



WATER-RIGHT DOCKET

Oregon Caves National Monument

Docket No: 2

2 SPRINGS, TRIBUTARY TO CAVE CREEK

Preliminary Docket Information

12-09-1935: water docket information

W A T E R D O C K E T I N F O R M A T I O N

A R E A OREGON COVES N.M.

DOCKET NO. 2

APPLICATION NO. 16177

PERMIT NO. 11986

CERTIFICATE NO. 11-11917

TITLE OF DOCKET SPRINGS TRIBUTARY TO CAVE CREEK

PRIORITY 12/9/1935

REMARKS: _____

C O P Y

STATE OF OREGON

COUNTY OF ~~JOSEPHINE~~

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That ~~OREGON CAVES NATIONAL MONUMENT~~

of ~~Crater Lake~~, State of ~~Oregon~~, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of

~~Two small springs, tributary to Cave Creek~~
a tributary of ~~Sucker Creek~~ for the purpose of Domestic, hotel supply and fire protection

under Permit No. ~~11986~~ of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 9, 1935;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.035 cubic foot per second measured at the point of diversion, being 0.025 cubic foot per second from the upper spring and 0.01 cubic foot per second from the lower spring.

or its equivalent in case of rotation.
The point of diversion is located in the ~~NE $\frac{1}{4}$ and NW $\frac{1}{4}$~~ , Section 15, Township 40 South, Range 6 West, W. M.

~~The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to~~
~~of one cubic foot per second per acre,~~

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

PLACE OF USE:

~~SE $\frac{1}{4}$~~ , Section 9,
Township 40 South, Range 6 West, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years' notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 47-508, Oregon Code 1930.

WITNESS the signature of the State Engineer,
affixed
this ~~16th~~ day of ~~December~~ 1937,

(Sgd.) Chas. E. Stricklin
State Engineer

Recorded in State Record of Water Right Certificates, Volume-11-, page-11917-

CERTIFICATE OF
WATER RIGHT
STATE OF OREGON
to

State of Oregon,) ss. No. 60311
County of Josephine)

I, F. L. Coon, County Clerk, and
ex-officio Recorder of Conveyances
in and for the said County, do hereby
certify that the within instrument was
received for record at

A M 11:43
1937
Dec.
18

and
Recorded
at Page 387 of Vol. 2

Water Right Certificates
Records of Josephine County, Oregon.

F. L. Coon
County Clerk.

By/s/ Muriel Hawk
Deputy.

Geo. C. Sabin
City
1.00

DESCRIPTION OF WORKS

Lower dam

9. (a) If a dam has been constructed, give description: Height, **2** ft.; length on top, **5** ft.; length on bottom, **5** ft.; material used and character of construction, **Upper dam Height 2 ft. Length 8 ft. Each of concrete 5" thick.**
- (b) Give description of headgate: Width, _____ ft.; depth, _____ ft.; material used and character of construction, **Valve in 2" pipe.**
- (c) Size of canal: Width on top (at waterline) _____ ft.; width on bottom, _____ ft.; depth of water, _____ ft.; grade, _____ ft. fall per 1,000 ft. Actual capacity, _____ sec.-ft. Give general description: _____
- (d) Pipe line: Description of intake, **2" pipe inserted into wall of dam, at bottom of reservoir**
2" drain pipe for overflow
 Length of pipe, **1300** ft.; size at intake, **1** in.; size at **400** ft. from intake, **2** in.; size at place of use, **3 1/4** in. Difference in elevation between intake and place of use, **650** ft. Is grade uniform? **No** Actual capacity of pipe line, **0.50** sec.-ft. Give general description: **1" steel pipe from upper dam to lower. 2" wooden pipe for 450 ft and 1 1/2" steel pipe to reservoir. 3 1/4" pipe from reservoir to place of use.**
 (Material: Steel, wrought, cast iron, wood stave, etc.)
- (e) Pumping plant: Give size and type of pump, _____ Suction lift, _____ ft.; discharge lift, _____ ft. Type of motor used _____ Horse power rating, _____ H. P. Actual capacity of pump, _____ sec.-ft.
10. During what months is water beneficially used? **Full year**
11. State character of soil _____ Kind of crops raised _____
12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? **Yes**
13. If not, wherein is such map in error? _____
- Oregon Caves. 1142 visitors on July 4th, 1937**
14. Domestic use: Give number of families actually using water at this time _____
15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use **Domestic. hotel supply and fire protection at Oregon Caves resort.**

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Klamath } ss.

I, Ernest P. Leavitt, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of September, 1937.

Subscribed and sworn to before me this 30th day of September, 1937.

[NOTARIAL SEAL]

My commission expires 30th day of September, 1937.

CRATER LAKE NATIONAL PARK

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of Klamath } ss.

We, William E. Rouss, and Elmer J. Applegate, of Crater Lake, Oregon, being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No. 11986; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this 30th day of September, 1937.

[NOTARIAL SEAL]

My commission expires 30th day of September, 1937.

CRATER LAKE NATIONAL PARK

PORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I, Tom R. Pearce, do hereby certify that I have made an inspection of the works described herein and in Permit No. 11986, on the 17th day of Sept., 1937, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of 0.035 c.f.s.
(Quantity of water in second-feet or acre-feet)
 and I recommend the issuance of water right certificate for this amount.

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

Tom R. Pearce
(Name)

Watermaster District No. 16.
(Title)

PROOF OF APPROPRIATION

Permit No. _____

Recording fee paid _____

Receipt No. _____

RECEIVED
 SEP 21 1937
 STATE ENGINEER
 SALEM, OREGON

RECEIVED
 OCT 9 1937
 STATE ENGINEER
 SALEM, OREGON

RECEIVED
 OCT 18 1937
 STATE ENGINEER
 SALEM, OREGON

RECEIVED
 OCT 18 1937
 STATE ENGINEER
 SALEM, OREGON

Form C

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

David H. Canfield, Superintendent of
I, Oregon Caves National Monument, the holder of Application No. 16177, being

Permit No. 11986, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) two small springs tributary to
for the appropriation of .035 second-feet of the waters of Cave Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
Used since 1924
completely applied the water to a beneficial use, on the _____ day of _____, 193____,
being the time limitation as fixed in said permit or as extended by the State Engineer for the complete
application of water to a beneficial use.

Remarks: _____
If all of the water granted in the permit had not been fully applied to beneficial use, you should so state, so that delinquent appropriations may
have notice.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of June, 193 6.
Crater Lake National Park, Medford, Oregon
(Present Address) David H. Canfield, Super.
(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

Form B

NOTICE OF COMPLETION OF CONSTRUCTION

David H. Canfield, Superintendent of
I, Oregon Caves National Monument, the holder of Application No. 16177, being

Permit No. 11986, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) two small springs tributary to
for the appropriation of .035 second-feet of the waters of Cave Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
Used since 1924.
have completed the construction of the works described therein the _____ day of _____, 193____,
being within the time limitation as fixed in said permit or as extended by the State Engineer for the completion
of construction work.

