



# WATER-RIGHT DOCKET

## Grand Teton National Park

Docket No: 87

HOT SPRINGS DITCH. GROS VENTRE RIVER.

Preliminary Docket Information

00-00-0000: water right record

### WATER RIGHT RECORD

Docket Number 17

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 1 1 4 2 1 1 5 C F 1 7

DITCH/WATER SYSTEM: HOT SPRINGS DITCH

SOURCE OF SUPPLY: Gros Ventre River, Tributary of the Snake River

#### LOCATION:

Legal description and tie:  
(Point of Diversion)

Headgate Location: S 65° 30' W, 660 feet from Northeast corner of  
Section 11, Township 42 North, Range 115 West.

#### WATER RIGHT:

Appropriator: James I. May

Certificate Record Number: 30-422

Permit Number: 2208

Date of priority: July 31, 1899

Quantity of Water: 3.85 c.f.s.

Purpose: Irrigation and Domestic

#### Irrigate Land Description:

(T 42 N, R 115 W)

160 acres - NW $\frac{1}{4}$ , Section 4, T. 42 N., R. 115 W.

40 acres - NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, T. 42 N., R. 115 W.

40 acres - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, T. 42 N., R. 115 W.

30 acres - NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, T. 42 N., R. 115 W.

270 acres - Total

#### SUMMARY OF STATUS:

The above land was conveyed to the National Park Service by James H. May and Hadden M. May by deed dated January 6, 1958, and as in National Park Service Deed Number 32.

WATER RIGHT RECORD

Docket Number 17

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 1 1 4 2 1 1 5 F F 1 7

DITCH/WATER SYSTEM: HOT SPRINGS DITCH

SOURCE OF SUPPLY: Gros Ventre River , Tributary of the Snake River

LOCATION:

Legal description and tie:  
(Point of Diversion)

Headgate location: S 65° 30' W, 660 feet from the Northeast corner of  
Section 11, Township 42 North, Range 115 West.

WATER RIGHT:

Appropriator: James Budge

Certificate Record Number: 41-429

Permit Number: 2208

Date of priority: July 31, 1899

Quantity of Water: 0.57 c.f.s.

Purpose: Irrigation

Irrigate Land Description:

40 acres - SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 4, Township 42 North,  
Range 115 West.

SUMMARY OF STATUS:

The above land was conveyed to the National Park Service by the Jackson Hole Preserve, Incorporated, by quitclaim deed dated December 13, 1950 and as contained in National Park Service Deed Number 4.

This water right was adjudicated from the Gros Ventre River and Warm Springs.

WATER RIGHT RECORD

Docket Number 17

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 1 1 4 2 1 1 5 G F 1 7

DITCH/WATER SYSTEM: HOT SPRINGS DITCH

SOURCE OF SUPPLY: Gros Ventre River, Tributary of the Snake River

LOCATION:

Legal description and tie:

(Point of Diversion)

Headgate Location: S 65° 30' W, 660 feet from the northeast corner of  
Section 11, Township 42 North, Range 115 West.

WATER RIGHT:

Appropriator: J.W. Henrie

Certificate Record Number: 30-423

Permit Number: 2208

Date of priority: July 31, 1899

Quantity of Water: 2.28 c.f.s.

Purpose: Irrigation

Irrigated Land Description:

160 acres - NE $\frac{1}{4}$  Section 4, Township 42 North, Range 115 West

SUMMARY OF STATUS:

The above land was conveyed to the United States of America by the  
Jackson Hole Preserve, Incorporated, as contained in National Park Service  
Deed Number 2, December 16, 1949.

WATER RIGHT RECORD

Docket Number 17

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 1 1 4 2 1 1 5 H F 1 7

DITCH/WATER SYSTEM: HOT SPRINGS DITCH

SOURCE OF SUPPLY: Gros Ventre River, Tributary of the Snake River

LOCATION:

Legal description and tie:

(Point of Diversion)

Headgate Location: S 65° 30' W, 660 feet from the northeast corner of  
Section 11, Township 42 North, Range 115 West.

