WATER-RIGHT DOCKET

Yosemite National Park

Docket No: 2

BISHOP CREEK WATER SYSTEM, CHINQUAPIN AREA (INACTIVE)

Preliminary Docket Information

05-23-1979: water right/source docket information

DATE: May 23, 1979

DOCKET (FILE) TITLE

REGION Western AREA Yosemite National Park

SITE Bishop Creek Water System - Chinquapin Area

STATE California COUNTY Madera DOCKET NO WR #2

LOCATION NW¼ NW¼ Sec.29 T3S R21E or SW¼ SW¼ Sec.20 T3S R21E

REGIONAL BASIN LOCAL BASIN

ACQUIRED BY

APPLICATION 11947 PERMIT 6972 CERTIFICATE -

ACTION DUE PRIORITY RESERVATION

QUANTITY USE

STATUS SOURCE Surface Water - Creek

REMARKS Hydrologic Unit #18040004

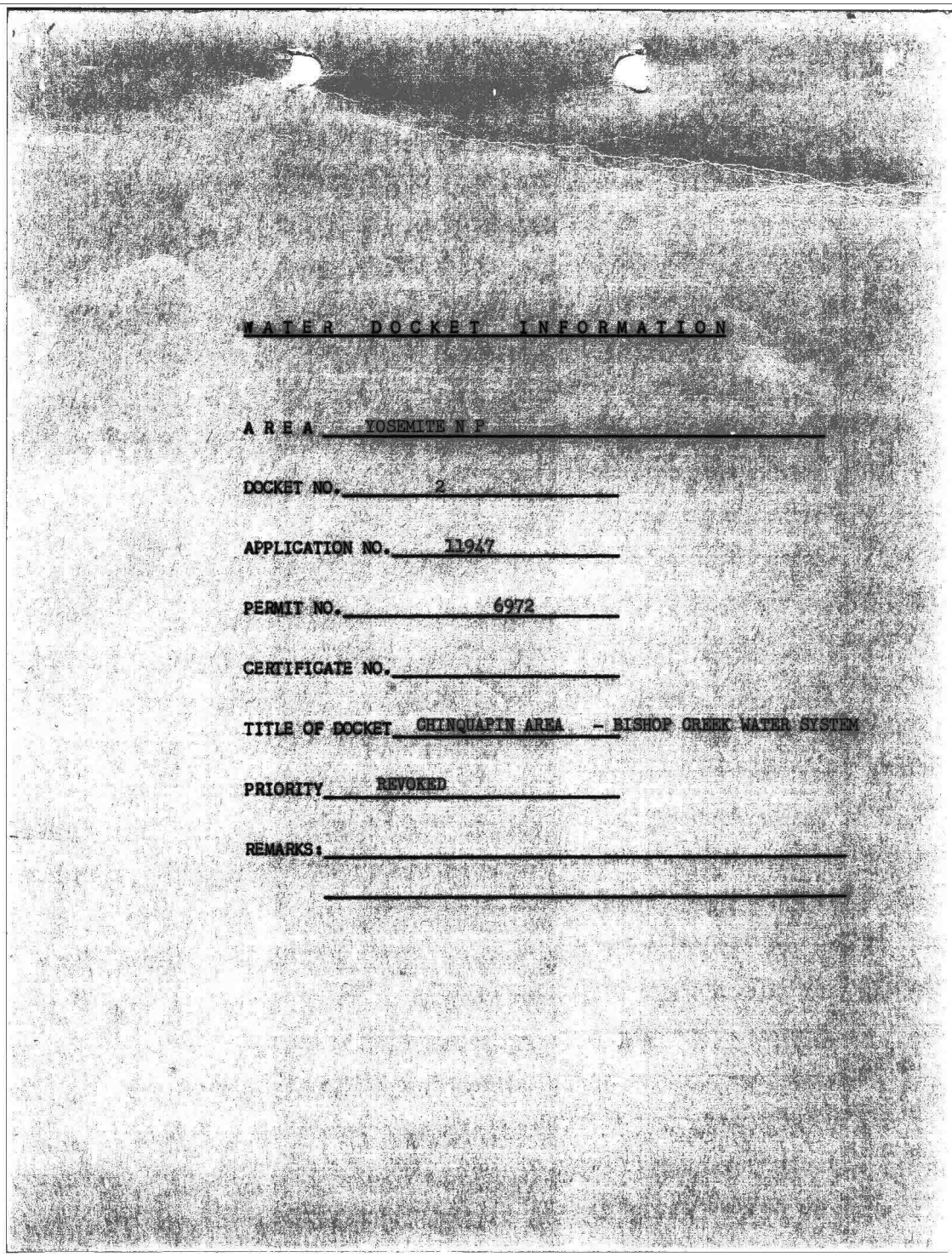
NARRATIVE:

In 1947 the Park filed an application with the State of California to appropriate 0.01 cfs from an unnamed tributary of Bishop Creek, located in the NW¼ NE¼ of Sec.29 T3S R21E. This water was to be used for domestic and recreational purposes in Blister Rust Camp, then under construction, as well as for fire protection. In 1949 it became apparent that the Bishop Creek source was inadequate for supplying the camp. The Park abandoned this source in favor of the Chinquapin Ranger Station overflow from Indian Creek. It was determined that the camp's water system would be entirely within the Indian Creek basin and would not need licensing by the state. In 1959 the permit for the old system at Bishop Creek was revoked and no filing was made for the Indian Creek source.

The status of the camp today is unknown, though it is believed the ranger station is still active. As the exact location of the diversion supplying the areas is also unknown, there is no way to determine if the use of the water is covered by the reservation doctrine. Also, since Yosemite was granted exclusive jurisdiction by the State of California, the taking of water from within park boundaries may be legitimized without the acquisition of a state water right. Regardless, a field check of the area is still in order.

Compiled by T. Kern

Approved by



WATER DOCKET INFORMATION

AREA YOSEMITE N P

DOCKET NO. 2

APPLICATION NO. 11947

PERMIT NO. 6972

CERTIFICATE NO.

TITLE OF DOCKET CHINQUAPIN AREA - BISHOP CREEK WATER SYSTEM

PRIORITY REVOKED

REMARKS:

State Water Rights Documentation

4

L-54

Dial
PE Lee

1959 JUN [illegible] PM 12 40

Edmund G. Brown
Governor

STATE OF CALIFORNIA

State Water Rights Board

1401 21st STREET
P. O. BOX 1592
SACRAMENTO 7, CALIFORNIA

HENRY HOLSINGER, CHAIRMAN
W. P. ROWE, MEMBER
RALPH J. McGILL, MEMBER

L. K. HILL
EXECUTIVE OFFICER

JUN 18 '59

See ltr 8-20-59 to Reg 4

Application 11947, Permit 6972

Bishop Creek U.S. Chingapin Yosemite

United States-Yosemite National Park
c/o A. Van V. Dunn
National Park Service
Department of Interior
Washington 25, D. C.

Gentlemen:

In accordance with request dated May 18, 1959, received on May 21, 1959, Permit 6972, issued in the matter of Application 11947, has been revoked and canceled, without prejudice, upon the records of this office. A copy of the order revoking the permit is enclosed.

Your cooperation is appreciated.

Very truly yours,

L. K. Hill

L. K. Hill
Executive Officer

Enc. N
Cert.

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 11947 PERMIT 6972 LICENSE

ORDER REVOKING PERMIT

On May 21, 1959, there was received for and on behalf of permittee a request that Permit 6972, issued in the matter of Application 11947, be revoked.

IT IS THEREFORE ORDERED that said permit be and the same is hereby revoked and canceled, without prejudice, upon the records of the State Water Rights Board.

WITNESS my hand and the seal of the State Water Rights Board this 18th day of June, 1959

L. K. Hill

L. K. Hill
Executive Officer

L-54

Yosemite National Park, California
May 18, 1959

Chief Engineer
State Water Rights Board
P.O. Box 1592
Sacramento 7, California

Docket 2

Dear Sir:

We hereby request cancellation of Water Right Application 11947, Permit 6972, for water of Bishop Creek in Yosemite National Park. The reason for this request is that the source of supply has proved inadequate. However, nothing in our action abandoning the source and cancelling the application contitutes a waiver of any other rights which the United States may have to the same water.

United States of America

John C. Preston
Superintendent

Copy to: Director
Regional Director
Chief, WODC (2)

WESTERN OFFICE
DESIGN & CONSTRUCTION
MAY 20 1959 A.M.
CHIEF
ADMIN. ASSIST.
PERSONNEL
PLANS & PROG.
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH.
ACTION TAKEN—DATE

STATE OF CALIFORNIA - STATE WATER RIGHTS BOARD

Application 11947 Permit 6972

NOTICE OF EXPIRATION

The time within which to complete construction work and/or to place the water to full beneficial use under the above-numbered water right application and permit has expired or will expire shortly. The following alternatives are available:

1. If sufficient water has been diverted to satisfy your requirements, the amount used will be determined by inspection during the next field season with a view to the issuance of license which is the final confirmation of the water right initiated by the application. A right cannot be acquired for an amount of water or for a season of diversion in excess of that allowed in the permit. With respect to use of water under the terms and conditions of the permit:

(a) Have you used as much water heretofore as you expect to use in the future?

Yes	No
	X

(b) Have you used the water for as long a season as you intend to?

Yes	No
	X

2. If the project has been abandoned or if no progress has been made toward use of water the permit will be revoked upon request.

Should the permit be revoked?

Yes	No
	X

3. If construction work and/or use of water are proceeding with due diligence but not fully complete, a reasonable extension of time may be obtained upon a showing of good cause. Section 777 of the California Administrative Code, Title 23, Waters, provides that sickness, lack of finance or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

A (~~xxxxx~~), (~~xxxxx~~), (3-year) extension of time is requested for completion of construction work and/or beneficial use of water. (Indicate period of time desired).

The following information should be supplied where an extension of time is requested:

1. Approximate total amount spent on project to date $ 2,700.
2. Approximate per cent of construction work complete to date 20%.
3. Estimated date of completion of construction work 1964.
4. Estimated year in which full use of water will be made 1966.
5. Reasons why construction and/or use of water was not completed within time previously allowed:

The Bishop Creek Source is inadequate for ultimate demand. Use under this application is to be supplied from a diversion on Indian Creek. We request an extension of time be granted to prepare a petition for change of point of diversion and to complete construction of the system from the alternate source.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FEE OF $5.00

Date December 10, 1958

SIGNATURE UNITED STATES OF AMERICA

By: Fred T. Johnston
Regional Chief of Operations
National Park Service

Form 67F

NOT SUBMITTED

Held for study of possible withdrawal of Application See memo of March 5, 1959 to Director

11-01-1958: notice concerning application 11947, permit 6972

10/7 L54

STATE OF CALIFORNIA

STATE WATER RIGHTS BOARD

1401 21ST STREET, P. O. BOX 1592

SACRAMENTO, CALIFORNIA

Notice Concerning Application 11947 *Permit* 6972

The annual progress report prescribed by Sec. 779 of the Administrative Code, Title 23, Waters, and requested on or about October 1, 1958, has not yet been received. If the project covered by your application and permit noted above has been abandoned or assigned, will you please advise. In case the blank form heretofore forwarded upon which to submit this report has been misplaced, a second copy will be forwarded upon request. May we please have your cooperation in this matter?

Yours very truly,

November 1, 1958

STATE WATER RIGHTS BOARD

FORM 67B

75366-4-58 1M SPO

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
1401 21st STREET
P. O. BOX 1592
SACRAMENTO

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1957

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE a nameless tributary of Bishop Creek APPLICATION 11947

PERMIT 6972

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this water right United States of America for Yosemite National Park

   MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion About 1959

4. State approximate cost of construction work on this project during the past 12 months None

   Describe briefly the portions of the project upon which the above amount was expended **

5. What remains to be done to complete the project? See Remarks

6. Has use of water commenced? Yes State amount used if known None in 1956

   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

   (a) ☐ Irrigation ____ (Total acres irrigated) ____ (Name crops served and acreage of each)
   (b) ☐ Stock watering ____ (Number of animals)
   (c) ☐ Industrial ____ (Nature of use)
   (d) ☐ Domestic ____ (Number of persons; Area of garden, lawn, etc.)
   (e) ☐ Municipal ____ (Approximate population)
   (f) ☐ Mining ____ (Method of water use)
   (g) ☐ Recreational ____ (Nature of use)
   (h) ☐ Power ____ (Installed horsepower capacity)
   (i) ☐ Other ____

7. During what months was water used in 1957? None

   Do you expect to use it over a longer or different season in the future? Yes

   If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

   If not, estimate year in which use will be full and complete About 1960

9. Has location of the intake or place of use been changed? No (see remarks)

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1956-57 collection season as you expect to store in any future collection season? ** How much of the stored water has been used? **

    Have you emptied the reservoir? ** If not, have you used all the water that you intend to use in any one season? ** State acre-feet used if known **

11. During which months was water collected in the reservoir?

United States of America, Dept. of the Interior
Sign Here By (SGD) GORDON W. ROBERTSON
Gordon W. Robertson, Acting Chief, Water Resources

Date October 8, 1957

(OVER)

YEAR 1957

FORM 67

54166 4-57 3500 ⓤ SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

There has been no diversion from Bishop Creek since 1949. The Chinquapin Area, including a Ranger Station, Service Station, Public Comfort Stations, and a camp for crews on Blister Rust Control, is at least temporarily served by water from Indian Creek, which is also tributary to the Merced River. Under extension of time which has been granted until December 1, 1958, various plans are under study for the ultimate development under our 10-year construction program designated as MISSION 66 to determine the best point of diversion to be adopted, and what modification of the claims to waters of the Bishop Creek-Indian Creek drainage may be needed.

The water is used to irrigate 0.5 acre, to serve 6 permanent employees, to serve the domestic needs of a blister rust crew of 25 for about 4 months per year, to serve the comfort stations which are now used by about 400 people per day, and to serve a lunch room now serving about 750 people per day. The public use of the Park increased from 984,210 visitors in 1955 to 1,114,173 visitors in 1956 and the trend of public use at the Chinquapin area on approximately the percentage.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD
PUBLIC WORKS BUILDING
P. O. BOX 1079
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1956

RECEIVED
DEC 05 1956
AM 9 13

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Water Rights Board. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE a nameless tributary of Bishop Creek APPLICATION 11967

PERMIT 6972

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this water right United States of America for Yosemite National Park

MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion About 1959

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended. ---

5. What remains to be done to complete the project? See Remarks

6. Has use of water commenced? Yes State amount used if known Prior to 1956

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Stock watering ____ Number of animals

(c) ☐ Industrial ____ Nature of use

(d) ☐ Domestic ____ Number of persons ____ Area of garden, lawn, etc.

(e) ☐ Mining ____ Method of water use

(f) ☐ Recreational ____ Nature of use

(g) ☐ Power ____ Installed horsepower capacity

(h) ☐ Municipal ____ Approximate population

7. During what months was water used in 1956? None

Do you expect to use it over a longer or different season in the future? Yes

If so, state other months of use All 12 months

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

If not, estimate year in which use will be full and complete About 1960

9. Has location of the intake or place of use been changed? No (see remarks)

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1955-56 collection season as you expect to store in any future collection season? --- How much of the stored water has been used? ---

Have you emptied the reservoir? --- If not, have you used all the water that you intend to use in any one season? --- State acre-feet used if known ---

11. During which months was water collected in the reservoir? ---

United States of America, Dept. of the Interior

Sign Here [signature] Wm. W. Dunn, Chief, Water Resources Sec.

Date November 29, 1956 National Park Service

(OVER)

YEAR 1956

FORM 67

40066 8-56 42M ⓘ SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

The particular water system has not been used since 1949 because the source of supply became inadequate. However, the Chinquapin area, which was to be served by that system, has been in continuous use with water obtained with varying degrees of success from the same headwaters drainage of Indian Creek-Bishop Creek, which unite some distance below Yosemite National Park to form one tributary of the Merced River.

Because of the unforeseen increase in public use of Yosemite, and all other parks and monuments; in Yosemite from 556,062 visitors in 1941 to 830,941 in 1950 and 991,921 visitors in the 1955 travel and water year ending on September 30, 1955; and due to the setback in development to cope with the increased use during World War II and the recovery period, the National Park Service has now embarked on a 10-year development plan, designated as MISSION 66, to provide adequate public and administrative facilities for the estimated demand of 1966. Part of the development will include a new or enlarged water system to serve said Chinquapin area from the same drainage. An extension of time until December 1, 1958, was obtained in 1956 to preserve the priority of use of water from the Indian Creek drainage until plans are completed for the Chinquapin water system which will be needed by 1956.

For these reasons the United States has not abandoned any water claims it has established under Application 11967, Permit 6972.

DO NOT WRITE IN THIS SPACE

11-01-1956: letter from state water rights board re application 11947, canceling and revoking permit 6972

GOODWIN J. KNIGHT
GOVERNOR

RECEIVED
NOV -5 1956
YOSEMITE NATIONAL PARK

STATE OF CALIFORNIA

STATE WATER RIGHTS BOARD

HENRY HOLSINGER, CHAIRMAN
JOHN E. EVANS, MEMBER
W. F. ROWE, MEMBER

PUBLIC WORKS BUILDING
P.O. BOX 1079
SACRAMENTO 5, CALIFORNIA

ADDRESS ALL COMMUNICATIONS TO
LESLIE C. JOPSON
CHIEF ENGINEER

November 1, 1956

Application 11947

your ref.: L54

Yosemite National Park
Yosemite Park, California

Attention: Keith Neilson, Acting Superintendent

Gentlemen:

We received the enclosed progress report forms and accompanying memorandum of October 19, in duplicate, in connection with water right Application 11947, Permit 6972. It appears the forms together with the memorandum were returned to this office by mistake instead of being sent to the regional director of your organization.

It is noted you indicate in your memorandum that the use of water from this diversion was abandoned in 1949 because the supply was inadequate and unfit for use. Upon proper authorization by the National Park Service this office will enter an order canceling and revoking Permit 6972.

Very truly yours,

STATE WATER RIGHTS BOARD
LESLIE C. JOPSON, Chief Engineer

By L. C. Spencer
L. C. Spencer
Senior Hydraulic Engineer

enc. 2

10-19-1956: memo -- to regional director, region four, from acting superintendent, yosemite, re. water right application 11947, per

IN REPLY REFER TO:
L54

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

RECEIVED
NOV -5 1956
YOSEMITE NATIONAL PARK

October 19, 1956

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Yosemite

Subject: Water Right Application 11947, Permit 6972, Bishop Creek Water System, Docket 2, Yosemite

We have received from the State Water Rights Board without a cover letter, four blank forms of the "Progress Report by Permittee for the Year 1956" for the subject water right application.