Remarks: _____
If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described
in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of June, 193 6.
Crater Lake National Park, Medford, Oregon
(Present Address) David H. Canfield, Super.
(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

Form A

NOTICE OF BEGINNING OF CONSTRUCTION

David H. Canfield, Superintendent of
I, Oregon Caves National Monument, the holder of Application No. 16177, being

Permit No. 11986, issued by the State Engineer of the State of Oregon
(Reservoir or Enlargement) two small springs tributary to
for the appropriation of .035 second-feet of the waters of Cave Creek
in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
began the actual construction of the works described therein on the _____ day of 1924 & 1931, 193____,
being within the time limitation as fixed in said permit for the beginning of construction work.

The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this
statement, and any additional information which may tend to show the beginning of work in good faith.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of June, 193 6.
Crater Lake National Park, Medford, Oregon
(Present Address) David H. Canfield, Super.
(Signature of Applicant)

Fill out, detach, and mail to the State Engineer, Salem, Oregon.

* APPLICATION FOR A PERMIT

To Appropriate the Public Waters of the State of Oregon

I, David H. Canfield, Superintendent of Oregon Caves National Monument
(Name of applicant)
 of Medford, Oregon, County of Jackson,
(Post office)
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

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

1. The source of the proposed appropriation is Two small springs tributary to Cave Creek
(Name of stream)
thence tributary to Sucker Creek, a tributary of Illinois River

2. The amount of water which the applicant intends to apply to beneficial use is 0.035
 cubic feet per second, being 0.025 from upper spring and 0.01 from lower spring.
(If water is to be used from more than one source, give quantity from each)

**3. The use to which the water is to be applied is Domestic and Hotel Supply including
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
Fire Protection

4. The point of diversion is located lower spring 820 ft. S and 1090 ft. E from the SE
(N. or S.) (E. or W.)
 corner of Sec. 9, T40S, R6W, WM. Point of diversion of upper spring is located 820 ft.
(Section or subdivision)
South and 1365 ft. East from the SE cor. of Sec. 9, T40S, R6W, WM
(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
 being within the Lower Spring - NW 1/4 NW 1/4 of Sec. 15, Tp. 40 S,
Upper Spring - NW 1/4 NW 1/4
(Smallest legal subdivision)
 R. 6 W, W. M., in the county of Josephine
(E. or W.)

5. The Pipe Line to be 2000 ft. (approximately)
(Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SE 1/4 of Sec. 9, Tp. 40 S,
(Smallest legal subdivision) (N. or S.)
 R. 6 W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

DIVERSION WORKS—

6. (a) Height of dam.....feet, length on top.....feet, length at bottom
feet; material to be used and character of construction.....
(Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Small concrete boxes at springs with screen over
(Timber, concrete, etc., number and size of openings)
inlet to pipe line

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

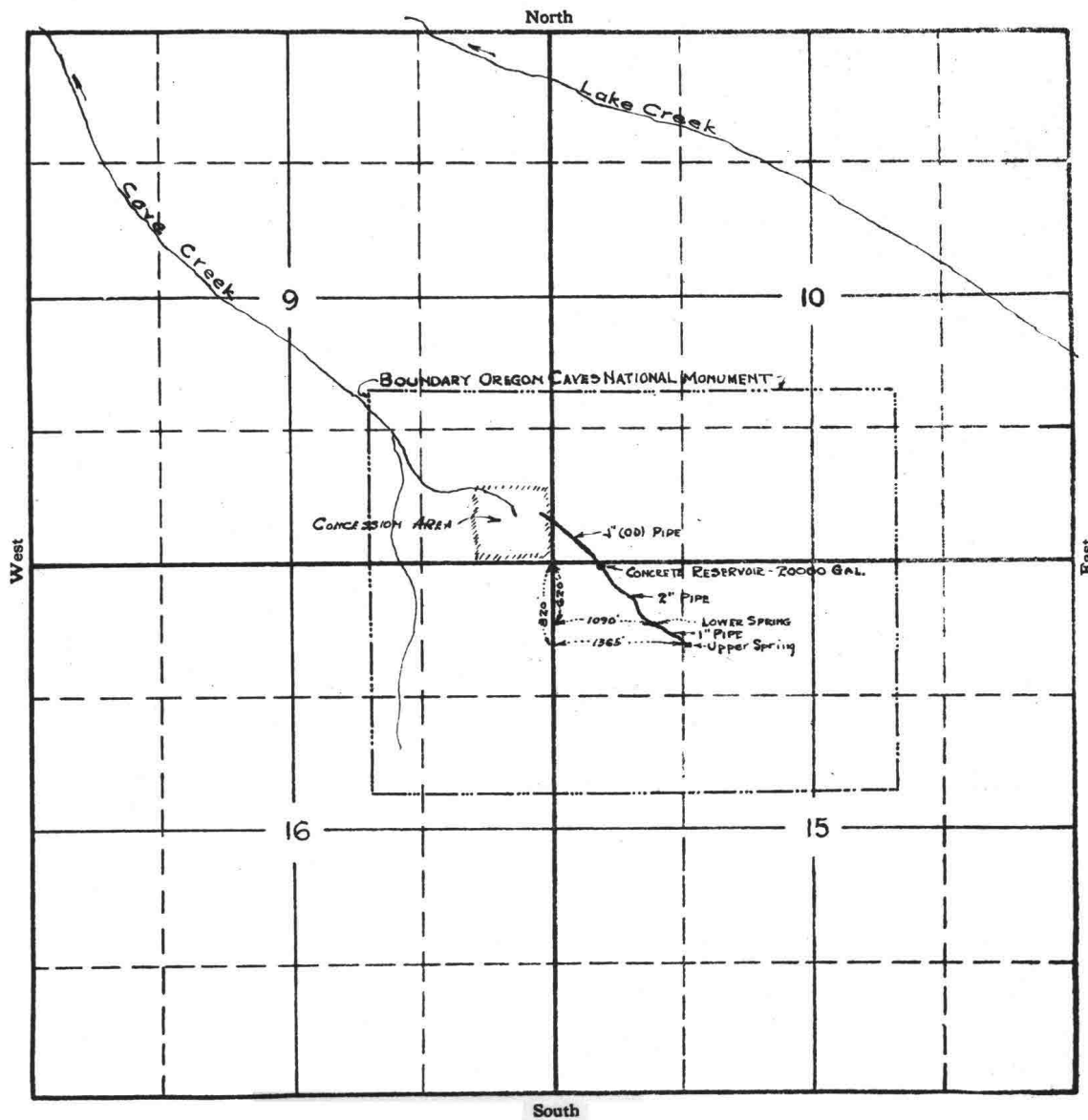
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

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

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

SECTION

TOWNSHIP 40 S., RANGE 6 W., W. M.



SKETCH MAP
BY
W.F. Robertson, Associate Engineer
National Park Service

APPLICATION No. 76177

PERMIT No. 11986

MUNICIPAL OR DOMESTIC SUPPLY—

10. (a) To supply the ~~city of~~ Concession Area at Oregon Caves National Monument
Josephine County, having a present population of 500 guests daily
(Name of)
and an estimated population of 1000 in 1939.