WATER RIGHT:

Appropriator: James Budge

Certificate Record Number: 30-421

Permit Number: 2208

Date of priority: July 31, 1899

Quantity of Water: 1.71 c.f.s.

Purpose: Irrigation

Irrigated Land Description:

(T 42 N, R 115 W)

40 acres - NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 4

40 acres - NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 4

40 acres - NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 4

120 acres - Total

SUMMARY OF STATUS:

The above land was conveyed to the National Park Service by the Jackson Hole Preserve, Incorporated, by quitclaim deed dated December 13, 1950 and as contained in National Park Service Deed Number 4.

WATER RIGHT RECORD

Docket Number 17

Alien WR Number

Water Use Map NP-GT 2174

Sheet Number 2

IDENTIFICATION NO: GRTE R 1 1 4 2 1 1 5 I F 1 7

DITCH/WATER SYSTEM: HOT SPRINGS DITCH

SOURCE OF SUPPLY: Gros Ventre River, Tributary of the Snake River

LOCATION:

Legal description and tie:

(Point of Diversion)

Headgate Location: S 65° 30' W, 660 feet from the northeast corner of Section 11, Township 42 North, Range 115 West.

WATER RIGHT:

Appropriator: Martin W. Henrie

Certificate Record Number: 30-420

Permit Number: 2208

Date of priority: July 31, 1899

Quantity of Water: .85 c.f.s.

Purpose: Irrigation and Domestic

Irrigated Land Description:

(T 42 N, R 115 W)

20 acres - NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 3

40 acres - SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 3

          
60 acres - Total

SUMMARY OF STATUS:

The above land was conveyed to the United States of America by the Jackson Hole Preserve, Incorporated, as contained in National Park Service Deed Number 2, December 16, 1949.

NAME \_\_\_\_\_, Secretary. \_\_\_\_\_, President.

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**THE STATE OF WYOMING.**

CERTIFICATE OF APPROPRIATION OF WATER.      CERTIFICATE RECORD No. 30      PAGE 423

WHEREAS, J. W. Henrie has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Green Venture River tributary of Snake River through the Hot Springs Ditch under Permit No. 2208 for irrigation of the lands herein described, lying and being in Uinta County, Wyoming.

NOW KNOW YE, That the Board of Control, under the provisions of Division 1, Title 9, Chapters 10 and 14 of the Revised Statutes of Wyoming, 1899, has, by an order duly made and entered on the 17th day of May, A. D. 19 10, in Order Record No. 4 Page 371, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator J. W. Henrie; Postoffice Address Grosvont, Wyoming.

Amount of Appropriation 2.28 cu. ft. per sec.; Date of Appropriation July 21st, 1899; Description of land to be irrigated and for which this appropriation is determined and established; Total Acreage One hundred sixty (160) acres.

160 A. N. Section 4, Tp. 42 N., R. 115 W.

The right to water hereby confirmed and established is limited to irrigation and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot per second for each seventy acres of land for which appropriation is herein determined and established.

IN TESTIMONY WHEREOF, I, CLARENCE T. JOHNSON, President of the State Board of Control, have hereunto set my hand this MAY 28 1910 day of MAY, A. D. 19 10, and caused the seal of said Board to be hereunto affixed.

ATTEST: MARINA KALLITZ, Secretary. CLARENCE T. JOHNSON, President.

**THE STATE OF WYOMING.**

CERTIFICATE OF APPROPRIATION OF WATER.      CERTIFICATE RECORD No. 30      PAGE 422

WHEREAS, James I. May has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Gros Ventre River tributary of Snake River through the Hot Springs Ditch under Permit No. 2208 for irrigation of the lands herein described, lying and being in Uinta County, Wyoming, **and for domestic purposes.**

NOW KNOW YE, That the Board of Control, under the provisions of Division 1, Title 9, Chapters 10 and 14 of the Revised Statutes of Wyoming, 1899, has, by an order duly made and entered on the 17th day of May, A. D. 19 10, in Order Record No. 4 Page 371, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator James I. May; Postoffice Address Grosvont, Wyoming;