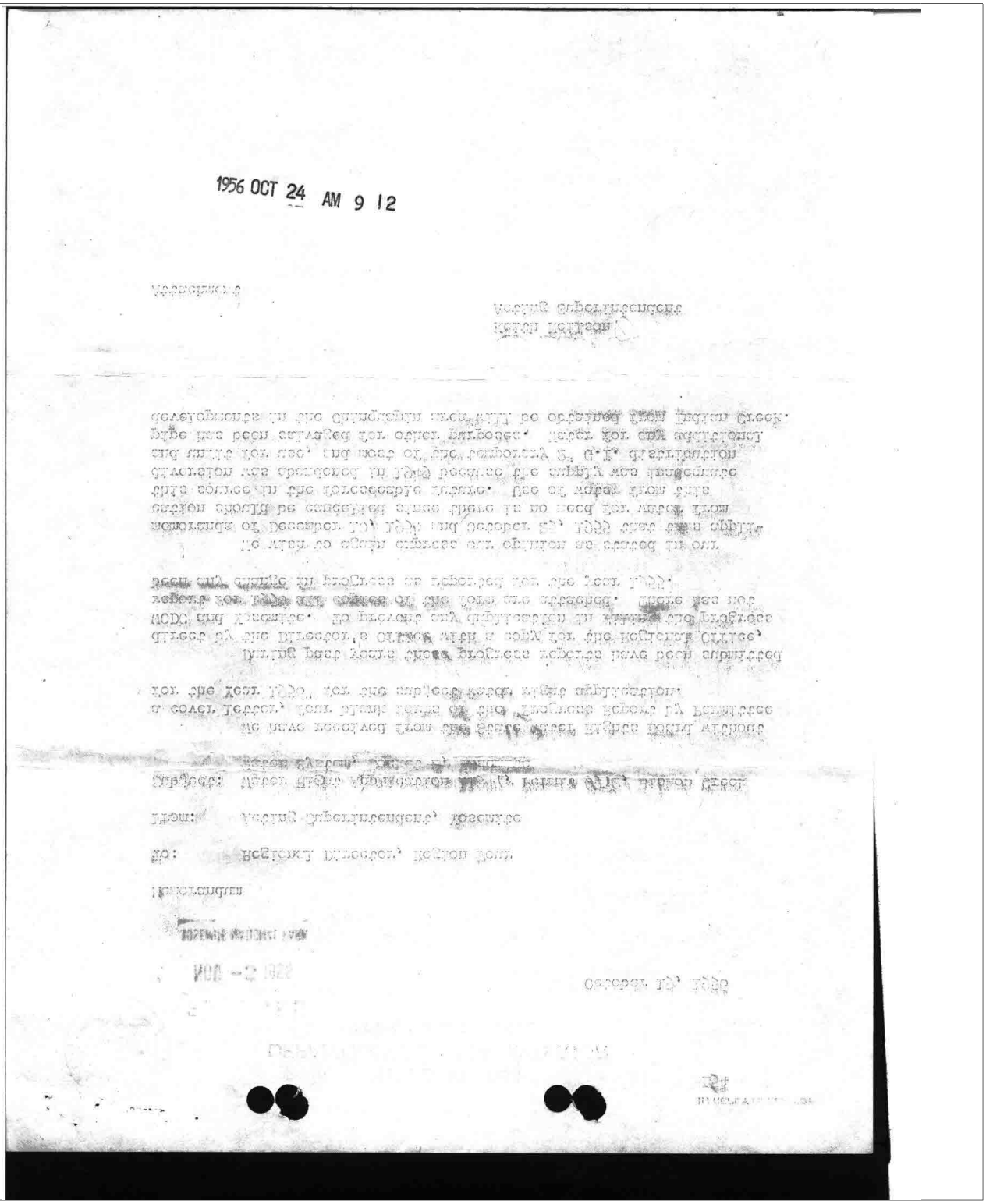
During past years these progress reports have been submitted direct by the Director's Office with a copy for the Regional Office, WODC and Yosemite. To prevent any duplication in filing the progress report for 1956 all copies of the form are attached. There has not been any change in progress as reported for the year 1955.

We wish to again express our opinion as stated in our memoranda of December 10, 1954 and October 25, 1955 that this application should be cancelled since there is no need for water from this source in the foreseeable future. Use of water from this diversion was abandoned in 1949 because the supply was inadequate and unfit for use, and most of the temporary 2" G.I. distribution pipe has been salvaged for other purposes. Water for any additional developments in the Chinquapin area will be obtained from Indian Creek.

Keith Neilson
Acting Superintendent

Attachment

10-19-1956: memo -- to regional director, region four, from acting superintendent, yosemite, re. water right application 11947, per



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

ORDER

APPLICATION 11947 PERMIT 6972 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under the above numbered application and permit,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1958 within which to complete construction work and apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 21st day of March, 1956.

HARVEY O. BANKS, STATE ENGINEER

By L. C. Jopson
L. C. Jopson
Assistant State Engineer

C&U

FORM 100

22426 8-55 SM SPO

11-10-1955: letter -- from department of public works re. progress report application 11947, permit 6972

HARVEY O. BANKS, STATE ENGINEER
CHIEF OF DIVISION

GOODWIN J. KNIGHT
GOVERNOR OF CALIFORNIA

FRANK B. DURKEE
DIRECTOR

STATE OF CALIFORNIA
Department of Public Works
SACRAMENTO

ADDRESS REPLY TO
DIVISION OF WATER RESOURCES
P. O. BOX 1079
SACRAMENTO 5
PUBLIC WORKS BUILDING
1120 N STREET

Application 11947 Permit 6972

A. Van V. Dunn
National Park Service
Department of the Interior
Washington 25, D. C.

Dear Mr. Dunn:

Based upon the information contained in the 1955 Progress Report, an order has been entered granting an extension of time until December 1, 1958 within which to complete construction work and to apply the water to complete beneficial use under the above numbered application and permit.

It is suggested that the enclosed copy of the order be attached to your copy of the permit.

Very truly yours,

HARVEY O. BANKS, STATE ENGINEER

By L. C. Jopson
L. C. Jopson
Assistant State Engineer

Enc.
Cert.
C&U

Bishop Creek
Yosemite NP

Application 11947 Permit 6972

The time within which to complete the project under the above-numbered filing has expired or will expire shortly. You have the following alternatives:

1. If use of water is complete, both as to amount and as to season of use, so indicate and the project will be listed for license inspection. Is use of water complete? ____ Yes No

2. If the project has been abandoned or if you have made no progress toward completion, so indicate and the permit will be revoked. Has project been abandoned? ____ Yes No

3. If you are proceeding with due diligence but the project is not complete, you may request an extension of time. Section 1546 of the Water Code, added by Chapter 254, Statutes of 1955, now requires that all requests for extension of time be accompanied by a filing fee of $5.00. A request for extension of time can be requested by completing the remainder of this form.

____ 1 year
____ 2 years
X 3 years

is hereby requested for completion of construction work and/or completion of beneficial use of water.

Section 1398 of the Water Code provides that the period specified in the permit for beginning construction work, for completion of construction work, for application of the water to beneficial use, or any or all of these periods may, for good cause shown, be extended by the Department. Section 777 of the California Administrative Code provides that sickness, lack of finances, or other conditions incident to the person and not to the enterprise will not be accepted as good cause for delay, while weather conditions and conditions which are incident to the project itself may be accepted as good cause for delay.

1. Approximate total amount expended on project to date $ 2700.

2. Approximate per cent of project that has been completed 20%.

3. State estimated date of completion 1960.

4. Give reasons why project was not completed within time allowed:

The Bishop Creek source is inadequate for ultimate demand. A supplemental or alternative diversion must be provided in adjacent Indian Creek drainage when larger, permanent pipeline is installed. The particular new point of diversion will depend on further records of stream flow.

REQUEST FOR EXTENSION MUST BE ACCOMPANIED BY A FILING FEE OF $5.00

DATE November 10, 1955

SIGNATURE R. Daniel Dunn
Chief, Water Resources Sec., National Park Ser

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1955

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet.

SOURCE A nameless trib, of Bishop Creek. APPLICATION 11947

PERMIT 6972

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who are owners of this water right United States of America ex Yosemite National Park

   MAILING ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion About 1959

4. State approximate cost of construction work on this project during the past 12 months None

   Describe briefly the portions of the project upon which the above amount was expended

   Not applicable

5. What remains to be done to complete the project? System now serves camp of forestry crew and must be extended to serve Chinquapin entrance of Park

6. Has use of water commenced? Yes State amount used if known

   If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

   (a) ☐ Irrigation ____ (Total acres irrigated) ____ (Name crops served and acreage of each)

   (b) ☐ Stock watering ____ (Number of animals)

   (c) ☐ Industrial ____ (Nature of use)

   (d) ☒ Domestic 12 to 20 people intermittently (Number of persons; Area of garden, lawn, etc.)

   (e) ☐ Mining ____ (Method of water use)

   (f) ☐ Recreational ____ (Nature of use)

   (g) ☐ Power ____ (Installed horsepower capacity)

   (h) ☐ Municipal ____ (Approximate population)

7. During what months was water used in 1955? May to October

   Do you expect to use it over a longer or different season in the future? Yes

   If so, state other months of use January through December

8. *Have you used as much water this year as you expect to use in any future year under this permit?* No

   If not, estimate year in which use will be full and complete About 1960

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 AND 11

10. Have you stored as much water in your reservoir during the 1954-55 collection season as you expect to store in any future collection season? [illegible] stored water has been used?

    Have you emptied the reservoir? If not, have you used all the water that you intend to use in any one season? State acre-feet used if known

11. During which months was water collected in the reservoir? NOT APPLICABLE

Sign Here (SGD) GORDON W. ROBERTSON (Permittee)

Acting Chief, Water Resources Sec., Natl. Park Service

Date

(OVER)

YEAR 1955

FORM 67

22229 6-55 4M ① SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

The available flow has decreased materially during some past seasons, and future construction has been deferred while waiting to see whether such investment can be justified by flow records for a longer period.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1954

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly. See reverse side of this sheet for instructions and for space to submit additional information.

APPLICATION 11947 PERMIT 6972 SOURCE nameless trib of Bishop Creek

ANSWER ALL QUESTIONS—IF A QUESTION DOES NOT APPLY, SO STATE

1. Names of all parties who have an interest in the water right United States of America at Yosemite National Park

ADDRESS National Park Service, Washington 25, D. C.

2. Has the project been abandoned? No Has construction work commenced? Yes

3. Has all construction work been completed? No If not, give estimated date of completion About 1959

4. State approximate cost of construction work on this project during the past 12 months None

Describe briefly the portions of the project upon which the above amount was expended

Not applicable

5. What remains to be done to complete the project? System now serves camp of forestry crew and must be extended to serve Chinquapin entrance of Park

6. Has use of water commenced? Yes

If so, check (x) purposes for which it was used and indicate acreage, number of persons, etc., served.

(a) ☐ Irrigation ____ Total acres irrigated ____ Name crops served and acreage of each

(b) ☐ Power ____ Installed capacity

(c) ☐ Industrial ____ Nature of use

(d) ☒ Domestic 12 to 20 people intermittently ____ Number of persons ____ Area of garden, lawn, etc.

(e) ☐ Mining ____ Method of water use

(f) ☐ Recreational ____ Nature of use

(g) ☐ Stockwatering ____ Number of animals

(h) ☐ Municipal ____ Approximate population

7. During what months was water used in 1954? May to October

Do you expect to use it over a longer or different season in the future? Yes

If so, state other months of use January through December

8. Have you used as much water this year as you expect to use under this permit? No

If not, estimate year in which use will be full and complete About 1960

9. Has location of the intake or place of use been changed? No

IF PROJECT INVOLVES STORAGE ANSWER 10 & 11

10. Have you stored as much water in your reservoir as you expect to store? ____

How much of the water has been used? Not applicable

Have you emptied the reservoir? ____ If not, have you used all the water that you intend to use in any one season? ____

11. During which months was water collected in the reservoir? Not Applicable

SIGN HERE ____ Permittee

Date Nov. 12, 1954 Chief, Water Resources Sec., Natl. Park Service

(OVER)

YEAR 1954

FORM 67

96896 5-54 4M ① SPO

INSTRUCTIONS

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

REMARKS

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the cause of failure to complete should be stated and an estimate given of additional time required.

Completion of system has been deferred pending further study of limitations of source of supply as well as by limited appropriations provided by Congress.

DO NOT WRITE IN THIS SPACE

10-16-1953: progress report by permitte for the year 1953, application 11947, permit 6972

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1953

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 6972 SOURCE meadow trib of Bishop Creek

1. *Name* of present owner of permit United States of America (for Yosemite National Park)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No
3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   If one of ultimate water system has been constructed, but temporary system is in operation. (Erratic spring flow has made further study necessary).
5. If additional construction is required please indicate date when it will be complete About 5 years.
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None
7. Has use of water commenced? Yes If so, describe use made **during the past 12 months**
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
   Limited use by Park maintenance crews when camped and working in that area of park.
8. During which months was water used? May to October.
9. Will water be used during any other months All 12 months.
10. Have you used as much water as you expect to use under this permit? No
    If not, when will such use be full and complete? About 5 or 6 years.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

If project involves storage answer 12 and 13

12. Have you filled your reservoir and subsequently used the water? No
13. During which months was water collected in the reservoir?

UNITED STATES OF AMERICA

October 16, 1953.

Date

By (SGD.) A. VAN V. DUKE
SIGN HERE Chief, Water Resources Branch
National Park Service
Permittee

(OVER)

YEAR 1953

FORM 67

82276 7-52 4M SPO

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

Yosemite Docket 2

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1952

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 6972 SOURCE nameless tributary of Bishop Creek

1. *Name* of present owner of permit United States of America (for Yosemite National Park)
   Address National Park Service, Washington 25, D.C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   None of ultimate water system has been constructed, but temporary system is in operation. (Erratic spring flow has made further study necessary).
5. If additional construction is required please indicate date when it will be complete About 5 years
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None
7. Has use of water commenced? Yes If so, describe use made **during the past 12 months**
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
   Limited use by Park maintenance crews when camped and working in that area of park.
8. During which months was water used? May to October
9. Will water be used during any other months All 12 months

If project involves storage answer 10 and 11

10. Have you filled your reservoir and subsequently used the water? No
11. During which months was water collected in the reservoir? —
12. Have you used as much water as you expect to use under this permit? No
    If not, when will such use be full and complete? About 5 or 6 years
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
13. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America

SIGN HERE By A. Grant, Jr.
Chief, Water Resources Branch
National Park Service
permittee

Date November 4, 1952

(OVER)

YEAR 1952

FORM 67

65476 7-52 3M SPO

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

10-12-1951: progress report by permittee for the year 1951, application 11947, permit 6972

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Yosemite Dead No. 49

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1951

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 6972 SOURCE nameless tributary of Bishop Creek

1. *Name* of present owner of permit United States of America (for Yosemite National Park)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   A temporary installation has been made to provide water for a maintenance camp for a crew working on blister rust control. None of the ultimate installation has been constructed.
5. If additional construction is required please indicate date when it will be complete About 5 years.
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None.
7. Has use of water commenced? Yes. If so, describe use made **during the past 12 months** Small amounts
   (If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.)
   of water were used intermittently by labor crews engaged in Park maintenance and protection.
8. During which months was water used? About May to October.
9. Will water be used during any other months? All 12 months.
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? About 5 or 6 years.
    (If necessary, use the reverse side of this sheet to explain your answers in this paragraph.)
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America,
SIGN HERE By: (SGD) GORDON W. ROBERTSON
(Permittee)
Acting Chief, Water Resources Branch,
National Park Service,
Department of the Interior.

Date October 12, 1951

(OVER)

FORM 67

YEAR 1951

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

ORDER

APPLICATION 11947 PERMIT 6972 LICENSE

ORDER GRANTING EXTENSION OF TIME WITHIN WHICH TO COMPLETE CONSTRUCTION AND USE

WHEREAS good cause has been shown wherefore an extension of time should be allowed for the completion of construction work and the application of the water to complete beneficial use under Application 11947, Permit 6972,

NOW THEREFORE IT IS ORDERED that an extension of time be and the same is hereby granted until December 1, 1955, within which to complete construction work and apply the water to complete beneficial use under said application and permit.

WITNESS my hand and the seal of the Department of Public Works of the State of California this 27th day of November, 1950.

A. D. Edmonston
State Engineer

FORM 100

X

COPY

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

In reply refer to:
L54 YOSE

November 3, 1950

Division of Water Resources
Public Works Building
P. O. Box 1079
Sacramento 5, California

Gentlemen:

Under Water Right Application No. 11947, Permit No. 6972, the United States has been granted until December 1, 1950, in which to complete the water system for the proposed new Chinquapin Utility Area at Yosemite National Park, with diversion from a tributary of Bishop Creek. Request is hereby made for an extension of 5 years in which to make such construction.

A temporary diversion was constructed in March of 1947 to provide water for a camp from which crews were engaged in blister rust control. The application for the water right was filed in June of that year to establish priority for the ultimate diversion from a tributary of Bishop Creek with return flow to the drainage of Indian Creek. Although the immediate use was on the divide between these stream systems, the temporary sewage disposal plan for return flows has been in the same drainage with the diversion.

During the several years of use there has been a shortage of water during the late summer. We have not maintained records of the stream flow for sufficient time to determine whether the source of supply can be made to serve the required needs with some storage, or whether it will be necessary to look for an alternate or supplemental water supply.

Accordingly, the requested extension of time is to permit further study of the behavior of the stream.

Sincerely yours,

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

11-03-1950: progress report by permittee for the year 1950, application 11947, permit 6972

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE FOR THE YEAR 1950

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 6972 SOURCE A nameless Tributary of Bishop Creek

1. *Name* of present owner of permit United States of America (for Yosemite National Park)
   Address National Park Service, Washington 25, D. C.
2. Has the project been abandoned? No 3. Is construction *complete*? No
4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   A temporary installation has been made to provide water for a maintenance camp for a crew working on blister rust control. None of the ultimate installation has been constructed.
5. If additional construction is required please indicate date when it will be complete About 5 years.
6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor
   None.
7. Has use of water commenced? Yes. If so, describe use made **during the past 12 months** Small amounts
   If permit is for irrigation, state acreage irrigated; if for domestic use, state number of persons served, etc.
   of water were used intermittently by labor crews engaged in Park maintenance and protection.
8. During which months was water used? About May to October.
9. Will water be used during any other months All 12 months.
10. Have you used as much water as you expect to use under this permit? No.
    If not, when will such use be full and complete? About 5 or 6 years.
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.
11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

Date Nov. 3, 1950

SIGN HERE By: United States of America,
(SGD.) A. VAN V. DUNN
Permittee
Chief, Water Resources Branch,
National Park Service,
Department of the Interior

(OVER)

YEAR 1950

FORM 67

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

Yosemite N.P.
Deed 49

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 6972 SOURCE a nameless tributary of Bishop Creek

United States of America, Department of the Interior,

1. *Name* of present owner of permit National Park Service. (Yosemite National Park).

Address National Park Service, Interior Building, Washington 25, D. C.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed

It is still necessary to extend the water system to a proposed utility area, but Congress has not yet appropriated funds for the construction of the utility area.

5. If additional construction is required please indicate date when it will be complete 2 to 5 years.

6. Describe any construction work done **during the past 12 months** and state the estimated cost including labor

None.

7. Has use of water commenced? Yes. If so, describe use made **during the past 12 months** Water was
If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

used at blister rust camp, as in 1948.

8. During which months was water used? About May to October.

9. Will water be used during any other months The ultimate use will be throughout the year.

10. Have you used as much water as you expect to use under this permit? At times, for short periods.

If not, when will such use be full and complete?
If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

United States of America,
Department of the Interior,
National Park Service,

SIGN HERE By: (SGD.) A. VAN V. DUNN.
Permittee

Date October 12, 1949.

(OVER) Chief, Water Resources Branch.

FORM 67

YEAR 1949

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

10-29-1948: progress report by permittee, application 11947, permit 4972

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER
SACRAMENTO 5

PROGRESS REPORT BY PERMITTEE

This report is of importance to you in establishing your water right. It will be used as a basis for action by the State Engineer. It should therefore be filled out carefully and returned promptly.

Please bear in mind that neither the filing of an application nor the approval thereof constitutes a water right. Beneficial use alone establishes the right. When you have used the greatest amount of water you ultimately expect to use, and use has been made over the full period of the year intended, an inspection will be made and license will be issued confirming your right to the water theretofore actually put to beneficial use.

If the time allowed in your permit within which to complete either construction or beneficial use has expired and additional time is required an extension may be allowed upon a showing of good cause, which showing should include a description of the further development proposed and indicate the probable date of completion. Lack of funds can not be accepted as good cause for failure to complete.