(b) If for domestic use state number of families to be supplied See 10(a)

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

11. Estimated cost of proposed works, \$ 2500
12. Construction work will begin on or before Construction work began in 1924
Pipe line completed in 1924
13. Construction work will be completed on or before Reservoir completed in 1931
Water has been used since
14. The water will be completely applied to the proposed use on or before 1924

(Sgd.) David H. Canfield
(Signature of applicant)

Superintendent, Oregon Caves Natl. Monument

Signed in the presence of us as witnesses:

- (1) (Sgd.) Ethel Wilkinson Crater Lake National Park, Medford, Oregon
(Name) (Address of witness)
- (2) (Sgd.) W. E. Robertson Crater Lake National Park, Medford, Oregon
(Name) (Address of witness)

Remarks: The pipe line from the springs to the concession area was built in
1924 and water has been used since that time. In order to provide some storage a
reinforced concrete reservoir, 16 ft. 10 in. in diameter and 12 ft. high was built in
1931.

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

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

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

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

STATE ENGINEER

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

PERMIT

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.035 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from

Two unnamed springs, tributary of Sucker Creek, being 0.025 s.f. from upper spring and 0.01 s.f. from lower spring.

The use to which this water is to be applied is Domestic, hotel supply and fire protection

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

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

The priority date of this permit is December 9, 1935

Actual construction work shall begin on or before January 10, 1937 and shall thereafter be prosecuted with reasonable diligence and be completed on or before Oct. 1, 1938

Complete application of the water to the proposed use shall be made on or before Oct. 1, 1939

WITNESS my hand this 10th day of January, 1936

(Sgd.) Chas. E. Stricklin

STATE ENGINEER

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

Application No. 16277
Permit No. 11986

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon
on the 3th day of December,
1935, at 8:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

January 10, 1936

Recorded in book No. 33 of

Permits on page 11286

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 15 Page 381-5

Fees Paid \$10.00

Other Supporting Information



251 FINANCE BUILDING
170 12TH STREET S. E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM
April 11, 1961

REFER TO 16177
FILE NO.

✓	SUPT	
	A. SUPT	
✓	ADM. O	
	PSNL.	
	PURCH	
	L ARCH	
	C RCH	
	ATIST	
	GR.	
✓	CC PARK	
✓	CC OCNM	
✓	FILE	

United States Department of the Interior
National Park Service
Crater Lake National Park
Medford, Oregon

Attention Mr. Otto M. Brown

Gentlemen:

L54

Pursuant to your affidavit authorizing such cancellation, the certificate recorded at Volume 11, page 11917, State Record of Water Rights Certificates, which certificate was superseded by the one recorded at Volume 18, page 26543, State Record of Water Rights Certificates, has been stricken from the records of this office and will be of no further force or effect.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By

James W. Carver, Jr.
James W. Carver, Jr., Assistant

eh



Crater Lake National Park
Medford, Oregon

March 13, 1961

Mr. Lewis A. Stanley
State Engineer
Oregon Water Resources Department
170 Twelfth Street S.E.
Salem, Oregon

Dear Mr. Stanley:

Enclosed herewith is the completed affidavit sent by letter of
March 9, 1961 from Mr. James W. Carver, Jr. of your office.

I trust this affidavit may clear your records in the matter of
cancellation of Water Right Certificate 11917.

Sincerely yours,

/S/ OTTO M. BROWN

Otto M. Brown
Superintendent

Enclosure

Copy to Regional Director, Region Four with enclosures

L54

RECEIVED	
NPS REGION FOUR OFFICE	
MAR 14 '61	
SUR NAME	
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
INTERP.	
INSTR. CR.	

~~X Spaulding~~ LS 3/28
✓ Manley

A F F I D A V I T

STATE OF OREGON }
 County of Josephine } ss.

I, ...Otto M. Brown....., being first duly sworn,
 depose and say that the United States of America, Department of Interior,
 is the owner of the water right appurtenant to the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9,
 Township 40 South, Range 6 West, W.M., which is for the appropriation of
 not to exceed 0.035 cubic foot per second of water from two small springs,
 tributary to Cave Creek, for domestic use, hotel supply and fire protection,
 under a date of priority of December 9, 1935, as evidenced by the certifi-
 cate of water right recorded at Volume 11, page 11917, which certificate
 was superseded by the certificate recorded at Volume 18, page 26543,
 State Record of Water Rights Certificates, and of the lands to which the
 water rights is appurtenant; that the United States of America, Department
 of Interior, has abandoned any and all interest in said water right and
 as their authorized representative, I hereby request the same to be canceled.

IN WITNESS WHEREOF, I have hereunto set my hand this ..Thirteenth..

day of ...March....., 1961.

.....
 Name
 Otto M. Brown
 Superintendent
 11118

Subscribed and sworn to before me this ..13th day of March.., 1961.

.....
 Notary Public for Oregon

My commission expires ...1-25-63.....



251 FINANCE BUILDING
170 12TH STREET S. E.

STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

March 9, 1961

REFER TO 16177
FILE NO.

United States Department of Interior
National Park Service
Crater Lake National Park
Medford, Oregon

Gentlemen:

Re: L54

This will acknowledge receipt of a copy of a letter of February 3 from the regional chief of operations to the superintendent, Crater Lake, in reference to the abandonment of the water right evidenced by the certificate recorded at Volume 11, page 11917, which certificate was superseded by the certificate recorded at Volume 18, page 26453, State Record of Water Rights Certificates, together with a copy of the report of survey.

I am enclosing a partially completed affidavit of abandonment for the convenience of the National Park Service in authorizing the cancelation of the certificate of water right under the provisions of ORS 540.621 so that our records may be cleared in this matter.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh
enclosure

February 3, 1961

L 54

Memorandum

To: Superintendent, Crater Lake
From: Regional Chief of Operations, Region Four
Subject: Water Right Lapses and Property Accountability,
Cave Springs, Docket 2, Oregon Caves National Monument

Our memorandum of January 20 and Mr. Dunn's of January 30 discussed clearing the books of costs carried for Water Right Certificate 11917, Docket 2, covering the abandoned Cave Spring system.

We believe it would be proper to survey off the \$300.00 value carried for this water right and we suggest that you do so. Copies of the report of action your Board of Survey may take should be distributed to the Washington Office, WOOC, and this office for filing in water right docket and an additional copy should be furnished for our accounting office.

We believe it also would be proper to notify the State Engineer that Certificate 11917 may be revoked.

(SGD) JOHN B. WOSKY

Regional Chief of Operations

Copy to: Director

LSSpaulding:lq

~~Spaulding~~ LSS

Marcroft (later)

Persons

Whitworth

Manbey

Wosky

(quiat)

FILE COPY

DI-102
(Approved April 1942)UNITED STATES
DEPARTMENT OF THE INTERIOR
National Park Service
Crater Lake National Park
(Service)W O D C
Report No. 9-7-61 fyFebruary 7, 1961
(Date)

L-54

REPORT OF SURVEY

To MEMBERS OF BOARD OF SURVEY:

Crater Lake National Park
(Location)

You are requested to convene at your earliest convenience
for the purpose of surveying the unserviceable (or) lost, stolen, damaged property listed below.

Marvin L. Nelson
(Administrative Officer)

Marvin L. Nelson, Administrative Officer

ITEM NO.	PROPERTY NO.	ARTICLES	QUANTITY	VALUE	DISPOSITION*				
					A	B	C	D	E
		Water Rights, Application 61677, Permit 11986, Certificate 11-11917. A certified right to divert 0.035 sec. ft. of water from two springs tributary to Cave Creek for domestic, hotel and fire protection supply at Oregon Caves National Monument with priority of December 9, 1935.	1	\$300.					

WATER DOCKET NO.

