



WATER-RIGHT DOCKET

Yosemite National Park

Docket No: 26

RUSH CREEK, WAWONA AREA

Preliminary Docket Information

07-03-1996: notes to the file

NOTES TO THE FILE

YOSE

Docket 003 Washburn Ditch, Wawona
Docket 026 Rush Creek, Wawona
Docket 027 Alder Creek, Wawona
Docket 028 Big Creek, Wawona
Docket 029 Chilnualna Creek, Wawona

July 3, 1996

The primary water supply for Wawona is from the South Fork Merced River, via pipeline. Pre-1914 appropriative rights may apply to the NPS's current diversion. These are documented in YOSE Docket 003. The NPS may or may not have acquired additional appropriative rights in the Wawona area. These are documented in YOSE Dockets 26-29. Papers common to Dockets 003 and 026-029 are filed in Docket 003.

Alice Johns
Hydrologist
Water Rights Branch
Water Resources Division

Book 2 of Water Rights - Mariposa County
Page 237

Notice of Appropriation of Water

The Undersigned Gives Notice to All Whom it May Concern:

1. That I claim the water flowing here to the extent of 20,000 inches measured under a four-inch pressure.
 2. That the purposes for which I claim it are for irrigation and all household and domestic purposes, also for electrical appliances and for all power purposes and public uses.
- And the place of intended use of said water is at Wawona at the intersection of Rush Creek and South Fork of the Merced River and in that immediate neighborhood in the County of Mariposa, State of California.
3. That I intend to divert it by a flume pipe and ditch in size of sufficient capacity to divert and conduct said water.

Dated May 24th, 1905.

John S. Washburn,
Claimant.

Filed for Record at the Request of John S. Washburn, May 29
A. D. 1905, at 7 min. 9 o'clock A.M.

F. A. Bondsdu,
Recorder.

Book 2 of Water Rights - Mariposa County
Page 133

Claim of Water Right

Notice is hereby given to all whom it may concern: That we, the undersigned claim the waters of Rush Creek and its tributaries, estimated at 500 inches, miners measurement, and that the purposes for which we propose to claim and appropriate said stream and its tributaries are for milling, manufacturing, agricultural, viticultural and domestic purposes and for such other purposes as we may desire to use the same, together with as much of the land, earth, rock and timber adjacent as may be necessary to construct dams, ditches and flumes in order to utilize the said Rush Creek and its tributaries. The point on Rush Creek at which said claim commences is on the Northern boundary of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, T 4 S, R 21 E, thence running Southerly and South Westerly through lots 1, 2, 3, and W $\frac{1}{2}$ of lot 6, Section 4, Township 5 S, R 21 E, M. D. M. Said Claim is further described as being about 1 $\frac{1}{2}$ miles Westerly from Wawona, in the County of Mariposa, State of California, and shall be known as the "Rush Creek Water Right."

Wawona, Mariposa Co.
May 21, 1888

James H. Lawrence
A. H. Washburn
Locators

Recorded at request of James H. Lawrence, May 24th,
A. D. 1888 at 45 mins. past 6 o'clock P.M.

Maurice Newman
County Recorder

Other Supporting Information

Yosemite 660-08

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Tomlinson 6/21
Maule 6/21
Crowley 6/21
Spalding 6/21
cc Director 6/21/50
182

Yosemite National Park
California

Memorandum

June 20, 1950

To: Regional Director, Region Four

From: Superintendent, Yosemite

Subject: Water rights Camp A. E. Wood, Wawona area

Maule 6/21
To file 6/26
Yosemite
Water Rights

An investigation was undertaken to ascertain any pertinent facts that would be of assistance in answering the questions asked in Mr. Dunn's memorandum of February 17.

Several old timers in Mariposa County were interviewed in an endeavor to determine what physical improvements were made on the Rush Creek site, and we were informed that no improvements had ever been made.

A Mr. Jack Davis, 72 years of age, came to the Wawona area in 1910, and he is mentally alert for his years. He informed us that he never remembers seeing any physical developments at Rush Creek.

Mr. Henry Skelton, an old time ranger in Yosemite, 80 years of age, worked at the Wawona area as early as 1887, and his brother, Al Skelton, 75 years of age who came to Wawona area in 1892, were both quite positive in their statements that no work was ever accomplished on the Rush Creek site. Both of these men are keen mentally for their years, and we are convinced that their memories are reliable.

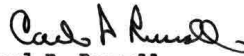
Mr. John Lawrence, a man 82 years of age, was interviewed and he informed us that he spent several years in the Wawona area prior to 1888 and also several years thereafter. Mr. Lawrence was emphatic in his statement that no work was ever done on the development of water rights on Rush Creek. He, too, is quite active and mentally alert for his years.

Mr. Bert Bruce, who is 72 years of age, worked as a civilian clerk in Camp Wood during 1900 when B and F troops of the Sixth Cavalry were stationed there. He has no knowledge of the Elsie M., Bob and Lank, and Anna L. mining claims. He advised us that Camp Wood received its water from



a spring located in a draw across the Wawona road. This location was substantiated by Mr. John Lawrence. Mr. Bruce does not recall ever having seen the water improvements listed in the confidential letter mentioned in Mr. Dunn's memorandum. If a hydraulic ram ever had been used, he felt sure he would have known about it. Mr. Bruce was confident there were no water developments on Rush Creek. He had been up this creek many times on fishing trips and does not recall observing developments of any kind.