The reverse side of this sheet may be used if the spaces provided are inadequate.

APPLICATION 11947 PERMIT 4972 SOURCE A nameless tributary of Bishop Creek

1. *Name* of present owner of permit United States of America, Department of the Interior, National Park Service. (Yosemite National Park.)

   Address National Park Service, Interior Building, Washington 25, D. C.

2. Has the project been abandoned? No 3. Is construction *complete*? No

4. If construction is *incomplete* describe the additional works required in order to use the full quantity of water proposed
   The water system has been constructed with collecting reservoir, diversion and distribution lines to serve a blister rust camp, and has been in operation during parts of the past two years. Many portions of the system must be reconstructed to provide better distribution when the line is extended to the permanent area of use.

5. If additional construction is required please indicate date when it will be complete 3 to 5 years.

6. Describe any construction work done during the past 12 months and state the estimated cost including labor
   None

7. Has use of water commenced? Yes If so, describe use made during the past 12 months the camp employed a 35-man crew.
   If permit is for irrigation, state acreage irrigated; if for a subdivision state number of lots served, etc.

8. During which months was water used? About May to October.

9. Will water be used during any other months The ultimate use will be throughout the year.

10. Have you used as much water as you expect to use under this permit? At times, for short periods.

    If not, when will such use be full and complete?
    If necessary, use the reverse side of this sheet to explain your answers in this paragraph.

11. Neither the intake nor the place of use described in the permit should be changed without petition. Appropriate blanks will be sent upon request.

SIGN HERE By: United States of America,
Department of the Interior,
National Park Service,
(SGD.) A. VAN V. DUNN.
Chief, Water Resources Branch
Permittee

Date October 29, 1948.

(OVER)

FORM 67

YEAR 1948

STATE PRINTING OFFICE

NOTE

The space below may be used for describing in greater detail progress which has already been made toward completion of the project and plans for further development. Particularly if the time heretofore allowed for completion of either construction or use has expired and further time is needed, the causes of failure to complete should be stated and an estimate given of additional time required.

DO NOT WRITE IN THIS SPACE

07-25-1947: re. letter of july 10, 1947 -- enclosed affidavit of posting on form 8-d and notice of appropriate water

Yosemite
C&O-02

JUL 23 1947
ROUTING | DATE
SSA 7/28

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Yosemite National Park
California

July 25, 1947.

State of California,
Department of Public Works,
Sacramento, California.

Gentlemen:

Reference is made to your letter of July 10, 1947, to United States-Yosemite National Park, c/o A. Van V. Dunn, Chief Water Rights Division, enclosing copies of Notice of Application to Appropriate Water under Application No. 11947.

Enclosed find executed affidavit of posting on Form 8-D, Affidavit of Posting Notice attached to Form 8-A, Notice of Application to Appropriate Water.

Sincerely yours,

Frank A. Kittredge,
Superintendent.

Enclosure.
cc: Director.
cc: Regional Director, Region Four. ✓

Form 8-D

AFFIDAVIT OF POSTING NOTICE

In the Matter of Application 11947
Before the Division of Water Resources of the Department of Public Works of the State of California.

STATE OF CALIFORNIA
COUNTY OF Mariposa } ss.

Lester M. Moe, being first duly sworn, deposes and says:

that acting on behalf of the applicant
(Insert here "that he is the applicant" or "that acting on behalf of the applicant")

United States
Yosemite National Park, c/o A. van V. Dunn,
Chief Water Rights Division, National Park Service,
Merchandise Mart, Chicago 54, Ill.,
(Name of applicant)
in the matter of Application 11947 before the Division of Water Resources of the Department of Public Works of the State of California, he did
("and did" or "he did")
on the 24th day of July, 19 47, post two notices of said application of which the annexed notice is a full, true and correct copy.

That he posted one of said notices by a parking area on the Wawona Road where
(Here describe how and where posted as accurately as possible)
the unnamed tributary to Bishop Creek, from which water is to be appropriated, crosses the Wawona Road in Yosemite National Park

and the other of said notices 75 feet west of the Wawona Road, 1.3 miles north of the
(Here describe how and where posted as accurately as possible)
first location described above, at Chinquapin Pass in the vicinity of the place of use at Chinquapin Utility Area of Yosemite National Park.

That each of said notices thus posted occupied a conspicuous place in the locality to be affected by said proposed appropriation.

Lester M. Moe

Subscribed and sworn to before me this
24 day of July 1947.

Notary Public in and for said County
NOTARY PUBLIC
in and for the County of Mariposa, State of California.

STATE PRINTING OFFICE

DO NOT DETACH

07-15-1947: in re. application 11947, letter from pacific gas and electric company, diversion of unappropriated water

COPY

PACIFIC GAS AND ELECTRIC COMPANY

In re: Application 11947
United States-Yosemite National Park
c/o A. Van V. Dunn, Chief Water Rights Division
National Park Service
Merchandise Mart
Chicago 54, Illinois

July 15, 1947

Division of Water Resources
Department of Public Works
Sacramento, California

Attention: Mr. Edward Hyatt,
State Engineer

Gentlemen:

Inasmuch as the above application is only for the diversion of "unappropriated water", if any, in an unnamed stream tributary to Bishop Creek and South Fork Merced River, and the right to divert if granted will be subject to existing rights of this Company it will not protest same. Furthermore, since the proposed diversion is upstream in the stream system in which this Company's rights are exercised, it is not expected that applicant will divert water so as to lessen the natural stream flow at those times of the year when such flow is insufficient to satisfy the prior rights of this Company which are exercised for public uses through its Merced Falls power development.

We are forwarding copy of this letter to applicant.

Yours very truly,

W. G. B. Euler

cc:United States-Yosemite National Park

07-10-1947: re. application 11947; enclosed three copies of water application

COPY

EARL WARREN
Governor of California

C. H. PURCELL
Director

Edward Hyatt, State Engineer
Chief of Division

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO

Division of Water Resources
401 Public Works Building

July 10, 1947

Application 11947

United States-Yosemite National Park
c/o A. Van V. Dunn, Chief Water Rights Division
National Park Service
Merchandise Mart
Chicago, 54, Illinois

Gentlemen:

There are enclosed three copies of notice of your application.

You are directed to post this notice on or before July 25, 1947, in at least two conspicuous places in the locality to be affected by the proposed appropriation. In case of inability to post the notice within the time allowed kindly advise this office immediately and new notices of a later date can be forwarded. On or before August 19, 1947, you should file with this office proof of such posting. IT IS REQUIRED THAT PROOF OF POSTING SHALL CONSIST OF AN AFFIDAVIT EXECUTED ON THE ENCLOSED FORM ATTACHED TO A COPY OF THE NOTICE OF APPLICATION TO APPROPRIATE.

This notice is designed for the mutual protection of applicant and prior claimants. Although vested rights to the use of water from the source from which the appropriation is sought can not be lost, prejudiced or impaired by failure to protest against the application, prior claimants are given this notice so that they may protest if it is felt the proposed appropriation will result in injury to them.

If protests are filed you will be furnished with copies thereof and you are required to file with this office and with the protestant a brief but complete answer to each protest. There is no prescribed legal form which such answer must take but anything which you may do toward placing this office in possession of all the facts relative to the objections raised to your application will expedite action thereon.

Very truly yours

EDWARD HYATT
State Engineer

Reg.
Enc.
WEC:pch

FORM 8-A

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
SACRAMENTO

NOTICE OF APPLICATION TO APPROPRIATE WATER

Application 11947

NOTICE IS HEREBY GIVEN, That United States-Yosemite National Park
c/o A. Van V. Dunn, Chief Water Rights Division
National Park Service
Merchandise Mart
Chicago, 54, Illinois

has under the date of June 20,1947, applied to the Division of Water Resources, Department of Public Works, State of California, for a permit to appropriate unappropriated *water, subject to existing rights.*

Description of Project

Water to be appropriated from an unnamed tributary to Bishop Creek, tributary to South Fork of Merced River

County of Mariposa

Amount applied for: 0.01 cubic foot per second or approximately 6,500 gallons per day

Diversion season named: January 1 to December 31 of each season

Water to be used for domestic, recreational and fire protection purposes

Point of diversion within NW¼ of NE¼ of Section 29, T. 3 S., R. 21 E., M.D.B.&M.

Place of use described: Chinquapin Utility Area of Yosemite National Park within NW¼ of NW¼ of Section 29, T. 3 S., R. 21 E., and NE¼ of NE¼ of Section 25, T. 3 S., R. 20 E., M.D.B.&M.

Relative to Protests

Blanks upon which to submit protests will be supplied free upon request by the Division of Water Resources.

Any person desiring to protest against the granting of such permit shall within 40 days from date hereof file with the Division of Water Resources, Sacramento, California, a written protest. Such protest shall clearly set forth the protestant's objections to the granting of the application and shall contain the following information:

(1) Statement of the injury which would result to protestant from such appropriation and use.

(2) The basis of protestant's water right.

(3) Protestant's past and present use of water both as to amount used and land irrigated, or use made of water if other than irrigation.

(4) The approximate location of protestant's land or place of use and point of diversion of the water.

A copy of the protest should be sent to the applicant and this office notified that the same has been done.

EDWARD HYATT
State Engineer

Dated: Sacramento, California
July 10, 19 47
WEC:pch

98206 3-41 SM
STATE PRINTING OFFICE

COPY

Earl Warren
Governor of California

Edward Hyatt, State Engineer
Chief of Division

C. H. Purcell
Director

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO (5)

Division of Water Resources
401 Public Works Building

June 20, 1947

Application 11947

Mr. A. Van V. Dunn, Chief
Water Rights Division
National Park Service
Merchandise Mart
Chicago (54), Illinois

Gentlemen:

Your application to appropriate from _____

Unn. spr. trib. Bishop Creek, Yosemite Nat'l Park

was received June 20 1947 and given the number

11947. It will be examined soon and you will

then be informed of further requirements.

Very truly yours,

EDWARD HYATT, STATE ENGINEER

Form 19
5/17/44

FILE IN DUPLICATE

[For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

Application No. 11947 Filed June 20, 1947 at 11:31 A.M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, United States of America, Department of the Interior, National Park Service by Hillory A. Tolson, Acting Director
Name of applicant

of Merchandise Mart, Chicago 54 County of Cook
Address

State of Illinois, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. **The source** of the proposed appropriation is a nameless tributary of Bishop Creek
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed

located in Mariposa County, tributary to South Fork of Merced River

2. **The amount of water** which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use 0.01 cubic feet per second
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day

to be diverted from January 1 to December 31 of each year.
Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use acre-feet
1 acre-foot equals 325,851 gallons

per annum, to be collected between and of each season.
Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed.

3. **The use** to which the water is to be applied is domestic, recreational and fire protection
Domestic, irrigation, power, municipal, mining, industrial, recreational

purposes.

4. **The point of diversion** is to be located at point whence NW corner Section 29, T 3 S.
State bearing and distance or coordinate distances from section or quarter section corner

R 21 E, bears N. 64°27' W. 3394.5 feet

being within the $NW\frac{1}{4}$ $NE\frac{1}{4}$
State 40-acre subdivision of U. S. Government survey or projection thereof

of Section 29, T. 3 S, R. 21 E, M.D.B. &M & M., in the County of Mariposa

5. **The main conduit** terminates in $SW\frac{1}{4}$ $NE\frac{1}{4}$, of Sec. 29, T. 3 S, R. 21 E, MD B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

at a 20,000-gallon regulatory reservoir

Description of Diversion Works

NOTE.—An application can not be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. **Intake or Headworks** (fill only those blanks which apply)

(a) Diversion will be made by pumping from
Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being 5.5 feet in height (stream bed to level of overflow); 25 feet long on top; and constructed of concrete
Concrete, earth, brush, etc.

(c) The storage dam will be feet in height (stream bed to overflow level); feet long on top; have a freeboard of feet, and be constructed of
Concrete, earth, etc.

7. **Storage Reservoir** of redwood, capacity 20,000 gallons for regulation and fire protection
Name

The storage reservoir will flood lands in
Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of acres, and a capacity of acre-feet.

☞ In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

FORM 1

8. **Conduit System** (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line)____ feet; width at bottom____ feet; depth of water____ feet; length____ feet; grade____ feet per 1,000 feet; materials of construction____
(Cross out two not used; Earth, rock, timber, etc.)

(b) Pipe line: Diameter To tank 4 inches; length 607 feet; grade 131.5 feet per
Below tank 4 3660 55.4
1,000 feet; total fall from intake to outlet____ feet; kind cast iron
(Riveted steel, concrete, 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.

9. **The estimated capacity** of the diversion conduit or pumping plant proposed is 0.965 cubic foot per sec.
(State cubic feet per second or gallons per minute)

The estimated cost of the diversion works proposed is $6,500
(Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein)

Completion Schedule

10. **Construction work** ~~will begin on or~~ was begun before March 31, 1947

Construction work will be completed on or before December 31, 1960

The water will be completely applied to the proposed use on or before December 31, 1960

)Note: A temporary 2" line was com-
)pleted in March 1947. The 4" CI
)line to provide better fire protec-
)tion will be substituted on termin-
)ation of postwar emergency restric-
)tions of federal construction and
)expenditures.

Description of Proposed Use

11. **Place of Use.** Chinquapin Utility Area of Yosemite National Park in NW¼ NW¼ Section 29, T 3 S, R 21 E, on NE¼ NE¼ Sec. 25, T 3 S, R 20 E, MDB&M
(State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.)

Does applicant own the land whereon use of water will be made? Yes
(Yes or No)

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

12. **Domestic Use.** Domestic use is proposed as follows: To serve a bunk and mess hall of 10-man capacity, to service and wash road maintenance equipment, and to serve 50-man blister rust camp.
(Describe nature of use which may include stock water and the irrigation of domestic gardens not exceeding one-half acre with each place of residence. State number and kind of stock to be watered. number of houses and people to be served.)

The amount for which application is made was determined by usually 85 gpd. Utility shops of this type usually use 1000 to 1500 gpd and much more hot water in winter to remove ice and snow. domestic consumption in camps of this type is
(Describe basis of quantity applied)

13. **Irrigation Use.** The area to be irrigated is____ acres.
(State net acreage to be irrigated)

The segregation of acreage as to crops is as follows: Rice____ acres; alfalfa____ acres; orchard____ acres; general crops____ acres; pasture____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about____ and end about____
(Beginning date; Closing date)

The land to be irrigated has another / no other water right or source of water supply other than that herein applied for. The nature and amount of the additional supply referred to is____

14. **Power Use.** The total fall to be utilized is____ feet.
(Difference between nozzle or draft tube water level and first free water surface above)

The maximum amount of water to be used through the penstock is____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is____ horsepower.
(Second feet × fall ÷ 8.8)

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

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

The size of the nozzle to be used is____ inches.

The water will / will not be returned to____ (Name stream) in____ (State 40-acre subdivision) of Sec.____, Tp.____, R.____, ____ B. & M.

DO NOT WRITE IN THIS SPACE

ATTACH EXTRA SHEETS HERE

15. **Municipal Use.** This application is made for the purpose of serving _____ (Name city or cities, town or towns. Urban areas only) having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is _____ (Name of claim) and the nature of the mines is _____ (Gold placer, quartz, etc.)

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____ (Cubic feet per second, gallons per minute. State basis of estimate)

The water will / will not be polluted by chemicals or otherwise _____ (Explain nature of pollution, if any)

and it will / will not be returned to _____ (Name stream) in _____ (State 40-acre subdivision) of Sec. _____, T. _____, R. _____, _____ B. & M.

17. **Industrial Use.** The nature of the use proposed is _____ (Describe nature and method of use)

The amount for which application is made was determined by _____ (Describe basis of estimate of quantity needed)

18. **Recreational Use.** Water will be used for _____ (Describe nature and method of use)

The amount for which application is made was determined by _____ (Describe basis of estimate of quantity needed)

General

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

Map No. NP-YOS-6950.

20. Does the applicant own the land at the proposed point of diversion? Yes (Yes or No). If not, give name and address of owner and state what steps have been taken to secure right of access thereto _____

21. What is the name of the post office most used by those living near the proposed point of diversion?

Yosemite National Park, California, and Wawona, California

22. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? _____

Note: The initial installation is a riparian diversion and use. This appropriative claim is filed to establish priority for interbasin diversion from the Middle to Main Fork of the Merced River when, or if, sewage disposal is placed on the opposite side of the divide.

United States of America
Department of the Interior
National Park Service

[SIGNATURE OF APPLICANT] /s/ Hugh M. Miller
Acting Director

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No._____

This is to certify that the application of which the foregoing is a true and correct copy has been considered and is hereby approved SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed sixty five hundred (6500) gallons per day from January 1 to December 31 of each season.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before June 1, 1948 and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1950

5. Complete application of the water to the proposed use shall be made on or before December 1, 1951

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Engineer until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Witness my hand and the seal of the Department of Public Works of the State of California this day of 19

(SEAL)

A. D. EDMONSTON,
State Engineer
/s/ Edward Hyatt

74511 2-53 SM ⓘ SPO

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION O' 'WATER RESOURCES

RECEIPT No. 14687

DATE June 20 1947

RECEIVED Five and no/100 Dollars ($5.00)

☐ Cash ☐ Money Order ☑ Check *Receipt contingent upon collection*

From

National Park Service
Merchandise Mart
Chicago-54, Illinois

on account of items checked.

59794 6-46 5M QUAD SPC

Re Application 11947

Seasons

☐ Adjudication Assessment
☐ Referee Assessment
☐ Dams
☑ Domestic
☑ Irrigation
☐ Power
☐ Municipal
☐ Mining
☐ Industrial
☑ Recreational
☐ Miscellaneous

☑ Filing Fee { Deposit / Balance / Full } $5.00
☐ Permit Fee . . . $
☐ Adjudication . . . $
☐ Water Master Service $
☐ Copying, Comparing $
☐ Certificate Fee . . $
☐ Refund
Ck. No. $

$

EDWARD HYATT, *State Engineer*

By G. T. Gunston
KM

Administrative Assistant

06-20-1947: application to appropriate unappropriated water; form from state of ca, dept of public works, division of water resource

05-22-1947: letter accompanying application for the appropriation of waters, bishop creek.

COPY

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

54

May 22, 1947.

Mr. Gordon Zander,
Supervising Hydraulic Engineer,
Division of Water Resources,
Department of Public Works,
Sacramento, California.

My dear Mr. Zander:

The accompanying application for the appropriation of waters tributary to Bishop Creek, for use in Yosemite National Park, is to establish priority for interbasin diversion between two branches of the Merced River which do not unite for a number of miles below the park boundary.

While the immediate temporary system can be classed as a riparian diversion and use, we wish to establish the right to return all, or any part of the water to the drainage on the opposite side of the divide, if that proves desirable when the larger permanent installation is made. We plan to prove full use of the designated quantity of water and obtain a certificate on the basis of the temporary system, whose capacity is adequate, during the remainder of this year. The permanent installation can then be made at our convenience, with larger pipe only to provide better fire protection.

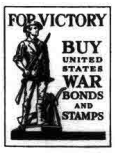
Please send the notice of appropriation, for posting, to the Superintendent, Yosemite National Park, with a copy to this Office. Return the permit and send all further communications to this Office unless a time limit will not permit the proper local action after forwarding from here. All bills should be sent to this Office for payment. We shall appreciate copies of any local correspondence which may result.

A voucher for $5.00 to cover the fee for filing the application is enclosed. This should be signed on the line indicated by penciled cross, and returned for payment, if the United States must pay such fee.

Sincerely yours,

(SGD) HUGH M. MILLER.

Hugh M. Miller,
Acting Director.



Enclosure 578.

