

13. Yucca House National Monument, Colorado:

A small spring now serves a watering hole outside the monument by pipe. Mr. Pinkley favors maintaining the watering hole to keep stock off of the monument, but wishes to retain or establish a monument right. He has requested legal advice, which Mr. Johnson will doubtless supply.

Arizona Water Code

Portions of three days were spent in conferences with the Arizona State Water Commissioner, Mr. Stewart, and his Deputy, Mrs. Harrison, to obtain a more complete knowledge of the Code, its interpretation, and adaptation to Park Service problems.

The specific wording of the Code restricts the waters which can be appropriated to those for six uses. In the case of the parks, water for fish hatcheries and wild life watering holes cannot be recognized as beneficial use at this time. At the same time, the Commissioner wishes to liberalize the Code, and requested letters explaining the need for these uses. Superintendent Tillotson agreed to write such a letter, and it seems desirable for others to do the same if possible. Unfortunately, the number of parks and monuments with wild life problems, in Arizona, are limited.

Another complication in filing on Park Service water is the complicated system so often needed in a park, and the inadequacy of the State application form. This form was prepared previously for irrigation applications, and does not provide the mechanical flexibility for dealing with pump systems from several sources. However, Mr. Stewart approved of the use of riders until the forms can be modified.

Arizona does not recognize percolating water as subject to appropriation, but does recognize stream flow in a well defined channel, even though this water may all flow underground during much of the year. Further, springs in the bed of a stream are regarded as part of the stream, while those on a stream bank are separate springs and need separate filings unless their waters are commingled with those of the stream. Further, a spring on the stream bank which did not flow, but merely dampened the ground before development by man, is regarded as percolating water, and no more subject to appropriation than the water from a well. Precipitation or flood water, before it reaches a natural channel, belongs to the land, and is not subject to appropriation. Yet appropriation is necessary for storage, even though only in a tank or small reservoir. These interpretations make it difficult to treat many of the proposed park filings, but the Commission is anxious to liberalize its Code, and glad to accept questionable cases for submission to the State Supreme Court.

Water used prior to 1919, prior to the adoption of the Water Code, has valid rights when the use can be proved. Even though the Park Service did not make active use before that date, many of its rights are going to be influenced by earlier private use. The situation at Pipe Springs is a good example, though it cannot be fully understood until the interdepartmental agreement is studied by Mr. Johnson.

Municipal use has not been fully settled in Arizona. The Commissioner agreed that many parks have use more nearly like that of a municipality than is considered under domestic use. He has also allowed a small summer colony to file an application for municipal use, even though the 500 inhabitants are only there three months out of the year. On this basis, we have been advised to file on "Municipal and Domestic Use" for the North and South Rim Systems at Grand Canyon, in order to permit anticipating future increased demands. The acceptance of the application will then be up to the State Supreme Court, but in any case, priority will date from the date of the application by the Park Service.

Applications

On December 9, while Superintendent Tillotson was in Phoenix, an application was filed on the Indian Gardens water supply for the South Rim of Grand Canyon. The map to accompany this application will be filed within the next thirty days. It needed certain additions, the data for which was obtained from the Santa Fe Railway Company in Los Angeles on the return trip to San Francisco.

Conclusions

From the data obtained, two types of problems are involved in the water right filings for Arizona. Grand Canyon requires a great deal of routine work to be done in compiling the necessary maps. There is full justification for a draftsman to prepare the complicated tracings. There are between two and three months steady work for a draftsman and myself. Although the Southwestern Monuments will also require maps, they will be relatively simple in comparison with the legal investigations with which Mr. Johnson is more familiar.

CC: Director.
Mr. Tillotson.
Mr. Pinkley.
Mr. Kittredge.
Mr. Dunn.

FILE COPY

November 21, 1936.

Mr. M. R. Tillotson,
Superintendent,
Grand Canyon National Park,
Grand Canyon, Arizona.

Dear Mr. Tillotson:

We have just had additional instructions from Washington to file on water rights at Grand Canyon as soon as possible, and Mr. Dunn is now preparing certain plans in accordance with the State requirements for such filings. We find, however, that certain additional data and explanation will be necessary before completing the necessary papers for these filings, and should appreciate your check of quantities.