Amount of Appropriation 3.85 cu. ft. per sec.; Date of Appropriation July 31st, 1899; Description of land to be irrigated and for which this appropriation is determined and established; Total Acreage Two hundred seventy (270) acres.

|                                                                 |                              |
|-----------------------------------------------------------------|------------------------------|
| 160 A. NW <sup>1</sup> <sub>4</sub>                             | Sec. 4, Tp. 42 N., R. 115 W. |
| 40 A. NE <sup>1</sup> <sub>4</sub> NW <sup>1</sup> <sub>4</sub> | Sec. 5, " " " " " "          |
| 40 A. SW <sup>1</sup> <sub>4</sub> NW <sup>1</sup> <sub>4</sub> | " " " " " "                  |
| 30 A. NW <sup>1</sup> <sub>4</sub> NW <sup>1</sup> <sub>4</sub> | " " " " " "                  |
| <u>270 A. Total acreage.</u>                                    |                              |

The right to water hereby confirmed and established is limited to irrigation **and for domestic purposes** and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot per second for each seventy acres of land for which appropriation is herein determined and established.

IN TESTIMONY WHEREOF, I, CLARENCE T. JOHNSON, President of the State Board of Control, have hereunto set my hand this MAY 28 1910 day of \_\_\_\_\_, A. D. 19\_\_\_\_, and caused the seal of said Board to be hereunto affixed.

ATTEST: MARTHA KALITZ, Secretary. Clarence T. Johnson, President.

# THE STATE OF WYOMING.

CERTIFICATE OF APPROPRIATION OF WATER. CERTIFICATE RECORD No. 30 PAGE 421

WHEREAS, James Budge has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Gros Ventre River tributary of Snake River through the Hot Springs Ditch under Permit No. 2208 for irrigation of the lands herein described, lying and being in Chinta County, Wyoming.

NOT KNOW YE, That the Board of Control, under the provisions of Division 1, Title 9, Chapters 10 and 14 of the Revised Statutes of Wyoming, 1899, has, by an order duly made and entered on the 17th day of May, A. D. 1910, in Order Record No. 4 Page 301 determined and established the priority and amount of such appropriation as follows:

Name of Appropriator James Budge; Postoffice Address Grosvonts, Wyoming.  
 Amount of Appropriation 1.71 cu. ft. per sec.; Date of Appropriation July 31st, 1899; Description of land to be irrigated and for which this appropriation is determined and established: Total Acreage One hundred twenty (120) acres.

|                                                                                                  |
|--------------------------------------------------------------------------------------------------|
| <u>40 A. NW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math>, Sec. 4, Tp. 42 N., R. 115 W.</u> |
| <u>40 A. NW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math>, " " " " " "</u>                  |
| <u>40 A. NW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math>, " " " " " "</u>                  |
| <u>120 A. Total acreage.</u>                                                                     |

The right to water hereby confirmed and established is limited to irrigation and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot per second for each seventy acres of land for which appropriation is herein determined and established.

MAY 28 1910

IN TESTIMONY WHEREOF, I, CLARENCE T. JOHNSON, President of the State Board of Control, have hereunto set my hand this day of May, A. D. 1910, and caused the seal of said Board to be hereunto affixed.

ATTEST: Clarence T. Johnson, Secretary. Clarence T. Johnson, President.

70-2-40

**THE STATE OF WYOMING.**

CERTIFICATE OF APPROPRIATION OF WATER.      CERTIFICATE RECORD No. 30      PAGE 420 ✓

WHEREAS, Martin W. Henrie has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Gros Ventre River tributary of Snake River through the Hot Springs Ditch under Permit No. 2208 for irrigation of the lands herein described, lying and being in Uinta County, Wyoming, and for domestic purposes.