W O D C
MAR 6 - '61
CHF
ADM
PERS
P & P
ARCH
ENGR
L. A.
SPEC
CONT
SFTY
COOPER
RUNE
MONROE
ACTION TAKEN DATE

*To be filled in by Board:
(A) Continued in service.
(B) To be destroyed.

(C) Advertised for sale. See Executive
Order No. 6166, June 10, 1933

(OVER)

(D) For issue to Indians on receipts.
(E) Used for repairs.

16-28828-1

(TO BE COMPLETED ON SURVEY OF LOST, STOLEN, OR DAMAGED PROPERTY)

DATE AND CIRCUMSTANCES:

2/7/61

To remove from the Fixed Property Records for Oregon Caves National Monument the abandoned Water Rights covering the Cave Spring system under Certificate 11917, Docket 2.

FINDINGS:

This Water Right has not been used for several years and no use is contemplated in the foreseeable future.

RECOMMENDATIONS: *

We recommend that the abandoned Water Rights for Oregon Caves National Monument covering the Cave Spring system under Certificate 11917, Docket 2, be removed from the Fixed Property Records.

		Board Members	Date of Appointment
_____	(Approving Officer)	_____	_____
Date _____	Title _____	_____	_____
Date recorded _____	(Prop. Section) (Accts. Section)	_____	_____

(TO BE COMPLETED ON SURVEY OF UNSERVICEABLE PROPERTY)

WE CERTIFY that the property listed on the first page of this report has been inspected by us and recommend disposition be made thereof as indicated. We further certify that items recommended for destruction have been destroyed in our presence.

		Board Members	Date of Appointment
_____	(Approving Officer)	_____	_____
Date MAR 2 1961	Title _____	_____	2/3/60
Date recorded _____	(Prop. Section) (Accts. Section)	_____	2/3/60

*Should include recommendation for collection from responsible employee(s) or release from liability.

NOTE.—Sheets of paper, properly captioned, may be used and securely attached to report where space is not sufficient.

251 FINANCE BUILDING
170 12TH STREET S.E.



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

REFER TO
FILE NO. _____

December 22, 1959

Mr. Otto M. Brown, Superintendent
Crater Lake National Park
Medford, Oregon

Re: Your file L54-OC

Dear Mr. Brown:

With your letter of December 21 you enclosed an application for a change in point of diversion and place of use of water for which you hold a right under State Engineer's Permit No. 11986. Your application and all of the enclosures listed in your letter are returned herewith for the following reasons:

It is my opinion that this proposed change in point of diversion and place of use of water does not properly come within the provisions of ORS 540.510 to 540.530 because the new water supply which you propose to develop is entirely separate and distinct from the water supply from which you hold a right. This is true regardless of the fact that both the original source and the proposed new source are tributaries of the same stream. There is a possibility that your proposed new water supply would interfere with existing rights when the existing right under the permit does not so interfere. That would be true if the amount of water appropriated from the new source exceeds the amount available at the old point of diversion.

As an example and so that you may benefit by our thinking on this matter, if you were to apply for a change in point of diversion to a point lower down on Cave Creek that application probably would be granted but on condition that the amount of water you were to take at the new point of diversion should not exceed the amount which would be available at the old point.

Another point which controls our thinking in this matter is how far this principle could be expanded if we granted changes from one tributary to another. Under that concept we could approve a change from the Willamette River to the Deschutes River because they are both tributaries of the Columbia River.

Mr. Otto M. Brown

- 2 -

December 22, 1959

I suggest that the best procedure for you in this case is to file a new application for a permit describing the new source of water.

Very truly yours,

LEWIS A. STANLEY
State Engineer

IAS:B
Encs.

L54-OC

Crater Lake National Park
Medford, Oregon

December 21, 1959

Lewis A. Stanley, State Engineer
State Office Building
Salem, Oregon

Dear Mr. Stanley:

The following attachments relate to the application
for transfer of the Cave Spring water right in Oregon Caves National
Monument:

1. Application for Transfer of Water Right
2. Purchase Order 34-232 for examination and recording fees.
3. Voucher for examination and recording fees for your signature and return to this office.
4. Purchase Order 34-233 for advertising
5. Voucher for advertising for your signature and return to this office for processing for payment.

This application was previously submitted to your office on December 11, 1958 but was returned because you felt a new source was involved. Actually this is not the case since both points of diversion are tributary to Cave Creek and water from the two points commingle at the junction of Cave and Lake Creeks as a common source for downstream appropriations. The point of diversion is being transferred approximately a mile and a half down the main fork of Cave Creek to the junction of the Lake Creek fork and thence about a mile up to a point on the unnamed tributary, all within the drainage of Cave Creek.

The attached application and map show more clearly the relationship between the old and new points of diversion, and we hope you will now be able to process them for us.

Sincerely yours,

Otto M. Brown
Superintendent

Enclosures
Copy to: Chief, WODC (2)

WESTERN OFFICE
DESIGN & CONSTRUCTION
DEC 21 1959 A.M.

CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

357046 C12/24 12/30

Crater Lake National Park
Crater Lake, Oregon

November 25, 1959

State Engineer
Water Resources Division
Salem, Oregon

Gentlemen:

Attached are the original and one signed notarized copy of
an affidavit of David H. Canfield relating to the appropriation of
public waters for use at Oregon Caves National Monument. This affi-
davit clarifies the ownership of Application 15515, Certificate 10-11631
and ~~Application 16177, Certificate 11-11917~~. Please amend the water
rights to show title in the United States of America instead of in
Oregon Caves National Monument.

The affidavit was previously submitted to your office on
December 11, but was returned together with our request for a transfer
of the Cove Springs water right (Certificate 11-11917). It is requested
that title of the water right be amended regardless of the outcome of
our request for transfer of the point of diversion and place of use.

Sincerely

Fred J. Novak
Acting Superintendent

copy to: Regional Chief of Operations, Region Four ✓

file ORCA Docket 2
Reg. 4 ~~copy made for Docket 1~~
L-54

RECEIVED	
NPS REGION FOUR OFFICE	
NOV 27 '59	
(SURNAME)	DATE
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
RANGER ACTI	

X Spradling 11/27
✓ Manbey

See memo
To Sup
Crater Lake
11/34/59

STATE OF NEW MEXICO
COUNTY OF SANTA FE

SS

Product II
Part II

**AFFIDAVIT OF DAVID H. CANFIELD RELATING TO
THE APPROPRIATION OF PUBLIC WATERS FOR USE
AT OREGON CAVES NATIONAL MONUMENT**

I, David H. Canfield, now residing at Santa Fe, New Mexico, and employed by the National Park Service, Department of the Interior, Region Three Office, Santa Fe, New Mexico, being duly sworn, depose and say:

1. That on or about the 8th day of September, 1934, I filed in the Office of the State Engineer at Salem, Oregon, Application No. 15515 for a permit to appropriate the public waters of the State of Oregon for use at Oregon Caves National Monument, and that pursuant to such application, Permit No. 11389 was thereafter issued by the State Engineer and, following final proof, a certificate of water right was issued on December 7, 1936 in the name of "Oregon Caves National Monument".