We propose to file on 323,000 gallons a day at Indian Gardens for the South Rim water system, and we have the data necessary for the map for such filings except that the line should be tied to a section corner. We find that you have located the corner common to Sections 23, 24, 25, and 26 on the topography of the golf course area south of the administration area. We should appreciate the coordinates which Mr. Carrell used for plotting this section corner and those for the center of the large storage reservoir or of Station 0+00 of the Harvey pipe line on the valve box on this reservoir in order that we may compute a tie to the section corner. We must also know the type of pump and meter and their capacities at each the main pump station and the rehandling station in Indian Gardens.

On the North Rim we should like to combine several of the water rights if possible, but are somewhat uncertain as to the practicability. As we understand it, the Union Pacific hydro plant and Phantom Ranch areas both derive their water from Bright Angel Creek, and it might be possible to cover them with one filing even though there would be two points of diversion. The quantity of water would be 5 second feet for the hydro electric power and 1-1/3 second feet for Phantom Ranch. Of this latter, 1/2 second foot or 323,000 gallons a day to be for domestic use, and the balance for irrigation, with the idea that some of the irrigation water might later be converted to domestic use to augment the supply from Indian Gardens and the South Rim.

In order to file on any of this water for irrigation we will have to show an adequate acreage to justify the quantity, and should appreciate an estimate of the land that can be so irrigated.

In preparing the maps for the Bright Angel rights we will have to obtain maps showing the actual alignment and points of diversion as they have been constructed, and find no such data in the office of the Chief Engineer. Probably a print of the Union Pacific maps for the hydro plant and the Harvey map at Phantom Ranch would supply this data.

In addition we should know the size of penstock, theoretical horse power of the generator unit and types of wheel and generator used, the size and description of the pumps and motors and size of pipe at Phantom Ranch, also the size of ditch, grade, and type of diversion works used on the irrigation system.

We are not quite clear on the use of Boaring Springs, but gather that it is used for all domestic water on the North Rim, and is to be used in the near future for a fish hatchery besides, and that you recommended a half second foot as the quantity. We find, though, that the flow is approximately $7\frac{1}{2}$ second feet, and wonder if it would not be better to file on 1 or 2 second feet in order to have ample supply in the future. In order to prepare the necessary papers for this filing, we shall need a plan or map of the existing water system and descriptions of pumps and motors as described for the other systems above mentioned.

At Clear Creek Canyon we propose to file on $1/4$ second foot for domestic and irrigation purposes if you think that is ample for all future needs, but we will need a map giving pipe lines and diversion works to complete our filings on this system.

We are planning to file on all impounding reservoirs for wild life as one filing to include twelve such dams or reservoirs on the South Rim and four on the North, with 165 acre feet on the South Rim and 6 acre feet on the North. To complete these filings we should have an approximate storage capacity for each individual reservoir, and the dimensions of the dam in each case.

We notice, too, in your descriptions of those on the South Rim including those at Ermanita Mesa, Horse Thief, Pasture Wash, etc., you have given their location in quarter sections. The State requires locations by 40-acre subdivisions where possible, and we wonder if you could supply this additional data. In any case we will need some means of locating those you contemplate on the North Rim and the name for each.

We notice you also wish to file on 50 gallons a minute from various springs on the North Rim for wild life purposes, and we should have specific locations and descriptions of the proposed diversions in these cases. In this connection we also have a record of the possible source of supply at Neal Spring, but no data as to what this use was to be or the quantity of water contemplated.

Mr. Dunn and I are planning to be in Arizona shortly after Thanksgiving to discuss some matters with the State Water Commissioner, and can probably have some of the questionable matters listed above explained at that time if we stop at Grand Canyon, but we should like to have as much explained by letter as possible in order that we can have our filings in rough form when we come south.

Inasmuch as the hydro plant and domestic water supply for the North Rim belong to the Union Pacific Railroad, and those at the South Rim and Phantom Ranch belong to the Fred Harvey Company, we wonder if it will not be possible for you to get them to pay the filing fees necessary for these systems.

Sincerely yours,

A. van V. D:SH

Albert L. Johnson,
Associate Attorney.

CC: C. M. Carrel, Park Engr.
A. van V. Dunn, Assoc. Engr.

4. 668-057
FILE COPY

November 7, 1936.