NOW KNOW YE, That the Board of Control, under the provisions of Division 1, Title 9, Chapters 10 and 14 of the Revised Statutes of Wyoming, 1899, has, by an order duly made and entered on the 17th day of May, A. D. 19 10, in Order Record No. 4 Page 271 determined and established the priority and amount of such appropriation as follows:

|                                                                           |                              |                       |                        |                                         |
|---------------------------------------------------------------------------|------------------------------|-----------------------|------------------------|-----------------------------------------|
| Name of Appropriator                                                      | <u>Martin W. Henrie</u>      | Postoffice Address    | <u>Grosvont</u>        | Wyoming;                                |
| Amount of Appropriation                                                   | <u>.85</u> cu. ft. per sec.; | Date of Appropriation | <u>July 31st, 1899</u> | Description of land to be irrigated and |
| for which this appropriation is determined and established; Total Acreage |                              |                       |                        | <u>Sixty (60) acres.</u>                |
| <u>20 A. NW 1/4 Sec. 3, Tp. 42 N., R. 115 W.</u>                          |                              |                       |                        |                                         |
| <u>40 A. SW 1/4 " " " " " "</u>                                           |                              |                       |                        |                                         |
| <u>60 A. Total acreage.</u>                                               |                              |                       |                        |                                         |

The right to water hereby confirmed and established is limited to irrigation and for domestic purposes and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot per second for each seventy acres of land for which appropriation is herein determined and established.

IN TESTIMONY WHEREOF, I, CLARENCE T. JOHNSTON, President of the State Board of Control, have hereunto set my hand this MAY 28 1910 day of MAY, A. D. 19 10, and caused the seal of said Board to be hereunto affixed.

ATTEST: MARTHA KALITZ, Secretary. Clarence T. Johnston, President.

MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL PARK SERVICE  
AND THE FISH AND WILDLIFE SERVICE CONCERNING THE USE OF  
LANDS FOR THE RAISING OF HAY IN GRAND TETON NATIONAL  
PARK FOR THE JACKSON HOLE ELK HERD

WHEREAS the Fish and Wildlife Service requires hay to  
supplement its winter feeding program for the Jackson Hole Elk  
Herds and

WHEREAS the National Park Service has in Grand Teton  
National Park certain lands suitable for the raising of such  
forage;

NOW, THEREFORE, the National Park Service and the Fish  
and Wildlife Service do hereby mutually agree as follows:

ARTICLE I

The Fish and Wildlife Service is hereby authorized to use  
park lands now available, and such lands as may become available to  
the park, upon their release by the superintendent for the raising  
of hay. Said lands shall be confined to that area of the park east  
of Elktail Butte, south of the north line of Sections 25, 26, 27,  
28, and 29, T. 43 N., R. 115 W., 6th P. M., north of the Gros Ventre  
River, and west of the east boundary of the park.

ARTICLE II

The Fish and Wildlife Service will survey and classify  
all lands which may become available to it and, as rapidly and feasi-  
bly as possible, will devote such lands to the best possible use

consistent with the purpose of this memorandum of understanding. All lands presently in cereal crops will be converted to forage production or to natural cover. The Fish and Wildlife Service will maintain irrigation ditches, canals, and their appurtenances on the lands made available to the Fish and Wildlife Service in accordance with good irrigation and land use practices.

The Fish and Wildlife Service agrees that, before filing any water right applications with the Wyoming State Engineer, it will furnish the National Park Service copies of such applications, accompanied by proper maps, proof, and other required data, covering any proposed change in place of use, point of diversion, or quantity of water to be used by the Fish and Wildlife Service in the area affected by this agreement. In the event the Fish and Wildlife Service determines that it will be unable to utilize water to the extent necessary to protect fully existing water rights and uses, the Fish and Wildlife Service agrees to cooperate with the Park Superintendent in formulating a long-range plan of irrigation to preserve maximum existing Federal water rights by transfer from one point of diversion and area of use to another.

#### ARTICLE III

It is the intention of this memorandum of understanding to establish a land unit capable of producing sufficient forage for the winter feeding of the Jackson Hole Elk Herd in Teton County, which

normally approximates 2,500 tons per year. The Fish and Wildlife Service shall, however, have the right to exceed such production under abnormal circumstances upon the joint determination of the Regional Director of the Fish and Wildlife Service and the Regional Director of the National Park Service.