2. That on or about the 9th day of December, 1935, I filed in the Office of the State Engineer at Salem, Oregon, Application No. 16177 for a permit to appropriate the public waters of the State of Oregon for use at Oregon Caves National Monument, and that pursuant to such application, Permit No. 11986 was thereafter issued by the State Engineer and, following final proof, a certificate of water right was issued on December 16, 1937 in the name of "Oregon Caves National Monument".

3. That the above-mentioned applications were filed in my own name with the title "Acting Superintendent, Oregon Caves National Monument". That, at all material times, I was employed by the National Park Service, Department of the Interior, and acted on behalf of the United States Government as part of my official duty in filing the above-mentioned applications. The use of my name as applicant was inadvertent, it being my intention that the applications would result in the appropriation of public waters by and for the benefit of the United States of America, the owner of Oregon Caves National Monument, and that I would acquire no individual interest in the same.

David H. Canfield

Subscribed and sworn to before me this 4 day of November, 1958.

Manuel Aguilar
Notary Public
My commission expires May 27, 1961

154

November 17, 1959

Memorandum

To: Superintendent, Crater Lake
 From: Acting Regional Chief of Operations, Region Four
 Subject: Application for Transfer of Water Rights for Ranger Residence, Docket 2, Oregon Caves

The following attachments relate to the application for transfer of the Cave Spring water right in Oregon Caves National Monument:

WESTERN OFFICE	
DESIGN & CONSTRUCTION	
NOV 19 1959 A.M.	
CHIEF	
ADMIN. ASSIST.	
PERSONNEL	
PLANS & PROG.	
SURVEY	
ARCHITECT	///
ENGINEER	///
LAND ARCH.	///
ACTION TAKEN—DATE	

1. Original and one speco copy of Application for Transfer of Water Right
2. Two copies of a Purchase Order for examination and recording fees, totaling \$20
3. Two copies of a voucher for examination and recording fees
4. Two copies of a purchase order for advertising a public notice
5. Two copies of a voucher for advertising a public notice.
6. One page of excerpts from Oregon Revised Statutes pertaining to Transfer of Water Rights.

The original of the application (attachment 1), if satisfactory to you, may be signed and submitted to the State together with the originals of the purchase orders and vouchers (Attachments 2, 3, 4 and 5). The State should be asked to sign the vouchers and return for payment. The remaining copies of the attachments are for your file.

The application is for the purpose of transferring the water right covering the presently unused system diverting from springs tributary to Cave Creek (Docket 2). The transfer does not affect the Lake Creek Right (Docket 1) covering water now serving the Cave area.

The application previously was submitted to the State by Mr. Rundell on December 11, 1958. The State Engineer returned the application December 17 stating that a new appropriation was required.

By memorandum of February 2, 1959, Mr. Dunn asked that we resubmit the application for transfer with a clarification of the location of the new point of diversion.

We have prepared a new map which more clearly shows the stream system and the relationship between the old and new points of diversion. The application form has been changed as Mr. Dunn suggested in his February 2 memorandum.

Your letter to the State Engineer should explain that we are resubmitting the application because we believe we did not adequately describe the proposed change on our application of December 11, 1958. It should be pointed out that both points of diversion are tributary to Cave Creek and that water from the two points commingle at the junction of Cave and Lake Creeks as a common source for downstream appropriators. The statement may be added in your letter that the point of diversion is being transferred approximately a mile and a half down the main fork of Cave Creek to the junction of the Lake Creek fork and thence about a mile up to the point on the unnamed tributary, all within the drainage of Cave Creek.

G. F. WHITWORTH

Acting Regional Chief of Operations

Attachments

Copy to: Director (w/cy Attach. #1)
Chief, WODC (w/cy Attach. #1)

METHOD OF PURCHASE: FORM APPROVED Budget Bureau No. 48-R101 Indicate Method by Number: 1. Federal Supply Schedule. 2. Bureau of Federal Supply Stock. 3. Excess Property Transfer. 4. Advertising (R. S. § 3709). 5. Other Exemption from R. S. § 3709. 6. Miscellaneous. (See Bureau of Federal Supply Circular No. B69)		UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE PURCHASE ORDER		THIS NUMBER MUST APPEAR ON ALL PACKAGES AND PAPERS RELATING TO THIS ORDER. ORDER NO. 34-232 DATE 11/17/59	
☒ SMALL BUSINESS ☐ OTHER BUSINESS		POINT OF ISSUE 180 New Montgomery St. San Francisco 5, Calif.			
REQUISITION NO. ACCOUNT 5-WR-60		APPROPRIATION SYMBOL AND TITLE			
TO: State Engineer State of Oregon SALEM, OREGON		CONSIGNEE AND DESTINATION National Park Service Region Four 180 New Montgomery St. San Francisco 5, Calif.			
INVITATION NO.		CONTRACT NO. OM		TIME FOR DELIVERY	
F.O.B. POINT San Francisco		SHIP VIA		GOV'T B/L NO.	
ITEM NO.	ARTICLES AND SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	FEE, as prescribed by Oregon Revised Statute 536.050 for the examination and recording of an application to change the point of diversion and the place of use of a licensed water right., Certificate 11-11917, serving Oregon Caves National Monument 5-WR-60 EXAMINATION FEE RECORDING FEE				10.00 10.00
<i>Canceled 1/20/60 JSS</i>					
Receipt on _____ is hereby (DATE) acknowledged of your Purchase Order, of which this is a copy.			SIGNATURE		
By _____ (NAME OR SIGNATURE OF VENDOR)			NAME AND TITLE		
Title _____ (SIGNATURE)			(Sgd.) John P. Arbunich Purchasing Agent		
IMPORTANT.—Vendor must sign and mail this acknowledgment to "Point of Issue" immediately upon receipt of the original purchase order.					
Delivery will be made on _____, 19____ or about _____					
ACKNOWLEDGMENT COPY					
(2)					

METHOD OF PURCHASE: FORM APPROVED Budget Bureau No. 48-R101 Indicate Method by Number:		UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE		THIS NUMBER MUST APPEAR ON ALL PACKAGES AND PAPERS RELATING TO THIS ORDER. ORDER NO. 34-233 DATE 11/19/59	
1. Federal Supply Schedule. 2. Bureau of Federal Supply Stock. 3. Excess Property Transfer. 4. Advertising (R. S. § 3709). 5. Other Exemption from R. S. § 3709. 6. Miscellaneous. (See Bureau of Federal Supply Circular No. B69)		PURCHASE ORDER			
☒ SMALL BUSINESS ☐ OTHER BUSINESS		POINT OF ISSUE 180 New Montgomery St. San Francisco 5, Calif.			
REQUISITION NO.		APPROPRIATION SYMBOL AND TITLE			
ACCOUNT 128.2 5WR-60		14x1035 Construction, NPS			
TO: State Engineer State of Oregon SALEM, Oregon		CONSIGNEE AND DESTINATION National Park Service Region Four Office 180 New Montgomery St. San Francisco 5, Calif.			
INVITATION NO.		CONTRACT NO. OM		TIME FOR DELIVERY Soon as possible DISCOUNT TERMS Net	
F.O.B. POINT San Francisco		SHIP VIA		GOV'T B/L NO.	
ITEM NO.	ARTICLES AND SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1.	Cost of publication of a public notice as prescribed by 540.520(2) OREGON REVISED STATUTE in connection with the transfer of the point of diversion and place of use of a licensed water right Certificate 11-11917 serving Oregon Caves National Monument. <u>NOT TO EXCEED:</u> -				20.00
Receipt on _____ is hereby acknowledged of your Purchase Order, of which this is a copy.		SIGNATURE		TOTAL \$20.00	
(NAME OR SIGNATURE OF VENDOR)		NAME AND TITLE (Sgd.) John P. Arbunich Purchasing Agent			
By _____ Title _____		Delivery will be made on _____, 19____ or about _____, 19____			
IMPORTANT.—Vendor must sign and mail this acknowledgment to "Point of Issue" immediately upon receipt of the original purchase order.					
FORM 10-131 (REV. 2/57) ACKNOWLEDGMENT COPY (2)					

Standard Form No. 1034a—Revised
Form prescribed by
Comptroller General, U. S.
September 7, 1950
(Gen. Reg. No. 51, Supp. No. 11)

**PUBLIC VOUCHER FOR PURCHASES AND
SERVICES OTHER THAN PERSONAL**

D. O. Vou. No.

Bu. Vou. No.