The Director,
National Park Service,
Washington, D. C.

Dear Mr. Director:

As suggested by Mr. Tolson while in San Francisco and as authorized by you, Mr. Johnson was specially assigned to search land titles in the Land Registry Office at Los Angeles for the determination of possible land exchanges at Joshua Tree National Monument. Mr. Johnson has filed his report in duplicate with the Branch of Engineering here in San Francisco, and I assume you will receive a copy through that office.

It was deemed more economical to have Mr. Johnson proceed from Los Angeles to Grand Canyon to prepare the ground work for proper filings for that park, and the result of his short stay there is outlined in his memorandum to me of November 6, a copy of which is herewith enclosed.

It occurs to me that now is an opportune time to make proper filings for Grand Canyon National Park for the reason that the State of Arizona should welcome all appropriative filings and beneficial use of water within its boundaries as an aid to adding greater merit to its position in its contest with the six signatory States to the Colorado River Compact. This fact presents an opportunity for generous filings wherever necessary in Arizona, which I feel should not be allowed to pass.

As stated in the last paragraph of Mr. Johnson's memorandum, we will proceed with filings for Grand Canyon, and at the same time make a determination as to any other necessary Arizona filing.

Yours very truly,

Encl.
JST:1

Joseph E. Taylor,
Attorney.

CC: Supt. Phillips.
Mr. Kittredge.

UNITED STATES
DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
BRANCH OF LANDS AND USE
110 SUTTER STREET
SAN FRANCISCO, CALIF.

November 6, 1936.

MEMORANDUM TO MR. JOSEPH E. TAYLOR:

Pursuant to advice from you I made an inspection trip last week to Grand Canyon National Park for the purpose of learning the latest developments on their water rights. It was thought it would be more economical to make this trip from Los Angeles at the conclusion of my special assignment on searching land titles in the Land Registry Office at Los Angeles pertaining to the Joshua Tree National Monument.

Being advised by you and also by the Acting Superintendent of Grand Canyon that Superintendent Tillotson was away from the Park during the first part of my fifteen-day stay in Los Angeles, I wrote the Park asking them to keep me advised as to the date of his expected return. I received word from the Assistant Superintendent about October 21 that Mr. Tillotson would probably be in the Park the last week in October, and asking me to wire when I could come; so I telegraphed on October 26 stating that I would be through with the work in the Land Office on the 27th of October. The Assistant Superintendent telegraphed me to wire them time of arrival. On Tuesday, October 27, I wired that I would leave the next day and be there Thursday morning.

Immediately upon my arrival at Grand Canyon National Park I went to the Superintendent's office and called on Mr. Tillotson in person. He seemed surprised at my arrival, and had no suggestions to offer. However, I learned from him and from the Park Engineer the following day that the status of water rights was the same as when you were in the park in 1935. You and the Park Engineer had then agreed upon a number of filings -- at least six -- which would be required for laying the foundation and perfecting the rights to water now used by the National Park Service at Grand Canyon. I agree that these filings should be made, although there has been no disturbance of the Government water rights nor protest by any private interest. The Superintendent seemed well satisfied that there was no possibility, either physical or legal, of interference with the Government's water rights, although he stated he was not familiar with Arizona law. There are only three or four private owners on the South Rim within the boundary of the national park, but I understood from my short investigation there that those private owners were very jealous of the Government's rights and chary of the National Park Service.

Since the status of affairs at Grand Canyon National Park is largely the same as in 1935 when you made a preliminary investigation, and it is agreed by the attorneys and the Park Engineer that it would be better for the Service to make these filings with the constituted water authority of the State of Arizona, we are about to prepare the necessary applications for the Superintendent to sign, and will then file in person at Phoenix, Arizona. It will be necessary to make a further investigation at the Park and at Phoenix to complete the engineering data for the applications to appropriate water.


Albert L. Johnson,
Associate Attorney.

CC: Director.

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
GRAND CANYON NATIONAL PARK
GRAND CANYON, ARIZ.