#### ARTICLE IV

After the Fish and Wildlife Service has undertaken the production of forage, it will furnish Grand Teton National Park with 25 tons of hay per annum without cost for use by the park. If additional hay is required by the park, the Fish and Wildlife Service will furnish not to exceed an additional 25 tons of hay to the park at the cost of production. The Fish and Wildlife Service agrees to furnish pasture without charge for not to exceed twenty head of park horses during the winter months.

#### ARTICLE V

The Fish and Wildlife Service may select from the buildings existing on the lands herein referred to such structures as it may require for its temporary use in conducting operations hereunder. The Fish and Wildlife Service will develop a permanent complement of buildings necessary for the hay operations as soon as may be practical within its available funds, and all plans and specifications for such structures shall be submitted to the National Park Service for its approval prior to any construction. Buildings, structures, fences, and other appurtenances on the lands when assigned hereunder which are

surplus to the needs of the Fish and Wildlife Service shall be for disposal by the National Park Service.

ARTICLE VI

The Fish and Wildlife Service will care for the lands and structures covered by this agreement in a good and husbandlike manner in accordance with the best land and water conservation practices. It will also have initial responsibility for suppression of fires on the lands covered herein.

ARTICLE VII

The Fish and Wildlife Service may for reasons of economy and efficiency contract with outside parties for the cutting, baling, and hauling of hay, but such operations shall be supervised by the Fish and Wildlife Service. The Fish and Wildlife Service may dispose of surplus hay under its existing authority, provided all requirements for the winter feeding of the elk herd as provided for herein are fulfilled.

ARTICLE VIII

This memorandum of understanding shall be effective for a period of twenty years beginning July 1, 1952, but it may be renewed, modified, or terminated with the approval of the Secretary of the Interior.

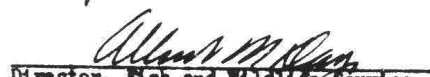
ARTICLE IX

This memorandum of understanding is contingent upon the availability of funds, and neither party shall be responsible for

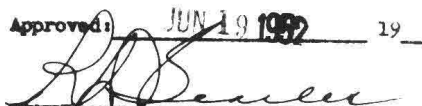
complying with any of the provisions hereof upon the failure of the  
Congress to appropriate funds necessary for conducting such activities.

  
Director, National Park Service

Date: June 6, 1952

  
Director, Fish and Wildlife Service

Date: June 6, 1952

Approved: JUN 19 1952 19\_\_  
  
Acting Secretary of the Interior

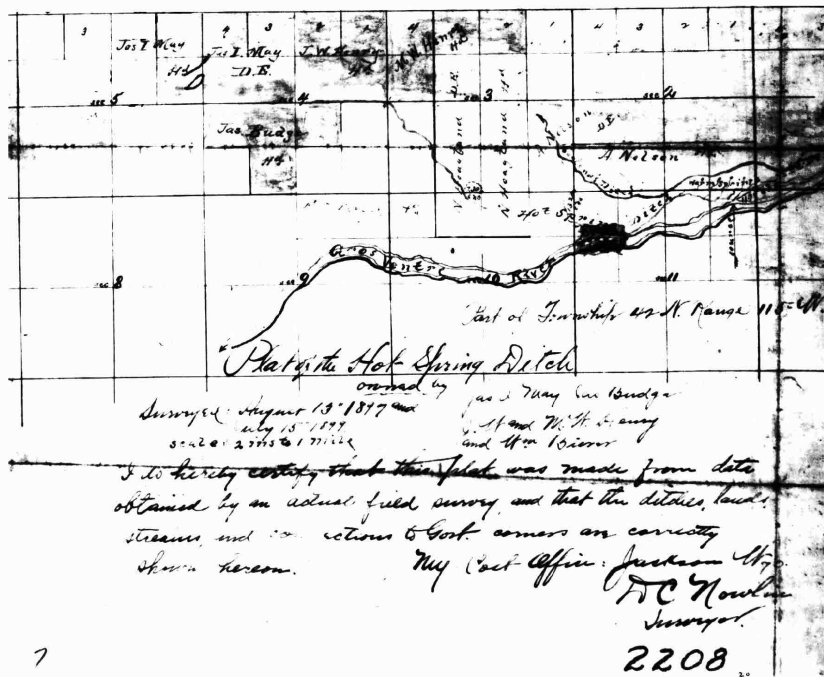
July 1955

Present Status of Lands Irrigated by the Hot Springs Ditch, its Additions  
and Enlargements