U. S. Department of the Interior, National Park Service, Region Four
(Department, bureau, or establishment)

Voucher prepared at San Francisco, California November 19, 1959
(Give place and date)

THE UNITED STATES, Dr., Payee's Account No.

To State Engineer, State of Oregon
(Payee)

(Address)

(City)

(State)

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE		AMOUNT	
				Cost	Per	Dollars	Cts.
34-233		Cost of publication of a public notice as prescribed by 540.520(2) OREGON REVISED STATUTE in connection with the transfer of the point of diversion and place of use of a licensed water right Certificate 11-11917 serving Oregon Caves National Monument. NOT TO EXCEED				\$20	00
PAYMENT: Complete ☐ Partial ☐ Final ☐						\$20	00
Shipped from _____ to _____ Weight _____ Government B/L No. _____					Total	\$20	00
				(Payee must NOT use this space)			
				Differences			
				Account verified; correct for			
				(Signature or initials)			
Contract No. _____		Date _____		Req. No. _____		Date _____ Invoice Rec'd. _____	

MEMORANDUM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)						
Appropriation, limitation, or project symbol	Appropriation title				Limit'n. or Proj't. Amount	Appropriation Amount
Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT		OBJECTIVE CLASSIFICATION	
			Symbol	Amount	Symbol	Amount

Paid by { Check No. dated 19...., for \$ } on Treasurer of the United States in
 { Cash, \$ on 19.... } favor of payee named above.

CHANGES IN USE OF WATER: TRANSFER OF WATER RIGHTS

(ORS 540.510 to 540.530)

540.510 APPURTENANCY OF WATER TO PREMISES; RESTRICTIONS ON CHANGE OF USE OR PLACE OF USE; OR POINT OF DIVERSION. All water used in this state for any purpose shall remain appurtenant to the premises upon which it is used and no change in use or place of use of any water for any purpose may be made without compliance with the provisions of ORS 540.520 and 540.530. However, the owner of any water right may, upon compliance with the provisions of ORS 540.520 and 540.530, change the use and place of use, the point of diversion or the use theretofore made of the water in all cases without losing priority of the right theretofore established.

540.520 APPLICATION FOR CHANGE OF USE, PLACE OF USE, OR POINT OF DIVERSION; PUBLIC NOTICE; FILING OF OBJECTIONS. (1) Whenever the owner of a water right for irrigation, domestic use, manufacturing purposes, or other use, for any reason desires to change the place of use, the point of diversion, or the use theretofore made of the water, an application to make such change, as the case may be, shall be filed with the State Engineer. The application shall state the name of the owner the use theretofore made of the water, a description of the premises upon which the water is used, a description of the premises upon which it is proposed to use the water, the use which is proposed to be made of the water, and the reasons for making the proposed change. (2) Upon the filing of the application the State Engineer shall give notice by publication in a newspaper printed and having general circulation in the county in which the water rights are located, for a period of at least three weeks and not less than one publication each week. The published notice shall set forth the time and place when a hearing shall be had upon the application; provided, that the date fixed for such hearing shall be not less than 30 days after the last publication of the notice. The hearing shall be had in the county where the rights are located. The cost of the publication shall be paid by the applicant in advance to the State Engineer. In applications for only a change in place of use or for a change in the point of diversion of less than one-fourth mile, and where there are no intervening diversions between the old diversion of the applicant and his proposed new diversion, no notice need be published. (3) Any person having objections to the proposed change as set forth in the published notice shall file his objections with the State Engineer at least 10 days previous to the date set for the hearing. If no objections are filed the change may be approved by the State Engineer without a hearing.

540.530 HEARING ON PROPOSED CHANGE; ORDER; NEW CERTIFICATE; APPEAL. (1) At the time fixed for the hearing, if objections are filed, the State Engineer or his authorized assistant shall hear and determine the same. The proceedings shall be summary and informal, but witnesses may be called and testimony taken. If, after hearing or examination, the State Engineer finds that the proposed change can be effected without injury to existing rights, he shall make an order approving the transfer and fixing a time limit within which the application of water may be made to the new use. During the time allowed by the State Engineer for such application of water the right which has been transferred shall not be considered to be abandoned by nonuse. (2) If a certificate has been theretofore issued covering the water right, the State Engineer shall likewise make an order canceling it and on the filing of proper proof of complete application of the water to the new use he shall issue in lieu thereof a new certificate preserving the priority of rights theretofore established in connection therewith and covering the change in use or place of use. (3) In case objections are filed an appeal may be taken from the decision of the State Engineer, in the manner provided in ORS 537.200.

FEES AS PRESCRIBED BY SUB-SECTIONS 8, 9, 10 AND 11, ORS 536.050

(8) For examining an application for a change in point of diversion, place of use, or use of water - \$10.

(9) For filing each application to transfer water rights for irrigation from one tract of land to another or to transfer to irrigation use from any other use, a minimum fee of \$5 for the first 30 acres or fraction thereof; 15¢ for each acre in excess of 30 acres up to and including 100 acres; 5¢ for each acre in excess of 100 acres up to and including 1,000 acres, and 1¢ for each acre in excess of 1,000 acres. Such fees to be based upon the number of acres to which the water right is transferred.

(10) For filing each application for change in point of diversion - \$5.

(11) For filing each application for a change in the use theretofore made of the water where the use is other than irrigation - \$10.

281 FINANCER BUILDING
170 12TH STREET S.E.



STATE OF OREGON
STATE ENGINEER
WATER RESOURCES DEPARTMENT
SALEM

2/0
REFER TO
FILE NO. _____

December 17, 1958

Mr. R. E. Rundell
Acting Superintendent
Crater Lake National Park and
Oregon Caves National Monument
Medford, Oregon

Re: Your file I-54

Dear Mr. Rundell:

This will acknowledge receipt of your letter of December 11
submitting the following attachments:

1. Application for Transfer of Water Right
2. Affidavit of David H. Canfield relating to
the appropriation of public waters for use
at Oregon Caves National Monument
3. Purchase Order 34-438 for examination and
recording fees
4. Voucher for examination and recording fees
5. Voucher for advertising.

From an examination of the application it appears that you
desire to change the point of diversion to an entirely different
source and not actually change the use, place of use and point of
diversion of the water involved in the original appropriation.
The source of supply cannot be changed through an application for
transfer of water right. Since it will be a new appropriation from
a different source, an application for a permit should be filed in
this office. Blank form for this purpose is being enclosed.