Other Supporting Information

File YOSE Docket 2

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
NPS REGION FOUR OFFICE
AUG 24 '59

August 20, 1959

	SURNAME
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
INTERP.	
LEGAL	

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 11947, Permit 6972, Bishop Creek Water System, Chinquapin Area, Docket 2, Yosemite

Spaulding LLS 8/25 see memo to Director 8/26

Attached are your copies of (1) the order of June 18 from the State Water Rights Board, revoking the subject permit in accordance with request of June 18; and (2) Mr. Hill's letter of transmittal.

We have been unable to locate any copy of the request, and assume that the Superintendent made the request in accordance with my memorandum of April 30, and yours to him of May 6. We shall appreciate a copy of the request, which should be filed with the order, in the subject docket. The missing request is item 8 in my memorandum of April 30.

My idea is that Docket 2, with modifications, will be used for records of water claims for the Chinquapin Area. For that reason, I have written in "Chinquapin Area" above Bishop Creek, on the tab. I have also crossed out the June 20, 1957, priority and written in "Revoked". I have also added Drawing 5581 and Mr. Preston's memorandum of January 31, 1957, of which copies have been in my letter file. The contents as streamlined in accordance with my memorandum of April 30, and modified by this memorandum, are to provide part of the history and plans for water use until better records are provided.

Helen 8/25 please add notes to our docket (completed 8/26 Nan) Chron

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Superintendent, Yosemite, w/o order and copy of letter
Chief, WODC, w/c order and letter

05-06-1959: memorandum to superintendent, yosemite from regional director, region four regarding water right application 11947,

File YOSE Dock 2

L-5k

~~Spaulding~~ LSS
~~McClellan~~
~~Middleworth~~
~~Manley~~ BF 5/7
~~Wood~~
~~Williams~~

May 6, 1959

Memorandum

To: Superintendent, Yosemite

From: Regional Director, Region Four

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite

FILE COPY

By memorandum of March 5 to the Director, we recommended that Water Right Application 11947, Permit 6972, for water of Bishop Creek in Yosemite National Park be withdrawn. Mr. Dunn is in accord as indicated by his memorandum of April 30. Field Solicitor McClellan this date gave his approval of the withdrawal of the application and cancellation of the permit.

It is requested you write the State Water Rights Board requesting cancellation of the application and permit. Your letter may state the reason as being that the source of supply has proved inadequate. A statement should be included that nothing in our action abandoning the source and cancelling the application constitutes a waiver of any other rights which the United States may have to the same water. The letter should be in the name of the United States of America, as was the original application, and signed by you as Superintendent, Yosemite National Park.

The docket should be retained with the documents Mr. Dunn listed. The intervening progress reports may be destroyed. Correspondence which may have been included with filed documents should be segregated and placed, we suggest, on the left side of the folder until the proper time for final disposal.

(SGN) LAWRENCE C. MERRIAM
Lawrence C. Merriam
Regional Director

Copy to: Director
Chief, WORC(2)

LSSpaulding:hat

File YOSE Dock 2

IN REPLY REFER TO:
L54-OBL

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

RECEIVED
REGION FOUR OFFICE
MAY -5'59

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
LEGAL		

April 30, 1959

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite

LSS 5/5
See memo of 5/6 to Supt. YOSE

Your memorandum of March 5 indicates that you did not file the annual progress report under the subject water right, for which the forms were forwarded with others, on October 7, 1958. This is supported by the lack of report in the docket, which I have just noticed.

It was pretty well agreed, ahead of time, that the continued filing of reports, to keep the claim on record, was only justified to preserve a 1947 priority for 0.01 sec.ft. of water if all rights for Yosemite are to be established in compliance with the State water laws, as directed by the Solicitor. The particular claim was so small that lapse or abandonment will have little effect on total rights needed for the Park.

The State Water Rights Board would probably like to have the application withdrawn, or to receive a request for cancellation of the Permit 6972. If the Field Solicitor agrees, I suggest that such action be taken, but including the statement in the letter that: "nothing herein constitutes a waiver of any other rights which the U.S. may have to the same water."

I believe that the docket should be retained until the basis of all water rights for Yosemite is determined and established, but much of the contents might be eliminated. If you and Mr. McClellan agree, I suggest that the following be retained in the docket:

1. Drawing 6950.
2. Application 11947, with permit completed on last page.
3. Affidavit of posting, signed by Lester Moc 7/24/47.
4. Progress Report for 1948, signed by me 10/29/48.

cy make for Spaulding.
5/5

5. Order of 11/27/50, granting extension of time.

6. Order of 3/21/56, granting extension of time.

7. Progress report for 1957 signed by Gordon Robertson 10/8/57.

8. Your letter, as above suggested, to nullify the claim.

With Construction Water Right Funds (work orders on Account 0343), you and the Superintendent are supposed to make necessary surveys, maps, and historical research to record the progressive development and use of water in each area, and to work out the basis of claim with the Solicitor or his Regional representative. I believe that some rights may stem from use before 1878, others before December 19, 1914, and others since the latter date. I have expected some of the claims in each category to be prepared as examples from which the Solicitor could determine the further necessary procedure. This is all covered in previous correspondence, and I suggest that the typical cases be developed as soon as practical, including changes in points of diversion, place, and quantity of water use.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Yosemite
Chief, WODC

L-54

March 5, 1959

Wentworth
McClellan
Manley
Hosky
Merriam

Memorandum

To: Director

From: Regional Director, Region Four

Subject: Water Rights Application 11947, Bishop Creek Water System, Docket 2, Yosemite National Park

Under date of November 14, Chief of Water Resources Section Dunn wrote us a memorandum relative to annual progress reports for certain water rights at areas in California. The one report included in this memorandum was the Yosemite Application No. 11947, Docket #2, Bishop Creek.

We have been studying the best method of handling this application. The statutory time within which to complete construction and place the water to full beneficial use under this application expired December 1, 1958. At Field Solicitor McClellan's request, Mr. Spaulding reviewed the correspondence relative to this application to determine if we should recommend its continuance. A summary of the correspondence is attached.

FILE COPY

Originally the application was considered necessary because the proposed system was to be an interbasin diversion for which the United States' exclusive jurisdiction was said to be not applicable. However, the ultimate interbasin system was not constructed. Instead a temporary line was installed serving a Blister Rust Camp having return flow to Bishop Creek. Admittedly, no application was needed for the temporary system but the application since 1947 has been kept alive by yearly progress reports and extensions of time.

The second season of use (1948) the source failed and was abandoned in 1949. Since then there has been no diversion from Bishop Creek, intermittent use at the Blister Rust Camp being supplied from an Indian Creek source.

The situation is now reversed from that under consideration at the time of the original application. The temporary use at the Blister Rust Camp is an interbasin diversion, whereas the ultimate system, if constructed, would probably be within one basin (Indian Creek) and under present Park Service practice would not need State licensing.

As a practical matter the present camp, a very minor installation, rarely occupied, using an insignificant quantity of water, is of too uncertain future to attempt to cover with a water right. We therefore recommend that the application be withdrawn.

(SGN) LAWRENCE C. MERRIAM

Lawrence C. Merriam
Regional Director

Attachment

Copy to: Supt., Yosemite (w/attach)
Chief, WORO
Field Solicitor McClellan

bc: Mr. Spaulding

GFWhitworth/eb

March 2, 1959
Linn S. Spaulding

Y O S E M I T E

BISHOP CREEK DIVERSION

Water Right Application No. 11947

Summary of Correspondence

December 27, 1946 - Dunn transmitted draft of Application to Regional Director, questioning whether application should be deferred until construction is ready to start.

January 7, 1947 Kittredge believes the application unnecessary as State has ceded exclusive jurisdiction.

January 29, 1947 Acting Director answers Kittredge saying Application is necessary because water is to be taken out of watershed and that question of exclusive jurisdiction is not applicable.

February 20, 1947 Kittredge replies saying Blister Rust Camp is being constructed on Bishop Creek side of divide so return flow is back into same watershed. He repeats he considers application unnecessary and returned form.

March 10, 1947 Maier transmitted Kittredge memo of February 20 to Director and quoted Joe Taylor's general comments of January 11, 1940 which are to the effect that different rules apply to cases in which exclusive jurisdiction has been ceded to the United States.

March 21, 1947 Tolson replied that although the temporary system is within one basin the ultimate system will be inter-basin, for which the question of exclusive jurisdiction is not applicable, therefore an application is required. He asked for more details of the system.

April 7, 1947 Drawing NP-YOS-6950 was transmitted by Kittredge to Regional Director and he reported that a 2-inch pipe from the dam to the camp area was completed in March, 1947.

NOTE: The above correspondence was separated from Region's 660-05 file, recalled from Archives, and placed in Region Four's Docket No. 2.

YOSEMITE NATIONAL PARK
BISHOP CREEK WATER SYSTEM

L-54
Dec. 10, 1958
L. Spaulding

Summary of Correspondence

Date	Item	Reference
May 22, 1947	Application submitted to State of California with cover letter giving reasons: To establish priority for interbasin diversion even though initial installation is riparian.	Ltr. dated 5/22-47 Hugh Miller to Gordon Zander (Yosemite Docket 2)
June 20, 1947	Date of filing of Application 11947	Yosemite Docket 2
July 15, 1947	PG&E states it will not protest application since the application is for "unappropriated water" and that the right if granted will be subject to existing rights of the company.	Ltr dtd 7-15-47 W.G.B. Euler to Div. of Wtr., Resources (Yosemite Docket 2)
March 26, 1948	Dunn refers to inadequacy of Bishop Creek supply.	Memo dtd 3-26-48 Dunn to Reg.4 (Yosemite Docket 2)
Oct. 12, 1949	Progress Report submitted to State, water use at Blister Rust Camp reported.	Yosemite Docket 2
Nov. 3, 1950	1. Progress Report submitted to State small, intermittent use reported.	Yosemite Docket 2
	2. Extension of Time requested to make further study of adequacy of stream. Statement made that return flow is to same drainage.	Ltr. dtd 11-3-50 Dunn to State Div. of Water Resources
Nov. 3, 1950	Bishop Creek supply reported to be "abandoned as inadequate" during one or more late summers.	Memo dtd 11-3-50 Dunn to Reg. 4
	Blister rust camp not used summer of 1950.	Yosemite Docket 2
	Dunn states if water is to be returned to the same drainage no right is needed.	
Nov. 27, 1950	State granted extension of time	Yosemite Docket 2
January 23, 1951	Superintendent reported source failed late in 1948 perhaps because of lack of upkeep on intake and because 1948 was a dry year.	Memo dated 1-23-51 Russell to Reg. Director. (Yosemite Docket 2)

Date	Item	Reference
October 12, 1951	Progress Report submitted to State, small amount of use reported.	Yosemite Docket 2
November 4, 1952	Progress Report submitted to State limited use reported - erratic spring flow.	do
October 16, 1953	Progress Report submitted to State limited use reported	do
November 25, 1953	Superintendent reports no development on system	Memo dtd 11-25-53 Preston to Reg. Dir. (Yosemite Docket 2)
November 12, 1954	Progress Report submitted to State intermittent use reported	Yosemite Docket 2
November 17, 1954	Dunn asks if Bishop Creek source is to be used permanently.	Memo dtd 11-17-54 Dunn to Reg. Dir. Yosemite Docket 2
December 10, 1954	Superintendent replied to Dunn's Nov. 17 memo - Blister Rust camp willbe used in future -Bishop Creek supply was abandoned in 1949 because supply became inadequate, unsafe and unfit for use -Water is now supplied from overflow of Chinquapin water supply -It is reasonable to cancel water right application	Memo dtd 12-10-54 Preston to Reg. Dir. (Yosemite Docket 2)
February 7, 1955	Dunn agrees application might be cancelled but defers such action pending Solicitor's advice as to whether all riparian uses need be covered by appropriative filings	Memo dtd 2-7-55 Dunn to Reg. Dir. (Yosemite Docket 2)
October 1955	Progress Report submitted to State intermittent use reported	Yosemite Docket 2
October 13, 1955	Acting Chief of Water Resources Section says right should not be allowed to lapse unless certain it is not needed because of efforts of others to appropriate all the water	Memo dtd 10-13-55 Robertson to Reg. Director (Yosemite Docket 2)

Date	Item	Reference
October 25, 1955	Superintendent repeats that it is reasonable to cancel application and recommends that it be cancelled. -Not anticipated that any future use will be made from Bishop Creek.	Memo dtd 10-25-55 Preston to Reg. Dir. (Yosemite Docket 2)
November 14, 1955	Dunn proposes to file a petition for change in point of diversion from Bishop Creek to Indian Creek.	Memo dtd 11-14-55 Dunn to Reg. Dir. (Yosemite Docket 2)
March 21, 1955	State granted extension of time to complete construction until December 1, 1958.	Yosemite Docket 2
April 10, 1956	Dunn hopes the 1947 priority can be transferred to the new system.	Memo dtd 4-10-56 Dunn to Reg. Dir. (Yosemite Docket 2)
October 19, 1956	Acting Superintendent again expresses opinion that application should be cancelled "since there is no need for water from this source in the foreseeable future." "Use of water from this source was abandoned in 1949 because the supply was inadequate and unfit for use, and most of the temporary 2" G.I. distribution pipe has been salvaged for other purposes." The above memorandum was sent by mistake to the State Water Rights Board.	Memo dtd 10-19-56 Neilson to Reg. Dir. (Yosemite Docket 2)
Nov. 1, 1956	The State returned the above memorandum to Yosemite noting that the use of water was abandoned in 1949 and that upon proper authorization by the Natl. Park Service the Permit would be cancelled.	Ltr. dtd 11-1-56 L. C. Spencer to Yosemite NP (Yosemite Docket 2)
Nov. 29, 1956	Progress Report submitted to State with statement on reverse explaining use and reasons for not abandoning application.	Yosemite Docket 2
Dec. 4, 1956	Dunn asks that no Park Service representative except those in Washington make any reference to abandonment of any water right in correspondence with the State.	Memo dtd 12-4-56 Dunn to Reg. Dir. (Yosemite Docket 2)

Date	Item	Reference
January 1, 1957	Superintendent explains the mistake in sending correspondence admitting abandonment to State. Map submitted showing water system. Present and future use itemized.	Memo dtd 1-31-57 Preston to Reg. Dir. (Yosemite Docket 2)
March 1, 1957	Dunn gives the reason for deferring withdrawal of the application as being that future attempts to divert from one stream and return flow to another may result in more protests. Further action is to be shelved pending study by Federal and State Attorneys on the right of the United States to exercise riparian rights.	Memo dtd 3-1-57 Dunn to Reg. Dir. (Yosemite Docket 2)
March 20, 1957	Acting Superintendent reported on present and proposed future use stating that at present return flow is to Bishop Creek but future construction will return flow to Indian Creek basin.	Memo dtd 3-20-57 Hill to Reg. Dir. (Yosemite Docket 2)
October 8, 1957	Progress Report submitted to State reporting no use in 1957 but stating that studies are underway to determine best point of diversion.	Yosemite Docket 2
October 16, 1957	Dunn says we can withdraw application when extension of time is needed on December 1, 1958.	Memo dtd 10-16-57 Dunn to Reg. Dir. (Yosemite Docket 2)
October 7, 1958	Dunn recounts scheduling of general studies in Yosemite and he suggests the application might cover most of use of Chinquapin Water System if transferred by petition. Such petition should contain statement that it does not constitute waiver of any other rights to same Indian Creek source. This action would be less subject to protest than a new application. Dunn recommends that progress report explain that point of diversion has been changed and that we request extension of time to prepare petition.	Memo dtd 10-7-58 Dunn to Reg. Dir. (Yosemite Docket 2)

L-54

Draft: LSSpaulding:hat 3/2/59

Spaulding
McClellan
Manbey
Whitworth
Maier

Memorandum

To: Regional Chief of Operations, Region Four

From: Hydraulic Engineer Spaulding

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite National Park

The statutory time within which to complete construction and place the water to full beneficial use under the above application expired December 1, 1958.

An annual progress report and a request for an extension of time were prepared by me in December but were not submitted. Mr. McClellan asked that I review the correspondence and prepare a summary of the reasons for the original application to determine the need for continuing the application.

I reviewed the files and prepared the attached summary of correspondence.

Originally the application was considered necessary because the proposed system was to be an interbasin diversion for which the United States' exclusive jurisdiction was said to be not applicable. However, the ultimate interbasin system was not constructed. Instead a temporary line was installed serving a Blister Rust Camp having return flow to Bishop Creek. Admittedly, no application was needed for the temporary system but the application since 1947 has been kept alive by yearly progress reports and extensions of time.

The second season of use (1948) the source failed and was abandoned in 1949. Since then there has been no diversion from Bishop Creek. Intermittent use at the Blister Rust Camp being

supplied from an Indian Creek source.

The situation is now reversed from that under consideration at the time of the original application. The temporary use at the Blister Rust Camp is an interbasin diversion, whereas the ultimate system, if constructed, would probably be within one basin (Indian Creek) and under present Park Service practice would not need State licensing.

As a practical matter the present camp, a very minor installation, rarely occupied, using an insignificant quantity of water is of too uncertain future to attempt to cover with a water right. I recommend that the application be withdrawn.

Linn S. Spaulding
Hydraulic Engineer

Recommended distribution:

Copy to: Director
Superintendent, Yosemite
Field Solicitor McClellan

Not distributed
See Merriams
memo of March 5, 1959

Cleared for Distribution:

Herbert Maier
Assistant Regional Director

10-07-1958: memorandum to regional director, region four from chief, water resources section regarding water right reports

RETURN TO → Spaulding's copy
Linn Spaulding 12/4/58 16:27 - for filing in Dockets later.

In reply refer to:
L54-L

RECEIVED
NPS REGION FOUR OFFICE
OCT 13 '58

October 7, 1958

SURNAME	DATE
REG. DIR.	
ASST. R.D.	
OPERATIONS	
ADMIN.	
RECREATION	
X-Spaulding	
REGAL	
Whitworth	

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Reports DEVA - Docket 1, 2, 7, 24 (25) Cow Creek, Third Rose Spr., Thorndike, Blue Cliff
YOSE - Docket 2 Bishop Cr.
PINN - Docket 2 Bear Gulch

The five copies of forms for the following reports are attached for preparation by Mr. Spaulding, or the Superintendents if necessary, following the general nature of statements in the earlier reports which are now in the dockets. The original should be sent to the State Water Rights Board, and the four copies should be distributed for the dockets in your office, the area, WODC and here. A fee of $5.00, payable and reimbursed under Work Order 4-WR-59, is needed with each request for extension of time where the annual report is accompanied by a notice of expiration. Incidentally, the total fees for rights in each area should be noted for the annual breakdown for capitalization.

DEATH VALLEY

Application 8423, Docket 24, former Thorndike claim. Annual Progress Report - no fee. Last year's report should be amplified if you can report any planning with cost, or even increase in visitor or NPS use.

See Letter to State Water Rights Board 12/3/58 HAT.

Application 9509, Docket 2, Cow Creek Power. Annual Progress Report - no fee, and notice of expiration - fee needed if extension of time is requested. I suggest that the annual report be submitted, stating on reverse that it is desired to make proof on the existing installation but that it is suggested that inspection be deferred until receipt of pending petition for change in point of diversion under related Application 9510, License 4621, and new application for appropriation of supplemental water being developed at that new point of diversion. This should be supplemented with cover letter requesting same proof of suggested date, and inquiring as to whether the form to request extension of time beyond December 1 is needed. Hold that notice of expiration until reply is received. I am in no position to prepare the report and request because we have no reply to my memorandum of August 29. In addition, I am not sure how the power unit is functioning under the greater head if no pressure reducer has been provided.