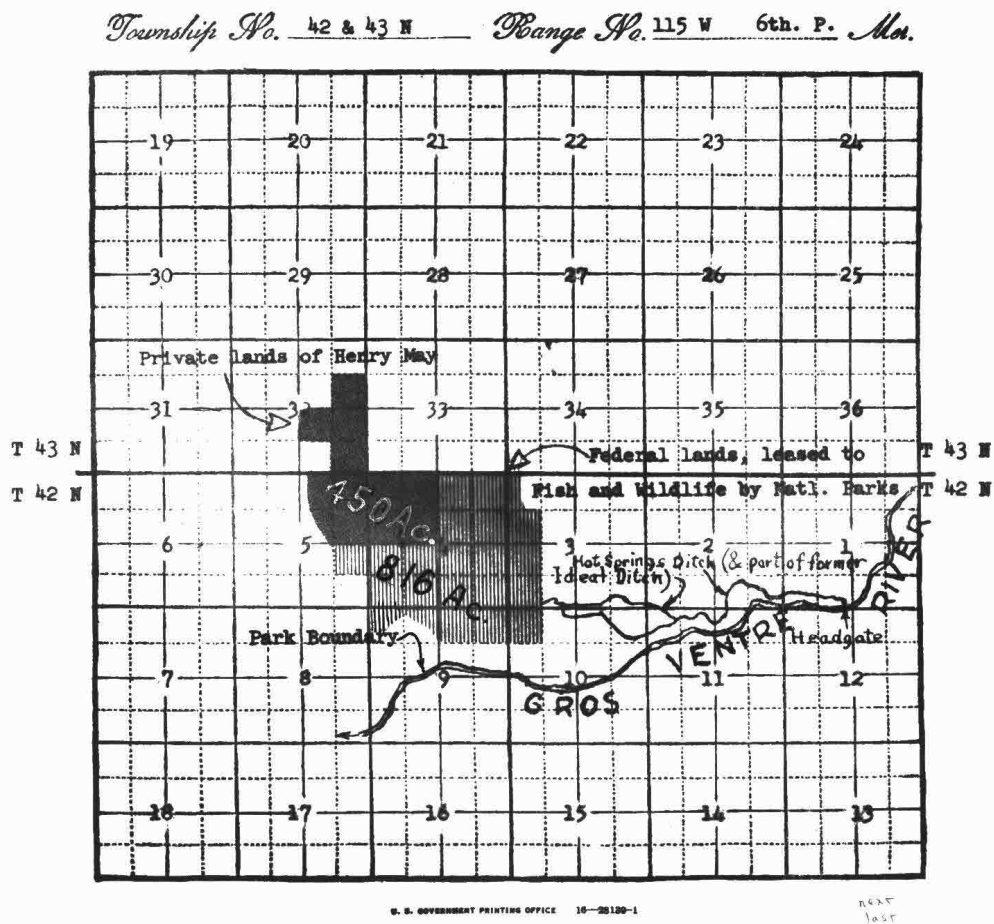
by G. W. Robertson  
Assistant Chief, Water Resources Section