June 3, 1935

Joseph E. Taylor, Attorney
Yellowstone National Park
Wyoming

Dear Mr. Taylor:

With reference to our recent conversation and discussions relative to the securing from the State of Arizona water rights for Grand Canyon National Park and Grand Canyon National Monument, I wish to make the following recommendations:

1. That a complete survey of the records be made to determine what, if any, prior filings for water rights in this Park and the Monument are recorded;

2. That necessary filings for water rights for both this Park and the Monument be made at the earliest possible date;

3. That, to insure an adequate water supply for the South Rim from the springs at Indian Gardens, filing should be made for 200,000 gallons per day. To provide for the possibility of failure of the Indian Gardens springs and the necessity of procuring this supply from Bright Angel Creek, filing should be made for one and one-third second feet. This will provide water not only for the South Rim but also all use at Phantom Ranch; *112 sec. ft.*

4. That filing should be made for 150 acre feet of run-off water on the South Rim from various tributaries of the Colorado River, which is and will be impounded for the purpose of caring for wildlife, and domestic use at outlying stations where direct precipitation is caught on galvanized catchment areas and stored in reservoirs; *15 sec. = 165* *12 - 100 7 #13 at head of*

5. That filing should be made for one-half second feet of water from Roaring Springs to provide an adequate supply for use at the North Rim Headquarters Area and for a proposed fish hatchery in Roaring Springs Canyon. It will also be necessary to file for five second feet from Bright Angel Creek for hydroelectric power development at mouth of Manzanita Creek. A

Domestic
Proposed fish hatchery - *Incidental domestic use - 112 sec. ft. (?)*

portion of this will again be utilized for domestic and irrigation purposes at Cottonwood camp, one mile below the power plant;

6. That filing should be made for one-quarter second feet of flow from Clear Creek for domestic and irrigation purposes at camp ground to be established in Clear Creek Canyon on the north side of the Colorado River;

11-7. That filing should be made for fifty gallons per minute from various springs on the North Rim for preservation and propagate wildlife. Also, filing should be made for six acre feet per year of precipitation and run-off for domestic and wildlife purposes. ⑨ - 15

Referring to item (3), providing for an additional water supply for the South Rim Headquarters Area from Bright Angel Creek, would advise that in my answer of February 20, 1935, to a letter from the Director of February 7, 1935, I made mention of the feasibility of this project, estimated to cost some \$100,000.00. As stated in my letter, this would be a very expensive piece of construction and would require, probably, two years to install.

In this same letter, I touched upon the necessity of renewing the present two inch line now serving Phantom Ranch from Bright Angel Creek with a three inch line and, also, the advisability of relocating the two inch line serving the C. C. C. camp from the Creek bed to connect with the Phantom Ranch line at the existing reservoir.

Item (4) provides for run-off or flood waters carried by various draws lying to the southwest, south, and southeast of the South Rim Headquarters, in which twelve dirt and log dams have been constructed to impound these waters in dirt tanks for wildlife use. Three more dams and tanks are proposed for construction but not programmed. This item also provides for impounding direct precipitation for domestic use at Pasture Wash and Desert View.

Item (5) provides for water necessary for domestic use and fire protection of the North Rim Headquarters Area, jointly occupied by the Union Pacific Railroad and the National Park Service. Provision is also made for the use of water for a proposed fish hatchery as mentioned in my letter to the Director of February 20, 1935. In addition to these, it is necessary to provide water from Bright Angel Creek for hydroelectric power, diversion occurring one-half mile above the power plant by means of a 26" wood stave penstock and returning to the Creek at the plant. This electric energy is transmitted to the North Rim Headquarters Area and jointly used

by the Union Pacific Railroad and National Park Service.

Diversion of this water again occurs one mile below the power plant at Cottonwood by means of irrigation ditches and pipe.

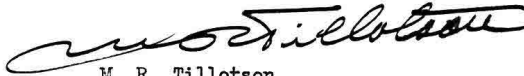
Item (6) makes provision for the use of water flowing in Clear Creek to be utilized for domestic and irrigation purposes. A new trail has just been completed from Phantom Ranch to Clear Creek, and it is proposed to establish a fisherman's camp in the Clear Creek Canyon, providing the usual camp facilities.

Item (7) embraces certain live springs on the North Rim, some of which have been developed, and others in their natural state. Little or no new development is contemplated but the flow in these springs should be protected for wildlife.