See supts. memo of Oct 21

DEATH VALLEY

Application 9510, License 4621, Docket 1, Cow Creek Domestic. Triennial report of licensee - no fee. The only reports of license which come to my mind at this time are those in Part II of Docket 1, Kings Canyon National Park for the Big Stump Water System - the last being for 1956. The two situations are similar in that water use exceeds the licensed authorization, and our admission of the fact in connection with the Big Stump right led to filing of an application for the supplemental water, which has been protested. We have prepared the drafts of petition to change point of diversion, and application for the appropriation, as submitted to you for certain assistance with my memorandum of August 29. I cannot see any basis for protest of the proposed petition and application. I recommend that the changes be admitted in the report, but cannot prepare the report because I do not know exactly what has been done on the ground, or how soon I will receive the information requested in August. I suggest that you indicate that the two instruments will be submitted by about December 31, if you can fully answer my August memorandum within the next six or eight weeks.

Dunn expects to complete (1) petition for amendment of rights and (2) supplemental application - See his memo of Oct. 8.

Application 10276, License 4897, Docket 7, Wildrose Spring. Triennial report of licensee - no fee. There should be no difficulty in preparation by someone familiar with present status of system and water use.

See letter to State Water Rights Board 12/3/58 Hat

Application 17839, Docket 25, Blue Cliff Spring use of 0.035 s.f. by Ramos, et al. Annual Progress Report - no fee. At about 15.7 gpm, with mills requiring about 12.0 gpm, there should be no difficulty in report if there has been mining operation. There would be no complication if it is necessary to report that Ramos, like Detloff, suspended operations because of poor market, provided it can also be reported that there has been some activity at the camp between October 1, 1957, and October 1, 1958.

See Letter to State Water Rights Board 12/3/58 Hat

PINNACLES

Application 9083, License 3820, Docket 2, Bear Gulch Sources. Triennial report of licensee - no fee. Similar report of 1955 only needs some references to more up-to-date visitor counts. If number of visitors has been lower it may be desirable to explain any modernization of facilities which has increased per capita water use.

YOSEMITE

Application 11947, Docket 2, Bishop Creek. Annual Report and notice of expiration. Fee needed only if extension of time is requested. One of the most important water right projects which I have scheduled for Region Four for a number of years has been the preparation of claims to water used in Yosemite, with the dates of first use of each source, in order that we can decide, with the Solicitor's suggestion, whether

YOSEMITE

to file applications or assert some other basis of right in each case. I suggested that we start with floor of the valley some years ago, but there has been no apparent attempt, yet, to obtain funds, now by work order, hire or detail necessary local personnel, and prepare statements of claim in form suitable for applications, and the supporting maps. Mr. Preston's memorandum of January 31, 1957, indicates that the authorized 0.01 sec.ft. under Application 11947 might cover most of use from Chinquapin Water System, if transferred by petition. I think such petition, with statement that it does not constitute waiver of any other rights to same Indian Creek source, might be less subject to protest than a new application, and be valuable even if it does not cover earliest priority. For that reason I recommend progress report explanation that point of diversion has been changed, and request for extension of time to prepare petition. This might be discussed with Mr. McClellan, and the request should give some indication of when petition for change can be expected.

Some of the forms have been received in insufficient quantities and others in sets of six. I have made erasures, and modified some of the extra forms to complete necessary sets of five. Please be sure that the modified forms are used for NPS copies, and not sent to Water Rights Board.

I am preparing reports and requests for extensions of time for Furnace Creek and Texas Spring water, for which I have as much data as you. I am also preparing similar report and request for extension of time for the Emigrant and Pioneer Springs. With increasing attendance and low precipitation during most of the past 14 years, as shown in the memorandum of July 16 from Mr. Binnewies, I would hate to abandon Pioneer Spring and have miners enter the picture if it can serve even limited future needs. It should be remembered that Mrs. Putnam has a senior right to part of the water now used.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachments 35

Copy to: Chief, WODC
Superintendent, Death Valley
Superintendent, Pinnacles
Superintendent, Yosemite
Mr. Dunn

AvVDunn:lct

L54-L

NATIONAL PARK SERVICE
WASHINGTON 25, D. C.

RECEIVED
OCT 21 57

Oct 16, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Water Right Reports, California Areas - Region Four
License 2104 - Docket 3 - Lassen
Permit 4957 - Docket 1 - Pinnacles
Permit 6972 - Docket 2 - Yosemite

Attached are your copies of the reports on water use under the subject rights, which should be filed in your assemblies of the designated dockets. Copies are being sent to the proper Superintendents for similar disposition. Copies of the annual reports on permits are being sent to WDBC. We will send WDBC a folder for Lassen Docket 3 with the file map, application, license and report of licensee as soon as all of the enclosures are completed.

These are all of the reports for which we have received forms to date, this year. The reports, as usual, are very general because of lack of field reports. It is our intent that these reports shall be prepared by Mr. Spaulding in future years, but he is no better informed to make them this year than I am.

In every case we are attempting to preserve the priority of right even if the system is no longer used, until the Superintendent and this Office are sure that the same right does not have some value for another system. At the present time there seems to be no question about continued use of water under License 2104 and Permit 4957. However, Mr. Spaulding should see that the springs are being used at times, as a supplement to the main supply at Lassen Headquarters, and he should prepare an amended application for the Chalone Creek water system as soon as the final plans for the new system are available.

The rights to Bishop Creek, as a tributary of the Merced at Yosemite, Permit 6972, Docket 2, are another thing. The application was filed because the diversion was to be from Bishop Creek and the sewage disposal was to have been in the Indian Creek drainage at the Blister Rust Camp. It is believed now that the existing system

Yosemite

and any proposed changes will provide for diversion and all return flow to Indian Creek. If so, we can withdraw the application when another extension of time is needed on December 1, 1958, and rely on the same basis of rights that is adopted for other water diversions within the Park. It is hoped that the legal basis or procedure will be settled during the next year. The figures on use in this report are from Superintendent's memorandum of January 31, 1957.

A. van V. Dunn
Chief, Water Resources Section

Attachments 4

L54 L

File left side ~~docket~~
YOSEMITE docket 2

Oct 16, 1957

State Engineer
State Water Rights Board
P. O. Box 1592
Sacramento, California

Re: License 2104 and Permits 4957 and 6972
Lassen, Pinnacles and Yosemite, respectively

Dear Sir:

Enclosed are the Report of Licensee for 1955, 1956 and 1957, and the Annual Reports on Water Use under the permits as above listed.

As pointed out in connection with the reports of a year ago, the National Park Service is embarked on a 10 year construction program, designated as MISSION 66, under which it is hoped to have facilities adequate for the public demand of 1966 when the Park Service is 50 years old. The completion, rehabilitation, and perhaps enlargement of individual water systems is being scheduled in accordance with priorities of further needs during the decade.

Very truly yours,

Gordon W. Robertson
Acting Chief, Water Resources Section

Enclosures 3

Copy to: Regional Director, Region Four, with 3 attachments
Superintendent, Lassen, with copy of License 2104
Superintendent, Pinnacles, with copy of annual report 4957
Superintendent, Yosemite, with copy of annual report 6972
Chief, WCBC, with copies of annual reports

Whitworth
Manbey
Johnston

In reply refer to:
154 Yose

March 26, 1957

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Annual Report on Water Rights, Application 11947, Chinquapin Area, Yosemite

Mr. Dunn's memorandum of March 1st requested certain information relative to the flows of the Bishop and Indian Creek water systems.

Attached to this memorandum is a report from Acting Superintendent Hill, dated March 20th, which we believe gives the information requested by Mr. Dunn.

FILE COPY

Sgd. FRED T. JOHNSTON

Fred T. Johnston
Regional Chief of Operations

Attachment

Copy to: Supt. Yosemite

GFWhitworth:te

03-20-1957: memorandum to regional director, region four from acting superintendent, yosemite regarding annual report on water

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:
L54 Yose

RECEIVED
NPS REGION FOUR OFFICE
MAR 21 '57

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.	Sent 3/21	
LEGAL		

March 20, 1957

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Yosemite

Subject: Annual Report on Water Rights, Application 11947, Permit 672, Docket 2, Chinquapin Area, Yosemite

X Whitten

We have Mr. Johnston's memorandum of March 8 and a copy of Mr. A. van V. Dunn's memorandum to the Regional Director dated March 1 regarding the subject water right.

Memo to Director 3/25 T.E.

The following information is submitted regarding drainage from the existing Chinquapin Blister Rust Camp.

The main camp buildings are located right on Chinquapin summit. Drainage from the mess hall (Bldg. No. 5011) and from a shower and washroom (Bldg. No. 5013) is to the south of the summit into a cesspool located in the Bishop Creek drainage. Toilet facilities are provided by a pit privy (Bldg. No. 5022).

The Blister Rust Camp has been used intermittently during the past ten years and present plans indicate that it will not be used again until 1959, 60 and 61 for a small crew of about five men.

Future plans as reflected in the MISSION 66 prospectus contemplate the construction of a Utility Building (PCP B-8-2, Preliminary Plan NP-YOS-2129B) for snow removal operations. Construction is planned for north of the summit with all drainage running into the Indian Creek basin.

Chas. F. Hill
Acting Superintendent

In reply refer to:
L 54

Whitworth
McClellan
Manbey BFM
Johnston FJ.

March 8, 1957

Memorandum

To: Superintendent, Yosemite National Park

From: Regional Chief of Operations, Region Four

Subject: Annual Report on Water Rights, Application 11947, Permit 672, Docket 2, Chinquapin Area, Yosemite

FILE COPY

It is noted that you have received a copy of Mr. Dunn's memorandum of March 1st on the above subject. In this he states that the possible needs for rights for the Chinquapin water system is being temporarily shelved except that he requires certain information regarding the existing and proposed sewage disposal at the Blister Rust Camp.

We presume you are getting that information and will forward it to us in duplicate at your convenience.

(SGD) FRED T. JOHNSTON
Fred T. Johnston
Chief of Operations

GFWhitworth:tk

IN REPLY REFER TO:
L54

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

RECEIVED
NPS REGION FOUR OFFICE
MAR-5'57

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
[illegible]	Wirth	3/5
LEGAL		

March 1, 1957

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Annual Report on Water Rights, Application 11947, Permit 672, Docket 2, Chinquapin Area, Yosemite

x Whitworth

3/8 Memo to Supt Yosemite RE.

The memorandum of January 31 from Mr. Preston, which Mr. Johnston forwarded on February 8, indicates that the flows of Bishop and Indian Creeks do not unite until they flow further beyond the Park boundary than is indicated on the map I have been using. This does not alter the principle on which Application 11947 was filed, but it might result in more protests if a future attempt were made to divert water from one of the stream drainages with return flow to the other within the Park. For this reason, I have been deferring any withdrawal of the application and permit which do authorize inter-drainage water use.

At the time Application 11947 was filed the plan was to divert Bishop Creek water and discharge it through a sewer system into Indian Creek drainage. Since Indian Creek is now, and probably will continue to be the source of supply, we should know whether the sewage disposal from the Blister Rust Camp is to be reversed, to discharge into Bishop Creek drainage, since the camp area is about on the divide.

From the information supplied, subject to explanation of disposal of the Blister Rust Camp, the water system seems to comply with the riparian doctrine of California. The right of the United States to exercise riparian rights is now being studied by Federal and State Attorneys. Accordingly, the possible need for rights for the Chinquapin water system is being temporarily shelved, except to the extent we should have clarification of the existing and proposed sewage disposal at the Blister Rust Camp.

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Yosemite
Chief, WODC

02-08-1957: memorandum to director from regional chief of operations, region four regarding annual report on water rights applica

Whitworth
Manbey
McClellan
Johnston

In reply refer to:
L5h-1 Yose #12

February 8, 1957

Memorandum

To: Director

From: Regional Chief of Operations, Region Four

Subject: Annual Report on Water Rights Application 11947- Permit 6972
Docket 2 - Yosemite

FILE COPY

Mr. Dunn's memorandum of December 4th requested certain information relative to Water Rights at Yosemite not only covered by water right application, but other pertinent data.

We are attaching a copy of memorandum received from Superintendent Preston dated January 31st to which is attached a map drawing YOS 5581.

We believe that the data contained in this memorandum and the attached map answer the questions raised by Mr. Dunn in his memorandum of December 4th.

If we can be of further assistance, please do not hesitate to let us know.

Sgd. FRED T. JOHNSTON

Fred T. Johnston
Regional Chief of Operations

Copy to: Supt. Yosemite

Attachment

GFWhitworth:tk

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:
L54-L Yose #2

RECEIVED
NPS REGION FOUR OFFICE
FEB - 5 '57

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
RECREATION		
INTERP.		
LEGAL		

BFm 2/5

January 31, 1957

Memorandum

To: Regional Director, Region Four

From: Superintendent, Yosemite

Subject: Annual Report on Water Rights Application 11947, 6972, Docket 2, Yosemite

X Whitworth
Memo to Director 2/8

With reference to Mr. Manbey's memorandum of January 24 the following information applicable to Yosemite National Park was requested by Mr. A. van V. Dunn in his memorandum to the Regional Director dated December 4, 1956.

We received our copy of the subject report for the calendar year 1956 from Mr. A. van V. Dunn and note under "remarks" on the back of the form that a statement is made that Indian Creek and Bishop Creek have the same headwaters drainage and unite below Yosemite National Park to form one tributary of the Merced River. Actually Indian Creek and Bishop Creek do not unite but Indian Creek drains into the Merced River at El Portal and Bishop Creek drains into the South Fork of the Merced River about six miles below Wawona. The South Fork of the Merced River joins with the Merced River about seven miles below or west of El Portal.

In reply to the request made in paragraph two, we did not prepare a letter for the State Water Rights Board regarding the subject report. Mr. Neilson's letter of October 19 was prepared for the Regional Director and contained as an enclosure the blank progress reports for 1956. These progress report blanks, when sent to us by the State Water Rights Board, contained a self-addressed envelope for returning the completed report to them. Through error on our part, Mr. Neilson's memorandum of October 19 with the enclosed blank progress report, was placed in the self-addressed envelope to the State Water Rights Board instead of in the envelope for the Regional Director. The State Water Rights Board returned the mis-sent correspondence to us with their letter of November 1 and we forwarded all correspondence to the Regional Director with our letter of November 5. We regret that this error was made since we certainly had no intention of discussing the abandonment of any water right or water system in correspondence with the State Water Rights Board or its representatives.

Mr. A. van V. Dunn is correct in his assumption that no progress report forms were submitted by the Board for the Raynor Creek rights in Yosemite.

COPY
FOR YOUR
REGION FOUR OFFICE

In reply to information requested in the last paragraph of his memorandum we submit the following: A plan of the present Chinquapin water system is contained in Drawing No. NP-YOS-8154. The system is federally owned and was constructed by the CCC in 1936 with a diversion in Indian Creek. This new 4" main replaced the old 2" main and provided water services for fire hydrants, a ranger station, comfort station and gasoline service station with lunchroom facilities.

On the ridge between the Bishop Creek and Indian Creek drainages south of Chinquapin a utility area is proposed in the MISSION 66 program and a Blister Rust Control camp has been established in the area. Water obtained from a tributary of Bishop Creek was covered by the subject water rights application 11947, Permit 6972, but this diversion was abandoned in 1949 because late that fall the supply became inadequate, unsafe, and unfit for use. Water for the camp is now supplied from the overflow at the storage tank of the Chinquapin Ranger Station water system on Indian Creek.

The attached map shows a sketch of the water system serving the Chinquapin Ranger Station and BRC Camp areas.

Following is an estimate of permanent and transient use of the Chinquapin area:

General	
Maximum daily traffic through area	3,500 cars
" " " " "	11,600 people
Irrigated lawns and shrubs	½ acre
1½" fire hydrants	4 each
Ranger Station (12 months use)	
Permanent residents	4 people
Comfort Station (7 months use)	
(8 toilets, 5 urinals, 4 lavatories, 1 drinking fountain)	
Daily peak visitors using facilities	300 people
Service Station (12 months use)	
Daily peak cars served	275 cars
" " visitors in these cars	917 people
" " visitor use of restroom	400 "
" " visitors served in lunchroom	750 "
Permanent residents	2 "
Seasonal residents housed in station and in tents with meals obtained in lunchroom	5 "
Blister Rust Control Camp (4 months use)	
Seasonal housing, bath and mess facilities	25 "

Proposed Developments under MISSION 66 Program

Ranger Station Area - None

Blister Rust Control camp area — 12 people

Six room dormitory with bath and mess facilities and related utility buildings to serve winter snow removal operations including hot water facilities for removing snow from equipment after use.

John C. Preston
Superintendent

Attachments

Copy to: Chief, WODC

L54-L

File form in docket 1a

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CHIEF
ADMIN.ASSIS
PERSONNEL
PLANS & PR
SAFETY
ARCHITECT
ENGINEER
LAND. ARCH
ACTION TAKE

December 4, 1956

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Annual Report on Water Right Application 11947, Permit 6972, Docket 2, Yosemite

Attached is your copy of the subject annual report, which we have sent to the State Water Rights Board without a cover letter. Copies are also being sent to the Superintendent and the Western Office of Design and Construction. All copies should be filed in the assembly of the subject docket in the respective offices.

We do not appear to have received a copy of Mr. Neilson's letter of October 19 to the State Water Rights Board. Copies of this letter should be distributed and filed in the same docket, below the attached annual report.

We have not received the forms for annual or triennial reports for this year, for more than about a quarter of the water rights for areas in California. This case suggests that some of the forms may have been sent to the Superintendents, and prepared and submitted by them without distribution of copies for the dockets in your office, WODC, and here. We have also assumed that no forms were submitted by the Board for such rights as these to Raynor Creek in Yosemite and Cow Creek in Death Valley, where there has been a state inspection during the past year. It is requested that you canvass the Superintendents of California areas for copies of any reports they have submitted, and that copies be supplied for the docket assemblies in the four interested offices.

It is also requested that no Park Service representative except those in Washington make any reference to abandonment of any water right or water system in correspondence with the State Water Rights Board or its representatives. It will also simplify records if the Regional Solicitor will instruct us, or send us its draft of letter to declare abandonment of any water claim such as Application 16184, Docket 1, for the supplemental water supply for the Big Stump area at Kings Canyon.

Instead, when such abandonment is contemplated, this office should be advised of the fact and also supplied with plans of the alternative system so that transfer of priority of rights can be made where possible. With the radical changes in plans under MISSION 66, there is danger that many valuable priorities may be lost, and that adequate necessary new rights may then have to be purchased at high prices.

My search of Washington office records has not produced any plan of the Chinquapin water system. My 1935-36 records indicate that the Ranger Station, comfort station and service station were served from Indian Creek. There is no mention of a utility area until one was proposed on the ridge between Indian and Bishop Creeks in 1946. The 1935-36 water system was reported as non-Federal. Whether we do anything about water rights or not, we would be in a better position if we had a sketch showing approximate water system with relation between points of diversion and section corners, and areas served in 1935 and now, description of development, giving permanent and transient population for estimating quantity of water use. I am more interested in 40-acre tracts and approximate distance to section corner than in accurate tie at this time.

[SIGNED]

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Yosemite, w/c attachment
Western Office of Design and Construction, w/c attachment
Field Solicitor McClellan (2)

In reply refer to
L54 ~~Manbey~~ BFM

November 8, 1956

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Water Rights Application 11947, Permit 6972, Bishop Creek Water System, Docket 2, Yosemite

In connection with the above water right there are attached the following:

Copy of Mr. Neilson's memorandum of October 19 to Region Four, together with four partially filled in Progress Reports for said water right.

Copy of letter of November 1 from the State Water Rights Board to Mr. Preston.

Copy of Mr. Neilson's memorandum of November 5 to Region Four.