The enclosures or attachments mentioned above are being
returned herewith.

Very truly yours,

LEWIS A. STANLEY, State Engineer

By

Max F. Rogers, Deputy

MFR:VR
Enc.

Sub. to Annual Submittal June 10 September 17 1959

ORCA Docket 2

L54

Crater Lake National Park
Medford, Oregon

December 11, 1958

See
Johnston 12/14
Lyndberg
LSS 12/19

Lewis A. Stanley, State Engineer
State Office Building
Salem, Oregon

Dear Mr. Stanley:

The following attachments relate to the application
for transfer of water right in Oregon Caves National Monument:

1. Application for Transfer of Water Right.
2. Affidavit of David H. Canfield relating to the appropriation of public waters for use at Oregon Caves National Monument.
3. Purchase Order 34-438 for examination and recording fees.
4. Voucher for examination and recording fees for your signature and return to this office.
5. Voucher for Advertising. If you will prepare and sign the voucher and return to this office, we will immediately forward it for payment.

Sincerely yours,

R. K. Rundell
Acting Superintendent
Crater Lake National Park and
Oregon Caves National Monument

Enclosures

Copy to: Director
Reg. Dir., Reg. Four

Standard Form No. 1634a—Revised
Form prescribed by
Comptroller General, U. S.
September 7, 1950
(Gen. Reg. No. 51, Supp. No. 11)

**PUBLIC VOUCHER FOR PURCHASES AND
SERVICES OTHER THAN PERSONAL**

D. O. Vou. No. _____

Bu. Vou. No. _____

U. S. Department of the Interior, National Park Service, Region Four
(Department, bureau, or establishment)

Voucher prepared at San Francisco, California November 4, 1958
(Give place and date)

THE UNITED STATES, Dr.,

Payee's Account No. _____

To State Engineer, State of Oregon

(Payee)

Salem Oregon

(Address)

(City)

(State)

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE		AMOUNT	
				Cost	Per	Dollars	Cts.
34-438 11-4-58		Fees for the examination and recording of an application to change the point of diversion, place of use and purpose of use of licensed water right, Permit No. 11986, Certificate 11 - 11917 Examination fee Recording Fee				\$10 10	00 00
PAYMENT: Complete ☐ Partial ☐ Final ☐				Use continuation sheet(s) if necessary			
Shipped from		to	Weight	Government B/L No.	Total	\$20	00
				(Payee must NOT use this space)			
				Differences			
				Account verified; correct for			
				(Signature or initials)			
Contract No.		Date	Req. No.	Date	Invoice Rec'd.		

MEMORANDUM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)						
Appropriation, limitation, or project symbol	Appropriation title				Limit'n. or Proj't. Amount	Appropriation Amount
Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT		OBJECTIVE CLASSIFICATION	
			Symbol	Amount	Symbol	Amount

Paid by | Check No. _____ dated _____, 19____, for \$ _____ } on Treasurer of the United States in
Cash, \$ _____, on _____, 19____ } favor of payee named above.

16-22900a-2

*copy filed in Docket 2
Sept 1958*

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐
 2. (a) Advertising by circular letters sent to dealers.
(b) And by notices posted in public places Yes ☐ No ☐.
- (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with
5. Without advertising, it being impracticable to secure competition because of

.....
.....
.....

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)



UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

Copy 2

IN REPLY REFER TO:

L54-L

RECEIVED

REGION FOUR

JUN 14 1958

June 12, 1958

Memorandum

To: Regional Director, Region Four
From: Chief, Water Resources Section
Subject: Water Rights, Dockets 1 and 2, and Claims for Proposed
Ranger's Residence, Oregon Caves

REG. DIR.	ASST. DIR.
ADMIN.	WATER RES.
INSTR.	LEGAL

situation
changed - project
now on cont.
program -
need immediate
water right action

My memorandum of January 8, and those of February 6 from Mr. Johnston, May 5 from Superintendent Williams, and May 9 from Mr. Whitworth, and cited drawings, suggest more need for a study than immediate water right action.

See memo to
Supt. 7/11

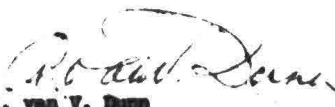
Monument attendance seems to have been at a peak of 80,000 in the late 40's, and settled back at approximately 70,000 per year. The rights to 0.185 sec.ft. was based on proof of use about 1936 and 1937 when annual attendance was about 55,000. There should be ample rights for present use unless there has been an extensive increase in the amount of incidental irrigation.

However, the rights to 0.035 sec.ft. of water from springs tributary to Cave Creek (Docket 2) are subject to lapse if they have not been exercised for some years. Since all future use seems to be from Lake Creek, the point of diversion should be changed to Lake Creek drainage before the abandonment becomes evident. It is not clear whether the spring system is still in existence, but abandonment would be less evident if the system were retained until the application for change in point of diversion is made.

The change could be made to either the existing Lake Creek diversion or a proposed new one. From Drawing 6975 there is some question as to whether the existing system has a capacity equal to even the established right to 0.15 sec.ft. However, any application is supposed to be for an appropriation to be initiated by construction in one year, and the new system now seems to be scheduled for 1960 or later. If construction should be deferred until 1961 or later, it might be better to change the point to the existing system during 1959, or gamble on the chance that no one will challenge the unused right to springs tributary to Cave Creek.

It would be advantageous to change the point of diversion from the springs to Lake Creek before any other water claimant enters the picture above the junction of Cave and Lake Creeks. Such a possibility is remote unless the Forest Service proposes to open the area in the drainage of both streams, above their junction, to some forms of private land and water use.

I recommend that efforts be made to develop a concrete plan of development under MISSION 66 during 1959, including selection of points of diversion, and determination of ultimate water demands for domestic, irrigation, fire protection, and utility purposes. A plan suitable for water right filing should follow, but that and the written application can be deferred until we decide just what we are going to do. We should also determine whether the existing system will deliver 0.15 sec.ft., or only the 0.115 sec.ft. at present headgate. A higher headgate, larger pipe, or supplemental diversion for the Ranger's residence should be provided to supply as much of the licensed 0.185 sec.ft. as will ultimately be needed.


A. van V. Dunn
Chief, Water Resources Section.

Copy to: Superintendent, Oregon Caves
Chief, WOEC

Study to:
1. select point of Diversion
2. Determine ultimate water Needs
3. Determine capacity of Lake Creek System

C O P Y

Secretary
State Reclamation Commission
Hydroelectric Commission of Oregon

Office of the
State Engineer
Water Resources Department
Salem

Address all Communications to
Chas. E. Stricklin, State Eng.
Salem, Oregon

And refer to
file No. 16177

September 10, 1937

(Received
Sept. 21, 1937
State Engineer
Salem, Oregon)

Mr. Tom R. Pearce,
Watermaster Dist. #16.
Grants Pass, Oregon

Dear Mr. Pearce:

As requested when you were in the office recently, I am enclosing a blank for making final proof under Permit No. 11986, in the name of the Oregon Caves National Monument.

It will be appreciated if you will make your usual inspection and report at your convenience. The \$1.00 certificate recording fee has been paid.