In view of the statements made by these old timers who resided and worked in the immediate vicinity of Rush Creek, we are doubtful that any developments were ever made there. These men also have no recollection of any active mining claims in the area for which water was ever diverted for use in the development of mining claims.


Carl P. Russell
Superintendent

March 6, 1950

Statement Relating to Mining Claims

These mining claims, including Camp A. E. Woods, are appurtenant to the South Fork of the Merced River, and the improvements at the time of Federal acquisition included one or more water systems as listed on page 5 of item III-B-1-b. No mention is made of recorded (appropriative) water right, but James H. Lawrence and A. H. Washburn filed a claim to 500 inches of Rush Creek, on the opposite side of the river nearby, on May 24, 1888, at page 133 of Book 2 of Water Rights of Mariposa County with priority of May 21, 1888 (item I-B-1-a). Further investigation is needed to determine whether there is any connection and whether the filed claim or a riparian diversion is still made.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch



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

In reply refer to:
L54 YOSE

Monte BFM 2/25
Write Supl BFM 2/25
February 17, 1950

Memorandum

To: Regional Director, Region Four
From: Chief, Water Resources Branch
Subject: Water Rights at Camp A. E. Woods in Wawona Area,
Yosemite National Park

Camp A. E. Woods seems to be on the Elsie M. mining claim which was acquired with the Wawona Hotel tract. The deed to the Wawona Hotel Company includes the land and appurtenances, and the confidential letter of September 1, 1932, to the Chief of the Field Division, General Land Office, from the Associate Mining Engineer of that bureau, which indicates that the improvements include 3,000 feet of pipe line, an electric pump, water tank, and one hydraulic ram, but does not specify the source of water supply. The master plan shows that an extension of the Wawona Hotel pipe line serves this area.

In addition, this area seems to be approximately opposite the mouth of Rush Creek. On May 24, 1888, James H. Lawrence and A. H. Washburn filed a claim to 500 inches of the waters of Rush Creek with the County Recorder. The water was to be used for milling, manufacturing, agricultural, viticultural, and domestic purposes, and such other purposes as the claimants might desire. The point of diversion was to be on Rush Creek, on the northern boundary of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T. 4 S., R. 21 E., M.D.M. The claim also involved Lots 1, 2, 3, and the W $\frac{1}{2}$ of Lot 6 of Sec. 4, T. 5 S., R. 21 E., but does not specify whether that was to be a reservoir site or the place of use. Camp A. E. Woods is on the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 33, T. 4 S., R. 21 E.

We should like to know whether any trace of this water development was in existence when the Elsie M., Bob and Lank, and Anna L. mining claims were acquired by the United States. If so, was any water conveyed to, and used on the mining claims and at Camp A. E. Woods. If the answer should be no, we should like to know where water for the claims and camp was obtained before this Service provided the lateral from the Wawona Hotel pipe line.

A. Van V. Dunn
A. Van V. Dunn
Chief, Water Resources Branch



In duplicate

January 3, 1950

Statement Concerning Water Claims on Rush Creek

On a conducted inspection of the Wawona Area, in 1947, I did not investigate Rush Creek. From my knowledge of the Washburn family, it is probable that John S. Washburn may have succeeded to the interests of A. H. Washburn, if rights were ever perfected by diversion and use, but it has not been determined whether the diversions are still made, in part or entirely, or who now owns them. No water from Rush Creek is used at the Wawona Hotel Area which is now owned by the United States.

On the other hand, this diversion may have been made to provide water for Camp A. E. Woods, and the Elsie M, Bob and Lank, and Anna L. mining claims which were acquired with the Wawona Hotel tract by the United States. Camp A. E. Woods is now served, at least in part, by the Wawona Hotel pipe line.

(SGD.) A. VAN V. DUNN.

A. van V. Dunn
Chief, Water Resources Branch

660-05

WALTER LEROY HUBER
CIVIL ENGINEER

February 10, 1939

Lawrence C. Merriam, Superintendent
Yosemite National Park
Yosemite Park, California

Dear Mr. Merriam:

When I wrote my letter of February 6, 1939, relating to rental charges for Rush Creek Meadows Reservation, I was not aware of the fact that your department had on March 29th, 1938 forwarded a statement to the company covering rental charges for the year 1938, which charges were paid on April 14, 1938 by the company's check No. 25600 drawn on the Security First National Bank of Los Angeles, nor was the U. S. Forest Service aware of this payment when it recently sent out a demand for the same payment, the demand requesting that payment be sent to the Special Disbursing Agent at Yosemite.

Otherwise, the situation is as outlined in my letter of February 6, 1939. As I stated therein, it is expected that a final water power license, which will succeed and terminate the Special Use Permit, will be received at any time now. The permittee will then promptly pay for the fractional year from January 1 to the date of issuance of the new license.

Very sincerely,

Walter L. Huber

WLH:HR
co-Regional Offices of
Forest Service &
Park Service

FEB 10 1939	
WATKINS	
WAGE	
MANGY	
ANDRUP	
BALLARD	
CROSS	
BOSSMEYER	
CROUCH	
WATERHOUSE	
DAYTON	
YEAGER	
TAYLOR	
HOYT	
LEWIS	
SUMNER	
SANFORD	
HAGEN	
EDWARDS	

Docket Information

Number of Documents in Docket 9

Documents Dated from 2/10/1939 to 7/3/1996

Docket Compiled: 7/29/2011