It will be seen that, in error, Mr. Neilson's memorandum of October 19, addressed to Region Four, was sent to the State Water Rights Board, and was returned by that Board to Mr. Preston with their letter of November 1. That letter makes particular reference to the fact that Mr. Neilson had said in his memorandum, "this diversion was abandoned in 1949 because the supply was inadequate and unfit for use," and Senior Hydraulic Engineer Spencer says, "upon proper authorization by the National Park Service this office will enter an order cancelling and revoking Permit 6972."

It will be remembered that for several years Mr. Preston has recommended that this permit be cancelled.

FILE COPY

R. F. Manbey
Regional Chief of Lands

Attachments

Copy to Yosemite
Western Div

BFManbey/jd

11-05-1956: memorandum to regional director, region four from acting superintendent, yosemite regarding water rights application

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:
L54

November 5, 1956

RECEIVED
NPS, REGION FOUR OFFICE
NOV -7 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
COOP. ACT.		
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LEGAL		
Lands BFm 11/8		

Memorandum

To: Regional Director, Region Four

From: Acting Superintendent, Yosemite

Subject: Water Rights Application 11947, Permit 6972, Bishop Creek Water System, Docket 2, Yosemite

Wrote W,O 11/8 BFm

Our memorandum to you dated October 19 with attached "Progress Report by Permittee for the Year 1956" was mailed to the California State Water Rights Board by mistake.

The State Water Rights Board returned the correspondence to us with their letter of November 1, copy of which is attached.

Keith Neilson
Acting Superintendent

Attachments

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

IN REPLY REFER TO:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
APR 16 1956

April 10, 1956

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
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INTERP.		
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Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

File in Docket No. 2 Yosemite BFH.

Subject: Bishop Creek Water Claim for Chinquapin Water System, Application 11947, Docket 2, Yosemite

With copies of this memorandum to the Superintendent and the Western Office of Design and Construction, we are distributing copies of the order granting extension of time until December 1, 1958 to complete the designated water system, and copy of the forwarding letter from the Assistant State Engineer.

The order should be filed in Docket 2 and the letter should be filed in the correspondence file. Also, please have "Chinquapin Area" written or letter in, under "Bishop Creek" on the tab of the folder.

The extension of time has been obtained until we determine what the ultimate source of water for the Chinquapin Area will be, and whether we are to file applications for all water systems in the four California National Parks. It is hoped that the 1947 priority can be transferred to the new system whether the source is in Bishop Creek or Indian Creek drainage, if a filing is prescribed by the Solicitor's Office. It is also hoped that a plan, even if not final, can be supplied for the new water system by October 1958, in order to determine what further action to take.

A. van V. Dunn
Chief, Water Resources Section

Attachments 2

Copy to: Superintendent, Yosemite, with 2 attachments
Western Office of Design and Construction, with partial docket

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

IN REPLY REFER TO:
L1947
RECEIVED
NPS, REGION FOUR OFFICE
NOV 21 1955

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS		
ADMIN.		
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LEGAL		

November 14, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Chinquapin Area Water Rights, Application 11947, Docket 2, Yosemite

By memorandum of October 26, Mr. Manbey forwarded memorandum of previous day from Mr. Preston advising that Bishop Creek water system have been abandoned as source of supply and some source in Indian Creek drainage would be used. This was in reply to inquiry of October 13 from Mr. Robertson. At about the same date that Mr. Robertson wrote, we received the memorandum of October 3 from the Acting Assistant Solicitor concerning Application 15880 by the Tuolumne County Irrigation District No. 2, in which we were instructed to file claims for all water systems in Yosemite.

Accordingly, we propose to file an application for change in point of diversion from Bishop Creek to Indian Creek under the priority of June 20, 1947, under Application 11947, Permit 6972. With copies of this memorandum we are distributing copies of the request for extension of time in which to make the formal change in point of diversion in compliance with the state water laws.

Please file the copy of the request for extension of time at the top of contents of your Docket 2. It is also requested that the Superintendent or Western Office of Design and Construction supply us with plan of existing and proposed water systems for the Chinquapin area with tie to section corner, or to the Bishop Creek water system or old Blister Rust Camp and an outline of the major Chinquapin development.

We might add that with the number of water right applications we should now file as quickly as possible, we will have to accept some approximate ties and plans, based on existing drawings, so long as the degree of accuracy shows proper conflicts with private interests where they exist. A point of diversion can be "spotted" on a map within 50 feet to serve the purposes of a water right application. We can then make corrections, if necessary, at time of proof.

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Yosemite, with copy of attachment
Western Office of Design and Construction, with copy of attachment

10-26-1955: memorandum to director from regional chief of lands, region four regarding water right application 11947, bishop cree

Manbey
BFM

In reply refer to
L54

October 26, 1955

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite

Attached is copy of Superintendent Preston's memorandum of October 25 on the above subject. It will be noticed that, in regard to a 1955 progress report, he says:

"Please refer to our memorandum of December 10, 1954, in which we expressed the opinion that it is reasonable to cancel this water right application. The diversion was abandoned in 1949 and it is not anticipated that any future use will be made of water from this source. Water for any additional developments in the Chinquapin area will be obtained from Indian Creek."

Mr. Preston concludes with a recommendation "that water right Application 11947, Permit 6972, "be cancelled.

FILE COPY

B. F. Manbey
Regional Chief of Lands

Attachment

Copy to Yosemite
Western RAC

BFManbey/jd

10-25-1955: memorandum to regional director, region four from superintendent, yosemite regarding water right application 11947,

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

IN REPLY REFER TO:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
OCT 26 1955

October 25, ~~1955~~

	SURNAME	DATE
REG. DIR.		
ASST. R.D.		
OPERATIONS	Hurt	10/26
ADMIN.		
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Memorandum

To: Regional Director, Region Four

From: Superintendent, Yosemite

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite

Wrote W.O 10/26 BFM

Mr. Robertson's memorandum of October 13 to you submitted a copy of the 1955 progress report for the subject application and requested advice whether an extension of time should be requested or if the application should be withdrawn.

Please refer to our memorandum of December 10, 1954, in which we expressed the opinion that it is reasonable to cancel this water right application. The diversion was abandoned in 1949 and it is not anticipated that any future use will be made of water from this source. Water for any additional developments in the Chinquapin area will be obtained from Indian Creek.

We recommend that water right application 11947, Permit 6972, Bishop Creek Water System, Docket 2, Yosemite, be cancelled.

John C. Preston
Superintendent

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

In reply refer to:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
OCT 18 1955

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X Manley	BSM	10/18

October 13, 1955

Memorandum

To: Regional Director, Region Four

From: Acting Chief, Water Resources Section

Subject: Water Right Application 11947, Bishop Creek Water System, Docket 2, Yosemite

Attached is your copy of the Annual Report on subject water right, which should be filed in the designated docket. Copies are also being sent to the Superintendent and Western Office of Design and Construction, and the former should file his copy in his docket.

We also have the notice that proof must be made by December. We have previously corresponded concerning the justification for further development and use of the system, and Mr. Russell suggested a desire to give the matter further study in 1951. Because of the recent efforts of those in the Central Valley to appropriate all available water, we should not let this right lapse unless certain it is not needed. Accordingly, please advise by November 15 whether we should request extension of time or withdraw application.

Gordon W. Robertson

GordonW. Robertson
Acting Chief, Water Resources Section

Attachment

Copy to: Superintendent, Yosemite, with copy of attachment
Western Office of Design and Construction, with attachment

1

In reply refer to:
L54-L

Crowley
~~Smith~~

February 21, 1955

Memorandum

To: Chief, Water Resources Section

From: Supervising Engineer, Western Design Office

Subject: Water Right Permits 3549 and 6872, Dockets 1 and 2, Yosemite

Referring to your February 7 memorandum to the Regional Director, Region Four on the subject, we find that we have a copy of a progress report for 1954 on Application 11947, Permit 6972 and a copy of progress on Application 6729, Permit 3549 for 1954. We do not have Dockets 1 and 2.

The number 6872 in your memorandum is believed to be a typographical error.

(Sgd.) Percy E. Smith

P. E. Smith
Supervising Engineer

HLCrowley/ad

FILE COPY

In reply refer to:
L54-L

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

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NPS, REGION FOUR OFFICE
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~~Lands~~ O&M		3/3

February 7, 1955

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

We sent cc with form to Supt. 3/3 O&M

Subject: Water Right Permits 3549 and 6872, Dockets 1 and 2, Yosemite

In accordance with the memorandum from Mr. Preston, which was forwarded with the memorandum of December 20 from Mr. Manbey, we enclose our copy of the 1954 Progress Report on Application 11947, Permit 6972, and have substituted a photostat copy in our assembly of Docket 2.

We believe that the Western Office of Design and Construction may have received two copies of that report and none on Permit 3549 for the Raynor Creek diversion, if your own copies of the reports are in order. With a copy of this memorandum to WODC, we request return of any duplicates and advice as to need for the report on Permit 3549 which you returned to us. In fact, WODC hardly needs the report on Permit 6872 if it does not have a docket, and the right is to be cancelled.

Although agreeing the Application 11947 might be cancelled, we shall defer such action temporarily. The Department has placed more importance on Federal compliance with the State water laws during the past year, and we are now awaiting the Solicitor's advice as to whether all riparian uses now claimed in the four California parks should be covered by appropriative filings because the State Engineer does not recognize riparian rights on unpatented land. If we have to make a lot of belated filings, we may also wish to change the point of diversion under Application 11947.

A. van V. Dunn
Chief, Water Resources Section

In duplicate

Attachment

Manbey

In reply refer to BFM
L54

December 20, 1954

Memorandum

To: Director

From: Regional Chief of Lands, Region Four

Subject: Annual Progress Reports on Water Use under Permits 3549 and 6872, Dockets 1 and 2, Yosemite National Park

Attached is copy of Superintendent Preston's memorandum of December 10 giving progress data on the above. Attention is called to Mr. Preston's concluding paragraph regarding a probable error in his assembly of Docket 2. The second copy of Permit 3549 is attached. Will you please mail him the missing copy of Permit 6872?

B. F. Manbey
Regional Chief of Lands

Copy to Yosemite

BFManbey/jd

RECEIVED
NPS, REGION FOUR OFFICE
DEC 13 1954

In reply refer to:
L54-L

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

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REG. DIR.		
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December 10, 1954

~~Landa~~ BFm 12/20
~~HILTON~~ 12/25

Wrote W.O. 12/20
BFm

Memorandum

To: Regional Director, Region Four

From: Superintendent, Yosemite

Subject: Annual Progress Reports on Water Use Under Permits 3549 and 6872, Dockets 1 and 2, Yosemite National Park

Mr. Dunn's memorandum of November 17 to you distributing the subject permits stated there was considerable question as to the continuing use of the Bishop Creek water. Further, Mr. Dunn stated there was a lack of information on pipeline extensions, increased water using facilities being provided, visitors using the area and facilities such as campgrounds, lodges, comfort stations and ranger stations which are being supplied from the Raynor Creek supply serving the Mariposa Grove area.

Since receiving Mr. Dunn's memorandum a check has been made of water supply established on a branch of Bishop Creek. This supply was originally established to serve a Blister Rust Camp which was active in this area until 1953. The summer of 1953 this camp was not operated due to the press of work in other sections of the park, but the camp was reopened this past summer and will be operated in the future. The water supply on the branch of Bishop Creek for the camp was abandoned in 1949 because late one fall the supply became inadequate, unsafe, and unfit for use. Water for this camp is now supplied from the overflow of the Chinquapin Ranger Station water supply on Indian Creek, and though there is little pressure it does appear adequate. There is nothing planned in the way of new developments for this area. Therefore, we believe it is reasonable to cancel water right application number 6872 for appropriation of water from Bishop Creek.

In the Mariposa Grove area there has been no increase in the water using facilities in the past few years. However, we do intend to make an extension to this pipeline with about three thousand feet of 2" pipe and install a storage tank. We cannot foresee at this time when this work will be accomplished, but it will be accomplished as soon as funds become available. The extension and storage tank will materially increase the demand on this system because it will supply water to the ranger station and Mariposa Grove and to a small public campground in the same location. At the ranger station we house approximately twenty people during the summer season and at the campground we provide approximately fifteen campsites which will accommodate about forty-five people. In the past year we had a total of 1,520 camps in this campground with a total use of 4,570 camper days.

The existing Mariposa Grove water system serves the Big Trees Lodge operated by the Yosemite Park and Curry Co., the public comfort station, a picnic area with drinking fountains and hydrants, and ten fire hydrants placed at various locations throughout the grove of Big Trees. This system also supplements the water system of the South Entrance Ranger Station late in the summer and in the fall because this system is inadequate.

The Big Trees Lodge has been completely rebuilt in the last two years and now has eight rooms for overnight accommodations, and also has the latest equipment throughout the kitchen, including a garbage disposal unit.

It is estimated by ranger personnel that approximately 350,000 people visited the Mariposa Grove area during the 1954 season.

In reviewing the progress reports accompanying Mr. Dunn's memorandum it appears that some error was made in assembling the report forms for transmittal to the field inasmuch as we received two forms for Application 6729, Permit 3549, Source, Raynor Creek, and none on Permit 6872, Source, Bishop Creek. In order to straighten out this apparent error, we are transmitting herewith one copy of the Permit 3549 so that you may complete your files in the event that you did not receive one of these progress reports. If, on the other hand, the assembly of your permits was correct, it will be appreciated if you will take this matter up with Mr. Dunn in order that our files may be made current.

John C. Preston
Superintendent

Attachment

Copy to: Western Office, Division of Design & Construction

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

In reply refer to:
L54-L

RECEIVED
NPS, REGION FOUR OFFICE
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X Manley	BFM	11/22
~~Helton~~		11-23

NOV 17 1954

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Section

Subject: Annual Progress Reports on Water Use Under Permits 3549 and 6872, Dockets 1 and 2, Yosemite National Park

Sent copies to Yosemite 11/22 BFM.

With copies of this memorandum, we are distributing copies of the annual progress reports under the subject permits, to be filed in the dockets. Copies are also being sent to the Western Office of Design and Construction.

The reports are practically the same as those for 1953 because of lack of information on any further construction. They indicate that there is continuing use of the water from incomplete water systems. There is considerable question as to the continuing use of the Bishop Creek water, and there has been no report since 1951 concerning the practicability of using the supply for the new Chinquapin Water System as planned. There is no question about the ultimate use of all water authorized at the Mariposa area, or of the increasing use now being made from year to year, but we lack information on pipeline extensions, increasing water using facilities being provided, and the number of visitors using the area, and the facilities such as campgrounds, lodges, comfort stations, and ranger stations.

Since the last extensions of time expire in December 1955, as shown on orders in the dockets, a concise statement of existing facilities, and the portion provided since 1950, should be prepared. We should also determine whether the Bishop Creek source is to be used permanently.

A. van V. Dunn
Chief, Water Resources Section

In duplicate
Attachments 2

Copy to: Western Office of Design and Construction

In reply refer to:
L54

~~Manbey~~ BFM
~~Merriam~~
12/1

November 30, 1953

Memorandum

To: The Director

From: Regional Director, Region Four

Subject: Annual Progress Reports - Water Rights Dockets Nos. 1 and 2, Yosemite

In compliance with Mr. Dunn's memorandum of October 16, with reference to Yosemite, Pinnacles, and Death Valley Water Rights, we have secured and now attach copy of Superintendent Preston's comments, dated November 25, as to the year's development progress on the above mentioned water rights in the Yosemite National Park.

It will be noted that Mr. Preston says there has been no development on these projects during the past year.

Incidentally, we believe it would be much less confusing to those of this staff handling water rights, our file room, and the park staffs, if each park could be treated separately in the water rights correspondence. The parks, particularly, cannot always be certain which part of the memorandum refers to their water rights and which to those of another park with which they may not be familiar.

(SGN) LAWRENCE C. MERRIAM

Lawrence C. Merriam
Regional Director

Attachment 1

Copy to: Supt., Yosemite

BFManbey:in

FILE COPY

In reply refer to
L 54

November 17, 1953

Manbey
D M

Memorandum

To: Superintendent, Yosemite

From: Acting Assistant Regional Director, Region Four

Subject: Annual Progress Reports - Water Rights Dockets Nos. 1 and 2, Yosemite

Attached are copies of the Annual Progress Reports for the above mentioned Water Rights. Also attached is copy of Mr. Dunn's memorandum of October 16 on the same subject, although portions of the memorandum have reference to Pinnacles and Death Valley Water Rights files.

It will be seen that Mr. Dunn wishes to have information supplied to him on any development work done on these water system projects, however small, so that he may so report them to the State.

FILE COPY

B. F. Manbey
Acting Assistant Regional Director

Attachments

Copy to: Director

B. F. Manbey:mb

In reply refer to:
L54-L

October 16, 1953

File in Yosemite-Water Rights

see 2nd page for Yosemite

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Branch

Subject: Annual Progress Reports--Water Rights at Pinnacles, Death Valley, and Yosemite

Attached are two copies each of progress reports submitted on rights recorded in Pinnacles Docket No. 1, Death Valley Dockets Nos. 1 to 7, and Yosemite Dockets Nos. 1 and 2, for filing in those dockets in your office and at the Park and Monuments.

I have found very little reference to improvements in the construction, maintenance, and rehabilitation programs, or in the Superintendents' monthly reports. I hate to think of adding another formal report to those now required of the Superintendents, but shall appreciate a summary of improvements, however small, which have been done on any water systems covered by California permits, either in the Superintendents' August reports, or in memoranda during September of each year. Where no work has been done, that should be stated.

In connection with the Cow Creek Water System, early reports after acquisition of the Nevares tract suggested that more than the authorized 0.446 second-foot of water would be available. A supplemental filing is needed to cover the additional appropriation if the right is to be based on appropriation, and not on riparian doctrine. Appropriative rights seem to be the only safe ones in Death Valley. It will be helpful to have records of total spring flow, at least as frequently as Mr. Peterson visits the Monument. We should also have better measurements of irrigated areas, and records of maximum numbers of employees and visitors served from the system each year, to determine whether we can make final proof on the 0.446 second-foot.

We should also know as soon as the concessioner or Park Service provides storage to permit full use of the daily flow at Wildrose Lodge, and the maximum number of employees, overnight guests, and transients served.

At Yosemite, I wonder whether the Bishop Creek System is still used, and whether the supply is adequate during the season when needed, to justify permanent development. We should also have reports on the developments and use in the Mariposa area by both concessioner and the National Park Service.

(SGD.) A. VAN V. DUNN.
A. van V. Dunn
Chief, Water Resources Branch

In sextuplicate

Attachments 20

Monterey BFm

UNITED STATES

DEPARTMENT OF THE INTERIOR Water Director BFm 2/5

NATIONAL PARK SERVICE

Yosemite National Park
California

January 23, 1951

Memorandum

To: Regional Director, Region Four

From: Superintendent, Yosemite

To file

Subject: Bishop Creek Water System for proposed Chinquapin Utility Area - Yosemite Deed 49, Application 11947, Permit ~~6072~~ 6972.

Receipt is acknowledged of the Annual Report on Water Development in the above water right.

The source of supply for the Blister Rust camp at Chinquapin failed to supply a sufficient quantity of water late in the season in 1948. However, this failure may be partially attributed to the fact that very little development work had been accomplished at the intake works, and 1948 was a particularly dry year. It is our belief that during years of normal precipitation the supply from Bishop Creek would be adequate for the Blister Rust camp provided the intake had been properly developed.

We appreciate the extension of time in order that we may have an opportunity to study the ultimate water supply for any proposed development for the Chinquapin utility area. When we have arrived at a final conclusion, we will forward a plan of the alternate and/or revised design in order that the water right may be amended if necessary.