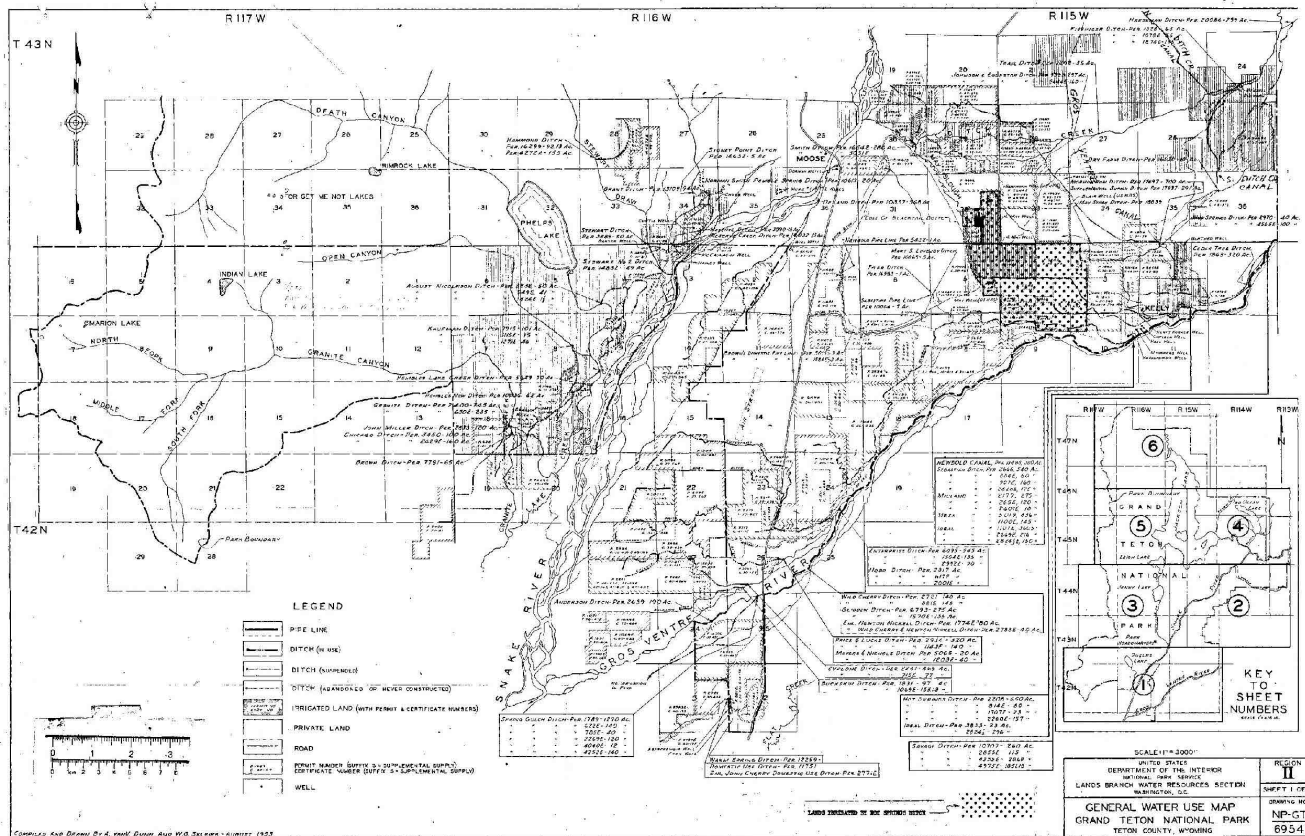
Just under two thirds of the land irrigated by the present Hot Springs Ditch is leased to the U. S. Fish and Wildlife Service by the National Park Service, on which the former raises hay for the adjacent Elk refuge. This area, comprised of 816 acres, is indicated on the accompanying sketch by vertical shading. The remaining 450 acres shown are the private lands of Henry May.

The term "additions" in the title refers to that portion of the former Ideal Ditch which is presently receiving water only through the Hot Springs Ditch Headgate which was built in the spring of 1953 by the Fish and Wildlife Service. It is presumed that Henry May contributed to its cost. All other rights appurtenant to lands formerly served by the Ideal Ditch are now exercised through the Newbold Ditch by transfer. Such a transfer in the State records for those lands described above as being served by the Hot Springs ditch does not seem to appear in the certificate records.



## LANDS IRRIGATED BY THE HOT SPRINGS DITCH





### Docket Information

Number of Documents in Docket 19

Documents Dated from 8/13/1897 to 7/15/1955

Docket Compiled: 4/4/2011