Yours very truly,

Chas. E. Stricklin,
State Engineer

Encl
LN

By Ed K. Humphrey
Assistant

Grants Pass, Oregon Sept. 20, 1937

Dear Mr. Humphrey:

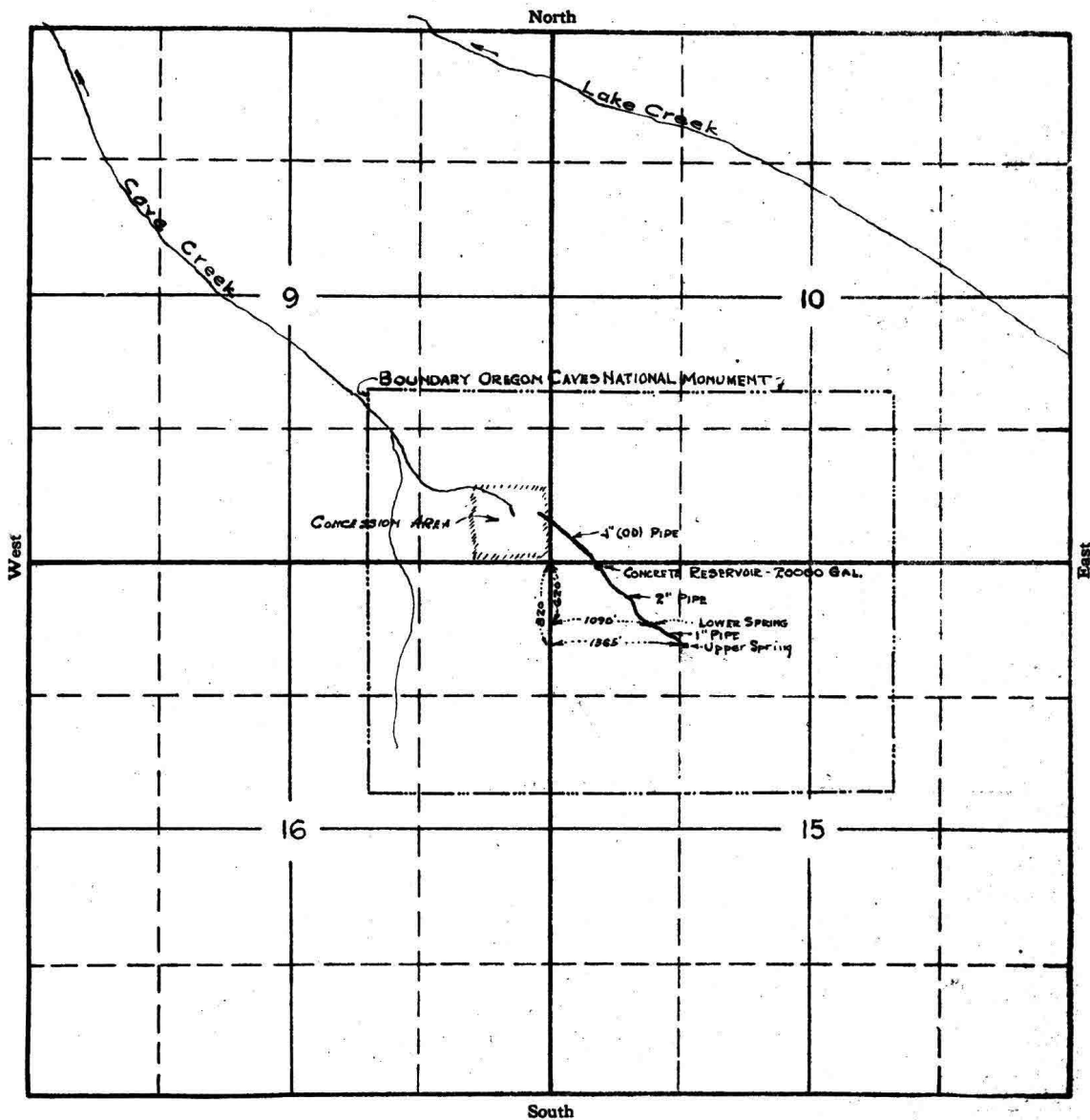
Affidavit of Appropriator, on enclosed proof should be signed by E. P. Leavitt, Supt., of Oregon Caves National Monument, Crater Lake, Oregon.

Yours very truly,

/s/ Tom R. Pearce.
Watermaster, District No. 16

SECTION

TOWNSHIP 40 S., RANGE 6 W., W. M.



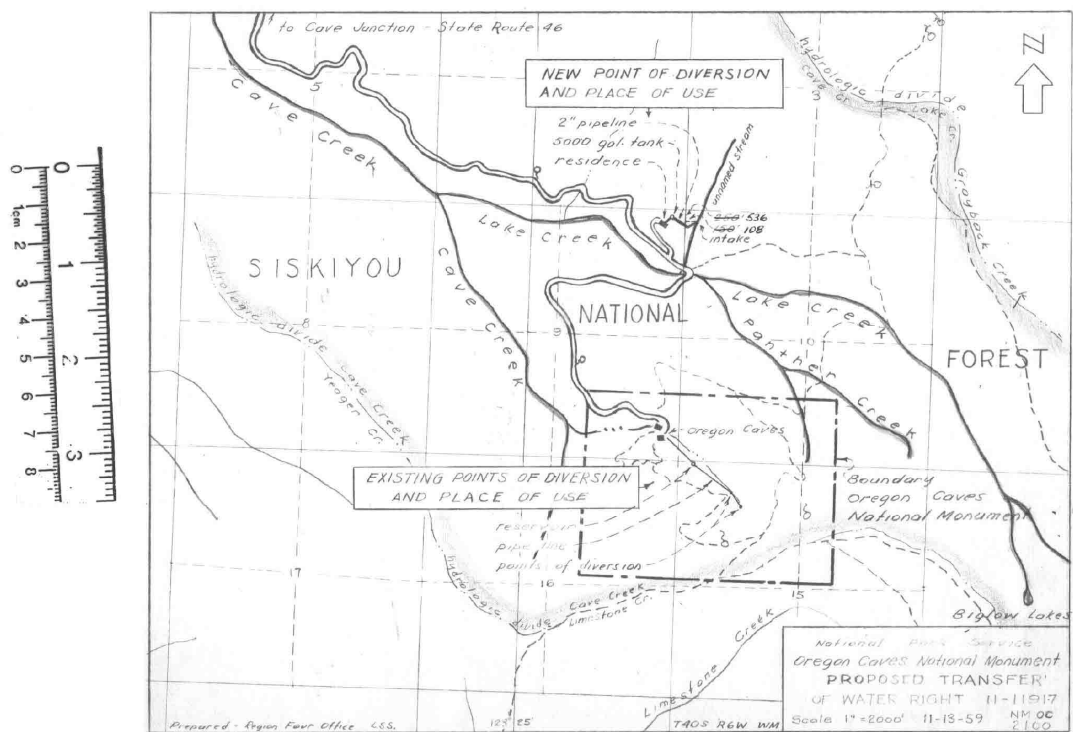
SKETCH MAP

BY

W. F. Ridenour - Associate Engineer
National Park Service

APPLICATION No. 16177

PERMIT No. 11986



Docket Information

Number of Documents in Docket 43

Documents Dated from 12/9/1935 to 4/11/1961

Docket Compiled: 6/3/2011