Carl P. Russell

Carl P. Russell
Superintendent

NATIONAL PARK SERVICE
RECEIVED
JAN 24 1951
REGION FOUR OFFICE

12-28-1950: memorandum to regional director, region four from chief, water resources branch regarding bishop creek water syste

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

Mowbray BFm 1/4

In reply refer to:
L54 YOSE

Wrote Yosemite BFm 1/4

File in Yosemite Water Rights ← Deed No. 49

December 28, 1950

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Branch

Subject: Bishop Creek Water System for Proposed Chinquapin Utility Area, Yosemite National Park. Deed 49

Enclosed are two copies each of our request for extension of time and the State Engineer's order granting an extension of time until December 1, 1955, in which to complete construction and apply the water to complete beneficial use under Application 11947, Permit 6972, relating to appropriation of the waters of a nameless tributary of Bishop Creek for use at Yosemite National Park.

One copy of the request and of the order granting extension of time should be inserted in each of the assemblies of Yosemite Deed 49 in your office and at the Park.

A. van V. Dunn
Chief, Water Resources Branch

In duplicate

Attachments 4

NATIONAL PARK SERVICE
RECEIVED
JAN 2 1951
REGION FOUR OFFICE

Yosemite Water Rights

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA
180 New Montgomery Street

B/Fm Manbey Hill

December 1, 1950

Memorandum

To: Superintendent, Yosemite

From: Assistant Regional Director, Region Four

Subject: Bishop Creek Water System for proposed Chinquapin Utility Area - Yosemite Deed 49, Application 11947, Permit 6972

Attached are copies of Mr. Dunn's memo of November 3, letter of the same date from Mr. Dunn to the California Division of Water Resources, and 1950 Progress Report covering the above mentioned permit.

We would like your comments in regard to the several questions asked by Mr. Dunn.

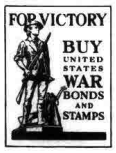
Sanford Hill
Assistant Regional Director

Attachments 3

Copy to: Director

BFManbey:fa

FILE COPY



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

In reply refer to:
L54 YOSE

November 3, 1950

NATIONAL PARK SERVICE
RECEIVED
NOV 30 1950
REGION FOUR OFFICE

Memorandum

To: Regional Director, Region Four

From: Chief, Water Resources Branch

Subject: Bishop Creek Water System for Proposed Chinquapin Utility Area-Yosemite Deed 49, Application 11947, Permit 6972

Enclosed are two copies each of our annual report on water development under the above water right and of our request for extension of time in which to complete construction. One copy of each should be filed in Deed 49 at your office and at the Park.

There have been reports that the source of supply had to be abandoned as inadequate for even the blister rust camp during one or more late summers. The Forestry Division also advises that there was no blister rust camp at Chinquapin during the past summer.

We have asked for the extension of time in order that you may give further study to the ultimate water supply for the Utility Area, or the relocation of the area with another source of water supply. However, if you arrive at final conclusions before the requested time limit, please send us a plan of the alternate or revised design in order that we may amend the water right if necessary.

In this connection, if you decide to divert water from a stream and return the sewage to the same drainage within the Park, no water right will be needed, but we should have a map showing such conditions.

A. van V. Dunn
Chief, Water Resources Branch

In duplicate

Attachments 4

Yos. Water Systems

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

JAN - 6 1949

MEMORANDUM for the Regional Director, Region Four.

In your memorandum of November 12 you call our attention to the fact that we have filed applications with the State Engineer of California for the appropriation of water at Yosemite National Park and obtained Permits Nos. 3549 and 6972, while our letter of July 14 to the State Engineer informed him that we question his jurisdiction to approve applications for water rights within Kings Canyon National Park because of the cession of exclusive jurisdiction by the State under the act of the State Legislature of April 7, 1943 (Sec. 119 of the Government Code of California). You request an explanation of this apparent inconsistency.

O.K.

Permit No. 3549 was granted on our application to appropriate the waters of Raynor Creek, outside of Yosemite National Park, for use within the Park. There is no question of the State Engineer's jurisdiction to grant this permit for diversion outside of the Park.

Permit No. 6972 was granted on an application, No. 11947, to divert waters of a tributary of Bishop Creek, in Yosemite National Park, and return the water to Indian Creek. The two streams are tributary to the South Fork and the main branch of the Merced River, respectively. The two branches do not unite until each has flowed a considerable distance outside of the Park. Present or potential water users on the South Fork, outside of the Park, will be denied the use of the water diverted by the Chinquapin Water System when, or if, the system is extended to include possible sewage disposal in the Indian Creek drainage (main branch of the Merced River).

In this case, the United States has used the appropriative procedure to facilitate water right administration outside of the Park by the State Engineer. There is some question in our minds as to whether Application No. 11947 should not have been prepared as an informatory statement, if acceptable to the State Engineer. In any event, a qualification of the State jurisdiction within the Park would probably be made in any new application of the same nature.

In the case of other water diversions in Yosemite National Park, such as the Valley Water System, where diversion, use, and return flow are all within one drainage in the Park, we have been careful not to file any applications with the State Engineer.

Applications Nos. 12499, 12500, and 12501, by the City of Los Angeles, cover some hydroelectric projects which would be entirely within Kings Canyon, and some with diversions within and return flow outside of the Park, but in each case the return flow would be so close to the Park boundary that no water user outside of the Park would appear to be affected. In addition, there are no recorded rights to the use of the water between the proposed diversions and the proposed points of return flow, which were initiated prior to establishment of the Park, which could be construed to establish a vested right under State law before the Park was established. For these reasons, it does not appear that our letter of July 14 is inconsistent with our other actions.

Associate Director.

In duplicate.

cc: Regional Director, Region One.
Regional Director, Region Two.
Regional Director, Region Three.

Water Rights
Yosemite

~~Hehl~~ ~~Lutt~~
McClellan
~~Manbey~~ BFM
~~Boyle~~ BFM

180 New Montgomery St.

April 8, 1948.

MEMORANDUM for the Superintendent, Yosemite.

Attached for your files is one complete Water Right Assembly together with one copy of land form NPS-L-1 for Deed 49, Application 11947, Permit 6972 for the appropriation of the waters of a tributary of Bishop Creek in the Yosemite National Park.

There is also enclosed copy of Mr. Dunn's memorandum of transmittal dated March 26. Mr. Dunn, it will be seen, requests that the Director's office be kept posted as to subsequent actions relating to the installation.

FILE COPY

Herbert Maier,
Associate Regional Director.

Enclosure 2470607

cc: The Director.

BFM/ew

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
~~CHICAGO, ILLINOIS~~
Washington 25, D. C.

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

MAR 30 1948
ROUTING | DATE
Hoyt Sea
Mar 3/8
Wyatt 3/8

March 26, 1948.

MEMORANDUM for the Regional Director, Region Four.

The enclosed assembly of Yosemite National Park Deed 49, and related form L-1, in duplicate, constitute the records of the appropriation of the waters of a tributary of Bishop Creek for the Chinquapin Blister Rust Camp under Application 11947, Permit 6972. One copy should be filed in your office and the other at the Park.

Further water right procedure seems to depend on whether the source of supply will be used. The inadequacy of the supply last summer, and this year, is not a sound basis for final decision, but should be fully considered. Please keep us posted, from time to time, on your action and plans relating to the installation.

A. Grant Dunn
Chief, Water Resources Branch.

Enclosure 162.
In duplicate.



Yosemite
CCO-18

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Yosemite National Park
California

JUL 28 1947
ROUTING | DATE
RHH 7/28

July 25, 1947.

MEMORANDUM for the Director.

Reference is made to Acting Assistant Chief of Development Monteith's memorandum of July 21, enclosing notices of application to appropriate water under Application No. 11947 for the Chinquapin Utility Area.

Two copies of the notice were posted on July 24, 1947.

One copy of the notice with the executed Affidavit of Posting Notice was sent to the Division of Water Resources, Department of Public Works, Sacramento, on July 25.

Enclosed is a copy of the executed Affidavit of Posting Notice for your use.

Frank A. Kittredge,
Superintendent.

Enclosure.

cc: Regional Director, Region Four. ✓

Yosemite 66004

JUL 21 1947

ROUTING		DATE
	LCH	7/24

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

54

July 28, 1947.

AIRMAIL

MEMORANDUM for the Superintendent, Yosemite.

Reference is made to our memorandum of May 22 for the Regional Director, Region Four, and letter of May 22 to the Division of Water Resources of the State of California, both relating to application for the appropriation of water tributary to Bishop Creek for use in Yosemite National Park. Our letter to the Division of Water Resources requested that notice of application be sent directly to you for posting.

We are now in receipt of three copies of the notice of application which appear to have been sent inadvertently to this Office instead of directly to the Park, and are forwarding them to you with this memorandum for your prompt attention, inasmuch as posting is required on or before July 25, 1947. Please post two copies of the notice and return one copy with the executed affidavit to the Division of Water Resources, Department of Public Works, Sacramento.

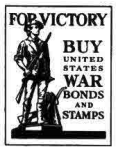
We have made copies of the notice of application for the various deed assemblies. Enclosed is an extra copy of the affidavit of posting notice, which it is requested that you fill in with the information, signatures and dates as contained in the original filed with the Division of Water Resources, and return to this Office for our use in making copies for the deed assemblies.

(SGD.) C. D. MONTEITH

Acting Assistant Chief of Development.

Enclosure 826.

cc: Regional Director, Region Four.



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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

54

MAY 26 1947
REGION FOUR
X Hoht RWH 5/26

May 22, 1947.

MEMORANDUM for the Regional Director, Region Four.

We enclose two copies of a memorandum of transmittal with which we are filing an application for the appropriation of water for the Chinquapin Water System at Yosemite National Park, as corrected and returned with Mr. Maier's memorandum of April 10. Notices, with instructions for posting, will be sent directly to Superintendent Kittredge.

We assume that there will be no requirement to publish the notice in a newspaper because less than 3 second-feet of water are involved. However, if such procedure is prescribed, Mr. Kittredge should obtain the signature of an officer of the newspaper, on a blank voucher, and send it to us with a separate statement of charges, so that it can be paid from water rights funds. So far as possible, we should like to obtain such a bill before June 30 in order to obligate this year's funds.

Acting Director.

Enclosure 579.
In duplicate.

FOR VICTORY
BUY UNITED STATES WAR BONDS AND STAMPS

FILE COPY

Yosemite 660-05

5

601 Sheldon Building

May 26, 1947.

MEMORANDUM for the Superintendent, Yosemite.

Enclosed, herewith, is a copy of a memorandum from the Director's Office dated May 22, together with a copy of a memorandum of transmittal of the same date, to the California State Supervising Hydraulic Engineer in regard to the appropriation of water for the Chinquapin Water System at Yosemite.

Please note the second paragraph of the memorandum of May 22 to us from the Director, and take whatever appropriate action is necessary to comply with the requirements.

(SGD.) H. MAIER

Herbert Maier,
Associate Regional Director.

Enclosure 829.

LLH:rw

DI-19
(Approved July 1942)

ENCLOSURE 579

DEPARTMENT OF THE INTERIOR

GPO 16—30424-1

NITED STATES
ENT OF THE INTERIOR
ONAL PARK SERVICE
HICAGO, ILLINOIS
54

May 22, 1947.

Mr. Gordon Zander,
Supervising Hydraulic Engineer,
Division of Water Resources,
Department of Public Works,
Sacramento, California.

My dear Mr. Zander:

The accompanying application for the appropriation of waters tributary to Bishop Creek, for use in Yosemite National Park, is to establish priority for interbasin diversion between two branches of the Merced River which do not unite for a number of miles below the park boundary.

While the immediate temporary system can be classed as a riparian diversion and use, we wish to establish the right to return all, or any part of the water to the drainage on the opposite side of the divide, if that proves desirable when the larger permanent installation is made. We plan to prove full use of the designated quantity of water and obtain a certificate on the basis of the temporary system, whose capacity is adequate, during the remainder of this year. The permanent installation can then be made at our convenience, with larger pipe only to provide better fire protection.

Please send the notice of appropriation, for posting, to the Superintendent, Yosemite National Park, with a copy to this Office. Return the permit and send all further communications to this Office unless a time limit will not permit the proper local action after forwarding from here. All bills should be sent to this Office for payment. We shall appreciate copies of any local correspondence which may result.

A voucher for $5.00 to cover the fee for filing the application is enclosed. This should be signed on the line indicated by penciled cross, and returned for payment, if the United States must pay such fee.

Sincerely yours,

(SGD) HUGH M. MILLER

Hugh M. Miller, Jr.,
Acting Director.

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

Enclosure 578.
cc: Regional Director, Region Four (2).

Granet 660-14

McLaughlin
Crawley

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601 Sheldon Building

April 10, 1947.

MEMORANDUM for the Director.

In compliance with Acting Director Tolson's memorandum of March 21 to this office, and our transmittal memorandum of March 25 to the Superintendent, Yosemite National Park, there are enclosed a copy of the Superintendent's self-explanatory memorandum of April 7 and its attachments, furnishing the additional data required in connection with the Chinquapin Water System. This office has retained one copy of sketch map NP-Yos.-5533 showing the Blister Rust Control Camp and Water and Sewer System.

(SGD) HERBERT MAIER
Herbert Maier,
Acting Regional Director.

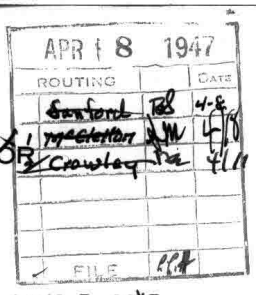
Enclosure 553.

cc: Superintendent, Yosemite.

vjc

FILE COPY

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Yosemite National Park
California



April 7, 1947.

Ans. to Dir. 4-10

MEMORANDUM for the Regional Director, Region Four.

As requested in Associate Regional Director Herbert Maier's memorandum of March 25, the following drawings and application form regarding the Chinquapin Water System are enclosed:

1. Drawing No. NP-Yos-6950, Chinquapin Water System.
2. Form 1. Division of Water Resources, Application to Appropriate Unappropriated Water.
3. Three black line prints of Drawing No. NP-Yos-5533, Sketch Map, Chinquapin Blister Rust Control Camp - Water and Sewer System.

Please note that Item 4 in the Application to Appropriate Unappropriated Water has been changed from SW¼ NE¼ to NW¼ NE¼.

The temporary installation for the Blister Rust Control Camp, using two inch pipe from the dam to the camp area, was completed in March, 1947.

Frank A. Kittredge,
Superintendent.

Enclosure.

Yosemite 600-05

[illegible] Ian

Holt C.E.H

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601 Sheldon Building

March 25, 1947.

MEMORANDUM for the Superintendent, Yosemite.

Enclosed is a copy of a memorandum from Acting Director Tolson regarding the status of Federal rights to use water in the Chinquapin area of Yosemite National Park, requesting more information with regard to the temporary water system being installed for the Blister Rust camp.

The memorandum states that the priority established at this time may be sufficiently important to justify an application for appropriation of water even though the place of immediate use does not. It is requested in the memorandum that the copy of the application and drawing NP-Yos.-6950 be returned to the Director's Office with any suggestions or modifications you care to make regarding the ultimate water claim described therein. It is further requested that a plan of temporary installations now being made showing the point of diversion and the area to be occupied by the Blister Rust camp be sent to the Director's Office in order that it may determine the possible water right needs.

We are enclosing herewith the copy of the application to appropriate unappropriated water which you forwarded to this office with your memorandum of February 20. The drawing NP-Yos.-6950 referred to in Mr. Tolson's memorandum we assume is in your office.

(SGD) HERBERT MAIER

Herbert Maier,
Associate Regional Director.

Enclosure 538.

SM:vjc

FILE COPY

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

54

MAR 24 1947

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Hosbel	RAH	3/24
McHenry	RAH	3/26
Hosbel	Dunn	3/31
Hoyle	RAH	4/1
FILE		

March 21, 1947.

MEMORANDUM for the Regional Director, Region Four.

Mr. Maier's memorandum of March 10 relating to the status of Federal rights to use water in the Chinquapin area of Yosemite National Park cannot be answered completely until we receive more information with regard to the temporary water system being installed for the Blister Rust Camp. The fact that the temporary system is to be entirely in one drainage while the ultimate system will constitute interbasin diversion and disposal does not alter the situation particularly. The priority established at this time may be sufficiently important to justify an application for appropriation of water even though the place of immediate use does not.

As pointed out in my memorandum of January 29, the question of exclusive jurisdiction is not applicable to the ultimate system. It is also impossible to establish a general rule which would always be applicable to water systems within a park. While we have made few appropriations of water for the systems within Yosemite, it is still possible that such filings may be required if diversions should be made by others in such a manner as to need a clarification of the rights, and to prevent potential conflict. The water right we initiated for the Mariposa Grove Area, and the rights we acquired with the land in the Wawona Area, are two examples of important existing rights.

Please return the copy of the application and drawing NP-YOS-6950, which were sent to you with Mr. Dunn's memorandum of December 27, with any suggestions or modifications you care to make regarding the ultimate water claim described therein. In addition, please send us a plan of the temporary installation now being made, showing the point of diversion and the area to be occupied by the Blister Rust Camp, in order that we may determine the possible water right needs.

Hillory A. Tolson
Acting Director.

In duplicate.



Yosemite
660-05

McKee
~~Crowley~~ R.H.
~~Doing~~ T.C.
~~Haight~~ RH

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601 Sheldon Building

March 10, 1947.

MEMORANDUM for the Director.

Enclosed herewith is a memorandum from Superintendent Kittredge, of February 20, in which he states that in his opinion it is unnecessary to file application for appropriative water rights at this time for the proposed Chinquapin utility area since the water to be used by the temporary blister rust camp will not be diverted into a different water shed and it is uncertain when the construction of the utility area may be undertaken.

Upon receipt of Superintendent Kittredge's memorandum some investigation was made by this office as to the necessity for filing application for appropriative water rights, and we are inclined to agree with the position taken by the Superintendent.

In a memorandum for the Director written by Regional Attorney Joseph E. Taylor, January 11, 1940, commenting upon the report prepared by Hydraulic Engineer A. Van V. Dunn entitled "The Water Rights Influence on National Park Service Water Systems," the following paragraph appears:

> "The only major addition from the standpoint of the law which I should perhaps mention is the fact that, in stating conclusions upon matters affecting water rights, I and the other members of the legal branch who cooperate in the water rights survey take into consideration and apply different rules to cases in which exclusive jurisdiction of the area under discussion has been ceded to the United States. In this connection, it might be well to begin consideration of the possibility of establishing special rules and regulations covering the appropriation or use of water within the areas over which exclusive jurisdiction has been ceded."

Unfortunately Mr. Taylor did not state to what extent different rules were applied in areas over which the United States has exclusive jurisdiction but the quoted paragraph suggests that he did not think the laws of the State relative to water rights were fully applicable in such areas. In fact, it would seem that when the Federal Government has full sovereignty over an area, State water right laws--except for vested rights at the time of the creation of the park--would have no application to diversions within the area from streams whose sources are under the exclusive jurisdiction of the United States. In reaching this tentative conclusion, Revised Statutes 2339, 2340; 43 U.S.C.A. 661, and the opinion of Assistant Attorney General Campbell of September 5, 1903 (32 L.D. 254) were considered.

Of course, the question of policy and the precedents we have established must also be considered. According to the records in the State of California Division of Water Resources, there have never been any filings made by the Federal Government or anyone else for water rights within Yosemite National Park. Can our diversions in the area be challenged in the courts, or must the adjustment of any water right problems arising by reason of Federal use be by agreement between the Federal and State governments?

Your views and recommendations in connection with this matter will be appreciated.

Incidentally, the State of California Department of Public Works, Division of Water Resources, State Engineer, has put out a pamphlet entitled "Rules, Regulations and Information pertaining to Appropriation of Water in California (1946)." If you do not already have this pamphlet, which also contains pertinent code provisions, you may wish to order it.