Filing for 920 acre feet has been made for run-off and flood waters from Toroweep Valley in Grand Canyon National Monument. It is estimated that this will be sufficient for present and future needs for domestic use at the Headquarters Area, and wildlife purposes.

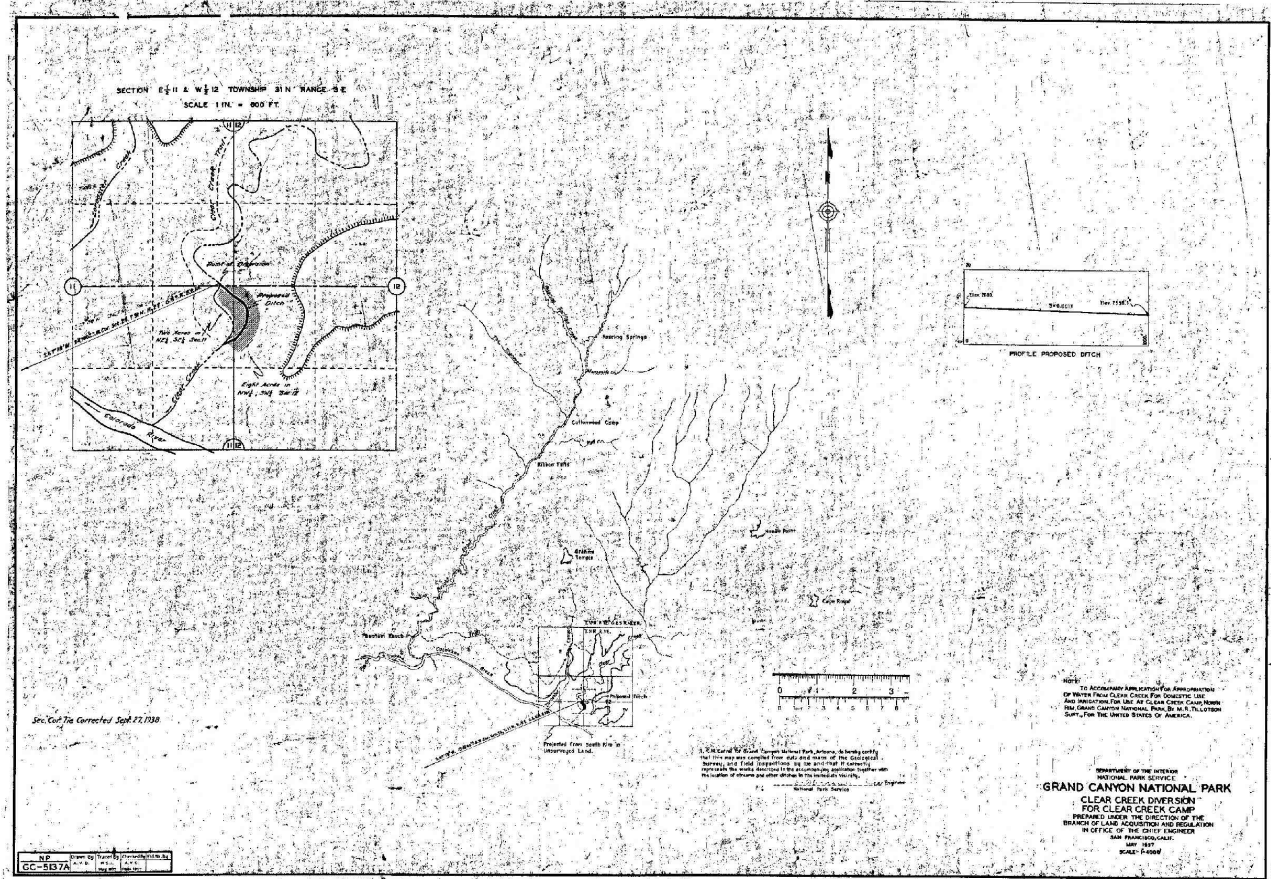
Two corrected copies of your tabulations are herewith returned.

Very truly yours,

A handwritten signature in dark ink, appearing to read "M. R. Tillotson", written in a cursive style.

M. R. Tillotson,
Superintendent.

cc-Mr. Taylor
The Director



Docket Information

Number of Documents in Docket 57

Documents Dated from 6/3/1935 to 5/27/1976

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