(SGD) HERBERT MAIER
Herbert Maier,
Acting Regional Director.

Enclosure 888.

cc: Superintendent, Yosemite.

SM:vjc

UNITED STATES

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE
Yosemite National Park
California

FEB 21 1947
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McClellan
Lee
FILE NP 3-10

February 20, 1947.

MEMORANDUM for the Regional Director, Region Four.

Reference is made to your memorandum of February 6, enclosing memorandum of January 29 from Acting Director Miller regarding water rights application for the proposed Chinquapin Utility Area.

As previously pointed out, water will be diverted for a temporary Blister Rust camp now under construction in the immediate vicinity of the proposed Utility Area site.

The Blister Rust camp is being constructed south of the proposed Utility Area so as not to interfere with the proposed utility building site. The camp is located on or just south of the divide in such a manner that the water system, including sewage disposal system, has a return flow within the Park boundary to the same nameless tributary of Bishop Creek from which diversion will be made.

It is, therefore, considered unnecessary to file application for an appropriative water right at this time, since water to be used by the temporary Blister Rust camp will not be diverted into a different water shed, and it is uncertain when construction of the Utility Area may be undertaken.

The copy of Application To Appropriate Unappropriated Water, sent with Mr. Dunn's memorandum of December 27, 1946, is returned herewith.

Frank Kittredge

Frank A. Kittredge,
Superintendent.

Enclosure.

Yosemite 660-04

yfs for mcs

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601 Sheldon Building

February 6, 1947.

MEMORANDUM for the Superintendent, Yosemite.

Enclosed for appropriate action is copy of a memorandum of January 29 from Acting Director Miller regarding plans for the construction and use of a water system at the proposed Chinquapin Utility Area.

(SGD) O. A. TOMLINSON

O. A. Tomlinson,
Regional Director.

Enclosure 514.

vjc

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

FEB 3 1947
ROUTING | DATE
McClellan | 2-6

January 29, 1947

MEMORANDUM for the Regional Director, Region Four.

Reference is made to Mr. Maier's memorandum of January 10 with enclosure from Superintendent Kittredge with regard to the plans for the construction and use of a water system at the proposed Chinquapin Utility Area of Yosemite National Park.

Mr. Kittredge questioned the need for an appropriative water right since the State has ceded exclusive jurisdiction over the Park area to the United States. The water right procedure, in this case, is governed by the status of Bishop Creek, and land along its shores, between the Park boundary and the confluence of Bishop and the Merced River in Section 20, T. 3 S., R. 19 E., M.D.M. This land is not in the Park and the question of exclusive jurisdiction within the Park is not applicable.

Whether the United States had exclusive jurisdiction or not, there would be no need for an appropriative water right if the water system, including sewage disposal system as means of return flow, were in the drainage of the same stream, and if there were no private lands along the stream between the point of diversion and the point where most of the effluent from the sewage disposal plant filtered or percolated back into that stream. These conditions are not met in this case for the reason that the water is diverted from Bishop Creek, and the return flow sewage is discharged into Indian Creek which does not unite with Bishop Creek for a distance of nearly 11 miles, and then as part of the flow of the main river.

The proposed Chinquapin Water System does need an appropriative water right, because any landowner on Bishop Creek and the South Fork of the Merced River, below the Park boundary and above the point where the sewage, or return flow, again enters through the main river, in Section 20, T. 3 S., R. 19 E., M.D.B. & M., will be denied his riparian right to the use of the water diverted by that water system. Since the water is diverted in Bishop Creek drainage and used and released in Indian Creek drainage, it is not a riparian use.

Since a temporary diversion is to be made for a Blister Rust Camp this summer, we can use that installation as the beginning of construction. On that basis, we should now file the application, as



amended from the data in Mr. Wosky's memorandum of December 4, 1946, for you, if the application is satisfactory to you, in order to profit by the earliest possible date of priority. The only requirements to preserve that priority will be that the construction of the temporary system start within about one year from the date the application is filed, and that some use will be made of the water at least once in any 5 years. We understand that the Blister Rust Camp is now being installed for use this summer, and that the temporary water system will be installed within a few months.

For this reason, please return the copy of the application sent to you with Mr. Dunn's memorandum of December 27, 1946, with any further changes which seem desirable, or an indication of your approval of the claim. It is not necessary to suggest a change to cover the smaller diameter of pipe to be installed first, as we can cover that in the letter by which we send the application to the State Engineer.

Acting Director.

In duplicate.

Yosemite
600-04

FILE COPY

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601 Sheldon Building

January 10, 1947.

MEMORANDUM for the Director.

Enclosed, herewith, is a copy of Superintendent Kittredge's reply to Mr. Dunn's questions concerning water appropriation for the Chinquapin Utility Area in Yosemite National Park. Mr. Dunn's memorandum bears the date of December 27, 1946.

(SGD.) H. MAIER

Herbert Maier,
Acting Regional Director.

cc: Supt., Yosemite.

LLH:rw

Yosemite
660-05

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Yosemite National Park
California

JAN 9 1947

ROUTING		DATE
~~Hold~~	R.G.H.	1/9
~~Return~~		1/9
McCarthy Jan		1/10
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✓ FILE	R.G.H.	1/10

January 7, 1947.

MEMORANDUM for the Regional Director, Region Four.

Reference is made to your memorandum of December 30, 1946, and to Mr. Dunn's memorandum of December 27, 1946, concerning a water system for the proposed Chinquapin Utility Area.

It is true that project U-14-2 is in low priority and will probably remain in that position for some time as we have many more important projects to accomplish. However, the picture has been altered considerably since that project was submitted by the fact that we are constructing a temporary Blister Rust camp on the site of the future utility building and it is necessary to install a water pipe line to serve this development at once. The cost of the line will be part of the camp cost and is not included in the PCP. Likewise the PCP priority for U-14-2 will have no effect on the Blister Rust project.

The line which we plan to install immediately will be of salvaged 2" pipe and will have to be replaced by a 4" line when the utility area is developed in the future.

As for the application for the appropriation of water, it seems to us to be unnecessary as the State of California has ceded exclusive jurisdiction over Yosemite National Park to the Federal Government. We can understand the reason for the permit covering the Mariposa Grove water system since the source of that system is outside the park; and, of course, we have to comply with State laws. As precedence for our conclusion, we could cite the numerous water systems throughout the park for which no permits exist and no questions have been raised. We would suggest, therefore, that the question of whether a permit is necessary for a system wholly within the park be given thorough consideration before the application is filed with the State.

If it is found a permit is necessary, we would suggest that the application be revised to cover only a 2" line to serve a Blister Rust Camp as we know the project for the proposed Utility Area will not materialize for some years.

Frank Kittredge

Frank A. Kittredge,
Superintendent.

~~HOHL~~ P.H.H

Yosemite 660-08

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
REGION FOUR
SAN FRANCISCO, CALIFORNIA
601 Sheldon Building

December 30, 1946.

FILE COPY

MEMORANDUM for the Superintendent, Yosemite.

Herewith are enclosed single copies of a memorandum from A. Van V. Dunn, Chief of Water Division, together with copy of application for appropriation of water for Chinquapin Utility Area and copy of drawing NP-YOS-6950.

Please note Mr. Dunn's questions. Also please keep us informed as to your action in view of the questions at the end of Mr. Dunn's memorandum.

(SGD.) H. MAIER

LLH:bk

Herbert Maier,
Associate Regional Director.

Enclosure 332.

cc: Director.

Jeanmate 660-05

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

DEC 30 1946
ROUTING | DATE
Holt RPH 12/30
FILE R.P.H. 12/30

December 27, 1946.

MEMORANDUM for the Regional Director, Region Four.

We enclose a copy of an application for the appropriation of water for the Chinquapin Utility Area of Yosemite National Park, including a print of drawing NP-YOS-6950 which will accompany it. Please indicate either your approval of the claim or alterations which you recommend.

We note that the project U-14-2 now has a low priority, which implies that funds for construction may not be provided for some years. The State Engineer usually grants the permit with the provision that construction will start within one year. The question arises, therefore, as to whether any part of the construction has already been started, whether you propose to raise the priority in the near future, or whether we should defer the actual filing of the application for a year or so.

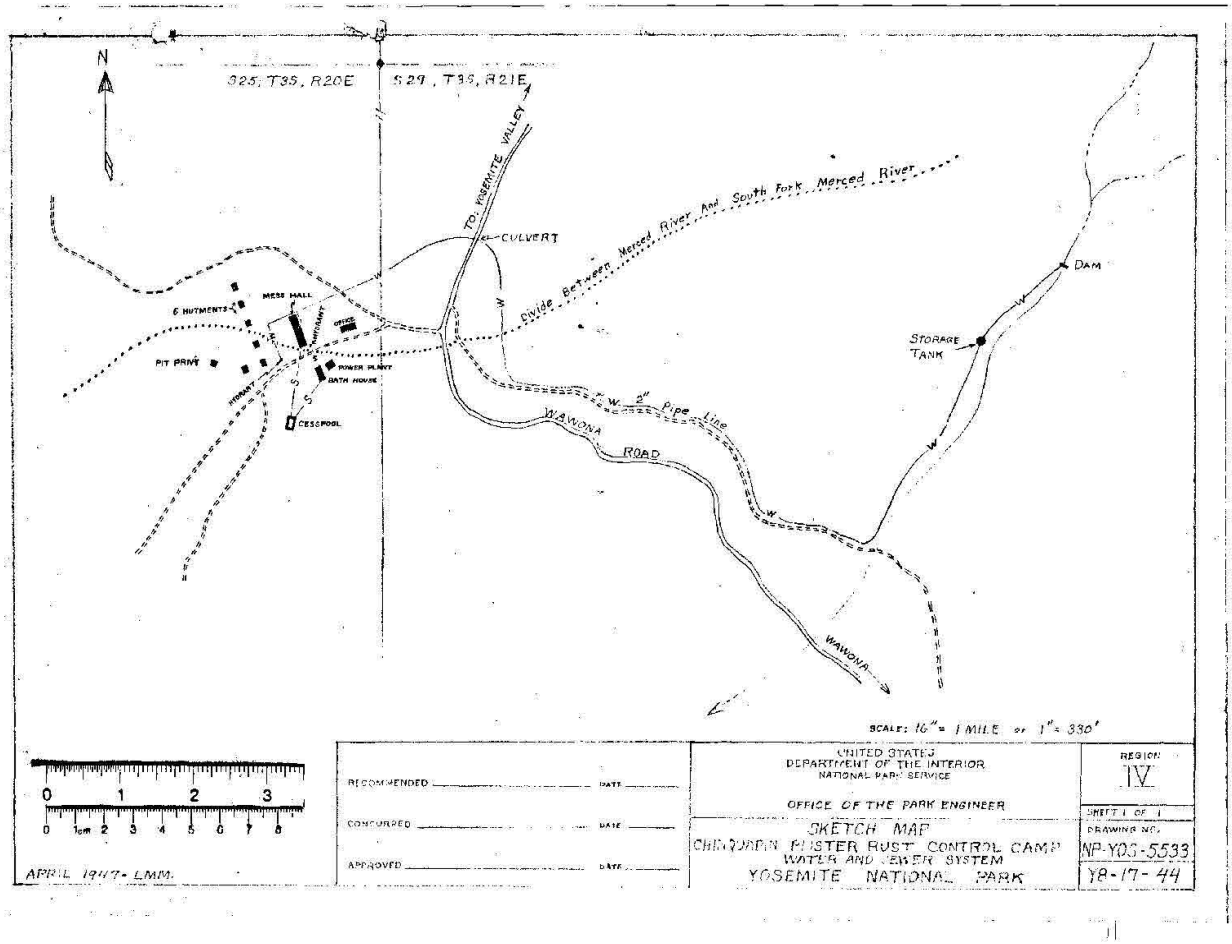
A. van Deusen
Chief, Water Division.

Enclosure 487.
In duplicate. No! single copy only
Jeansmitted to Yos. 12/30/46 R.P.H

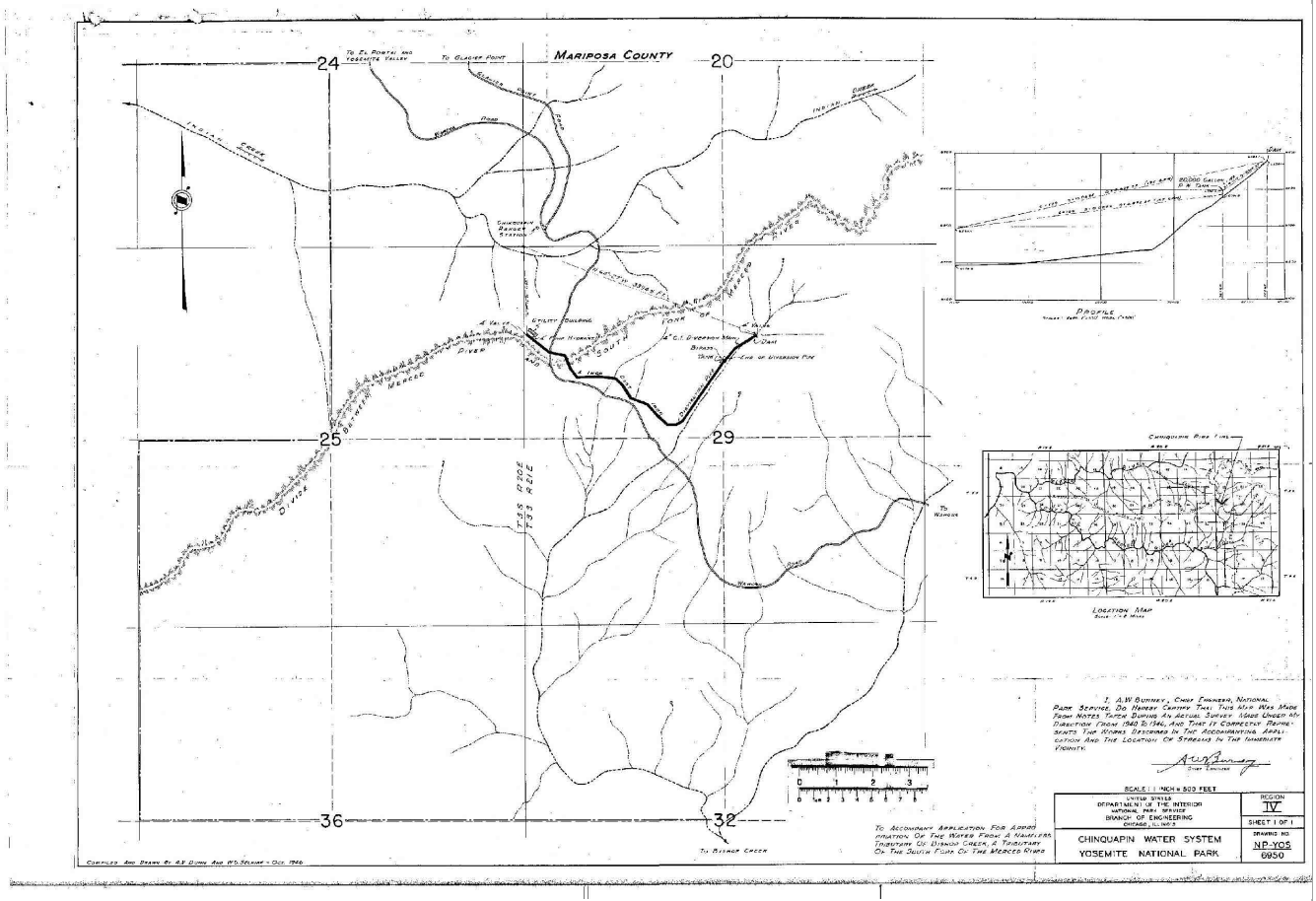
FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

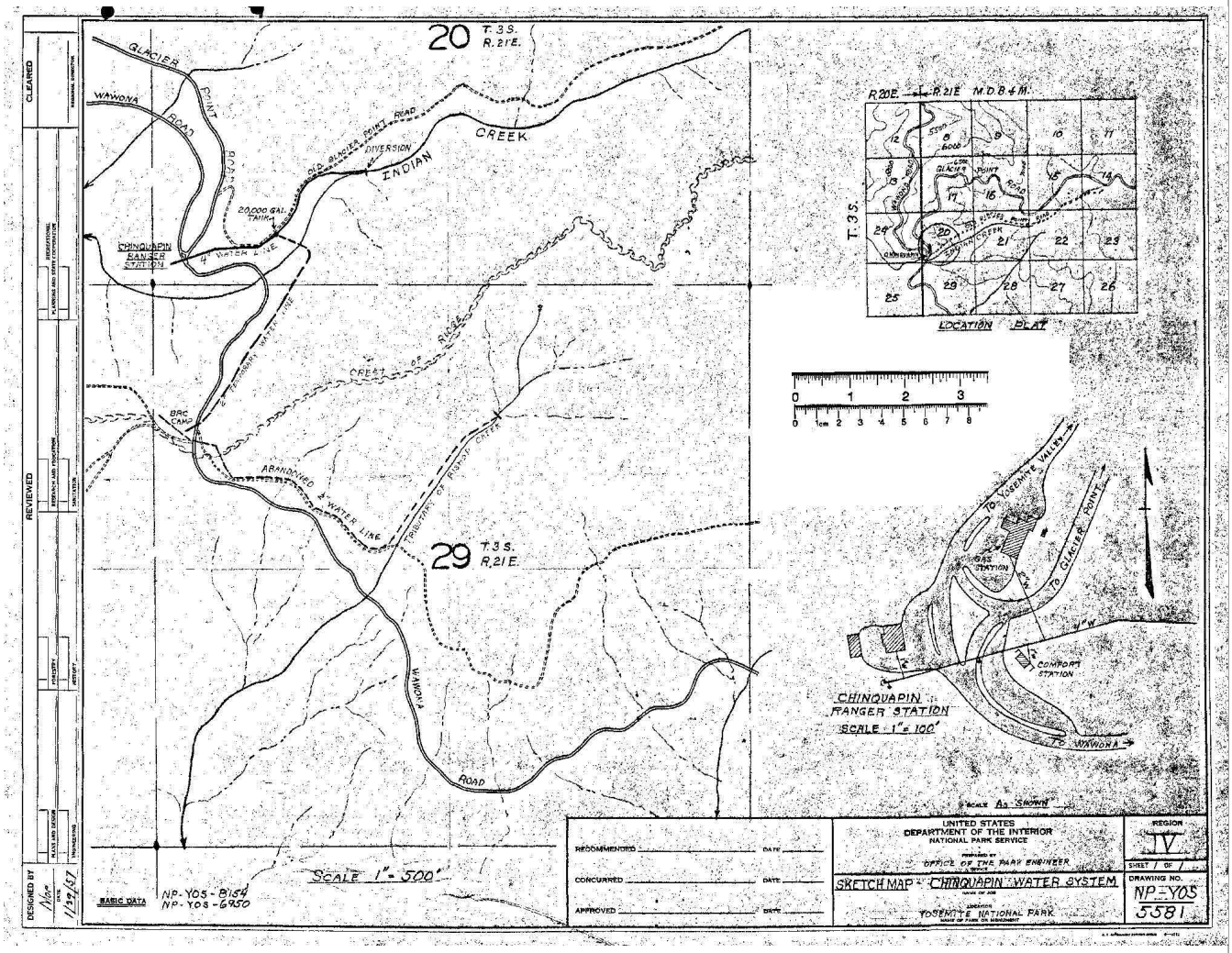
Maps and Miscellaneous Information

04-00-1947: sketch map water and sewer system of ruster rust control camp np-yos-5533



10-00-1946: map chinquapin water system np-yos 6950





Docket Information

Number of Documents in Docket 123

Documents Dated from 10/15/1946 to 5/23/1979

Docket Compiled: 7/29/2011