



# WATER-RIGHT DOCKET

## Zion National Park

Docket No: 5

SPENDLOVE EARL SPRING (SPENDLOVE)

### State Water Rights Documentation

10-22-1962: statement of water user's claim to diligence rights (claim no. 1031)

Form No. 129  
1000 5-57

Claim No. 1031  
Filed Oct 23, 1962  
Rec. by [signature]  
Rec. \$2.50 05/53  
Coordinate (34-11) 9662  
Date 10/26/62 H.C.T.

### STATEMENT OF WATER USER'S CLAIM TO DILIGENCE RIGHTS

#### STATE OF UTAH

Claim to surface water by right of use prior to March 12, 1903, is hereby made and filed with the State Engineer, together with a filing fee of \$2.50, and submitted in accordance with Sections 73-2-14 and 73-5-13, Utah Code Annotated, 1953 as amended by Session Laws of Utah, 1955.

1. Name of Claimant Earl Spendlove TITLE CHANGE-SEE ABSTRACT Interest Claimed OWNER
2. Post Office Address Virgin, Utah
3. Name of particular spring, spring area, stream, from which water is diverted is Earl Spring in Washington County.
4. Nature, Amount, and Annual Period of Use (by month and day)
- |            |                                     |                                                                                |
|------------|-------------------------------------|--------------------------------------------------------------------------------|
| Irrigation | Sec. Ft. from to (both dates Incl.) |                                                                                |
|            | Mining                              | Sec. Ft. from to (both dates Incl.)                                            |
|            | Domestic                            | Sec. Ft. <u>0.048</u> from <u>March 1</u> to <u>Nov. 30</u> (both dates Incl.) |
|            | Municipal                           | Sec. Ft. from to (both dates Incl.)                                            |
|            | Stockwatering                       | Sec. Ft. <u>0.048</u> from <u>March 1</u> to <u>Nov. 30</u> (both dates Incl.) |
| Power      | Sec. Ft. from to (both dates Incl.) |                                                                                |
|            | Sec. Ft. from to (both dates Incl.) |                                                                                |
5. Direct Flow Appropriation:
- (a) Point of diversion from spring, spring area, stream South 340 feet and East 200 feet from the NW corner of Sec. 9, Tp. 40 S. R. 11 W. S. 1 N.
- (b) Description of spring area by metes and bounds
- (c) Point of return to natural channel
- (d) Point of redirection
- Note: Point of diversion, redirection, and return to natural channel must be described with reference to U. S. Government survey corner. Diversion point for spring must be within described area.
- (e) If flow is intermittently diverted, list by number or description, other rights involved
6. Appropriation for Storage Purposes:
- (a) Name of reservoir
- (b) Location of reservoir by legal subdivisions described by 40-acre tracts
- (c) Maximum capacity of reservoir in acre feet Year constructed commenced completed Water first used
- Is reservoir located on or off stream
- (d) Period of Storage from to (both dates Incl.)
- Period of use from March 1 to Nov. 30 (both dates Incl.)
- Maximum area in acres inundated Max. depth in ft. Average depth in feet
- Is reservoir drained each year Max. number of fillings per year
- If feeder canal is used, give maximum carrying capacity in Sec. ft.
7. Diverting and carrying works:
- (a) Nature and type of 3/4 inch pipe
8. Priority:
- (a) Date when work on diverting system was first begun about 1900
- Date when water was first used about 1900
9. Where water is used for irrigation purposes:
- (a) Area irrigated in legal subdivisions of land by 40-acre tract each year from first use to year 1903. (Other sources of water for same land must be described in each instance by name)

9. (b) Do you get water under a ditch owned by several users.....If so, give names of other users and diversion of interest.....
10. Where water is used for Power Purposes:  
 (a) Water wheels used: No.....Type.....Rated H. P. of each.....  
 Place and purpose where power is used.....
11. Where water is used for Mining Purposes:  
 (a) Name of mining district.....Name of Mine.....  
 (b) Kind of Ore and Tonnage mined.....
12. Where water is used for Stockwatering:  
 (a) Number of each kind of stock watered...50 cattle.....  
 (a) Other sources of water for same stock.....
13. Where water is used for Domestic and Municipal Purposes:  
 (a) If for domestic use: Number of families or their equivalent.....2.....  
 (b) If for Municipal use: Name of City or Town supplied.....  
 Population.....Quantity of water in gallons per day used.....
14. Where water is used for a purpose not above enumerated:  
 (a) Nature of Use.....Extent of Use.....
15. Water measurement was made by...Evan Lee.....  
 On...21...day of...July.....1932.....  
 Showing measurement of...0.052...Sec. Ft. or.....Ac. Ft. ....

## REMARKS:

About 1900 people began farming on Lower Kolob Bench and were desperate for domestic water. They found a seep in a sand stone ledge and followed it until it produced a small stream. They conducted it down the ledge by cutting a small groove for it to run in where possible where this was impossible they made a metal trough by bending a narrow strip of sheet metal and placed this to convey the water where necessary to get it to the valley where it was collected in a barrel. The overflow was collected in an earthen pond from which cattle drank. In recent years the makeshift arrangement has been replaced by a pipe

STATE OF UTAH

COUNTY OF WASHINGTON

} ss.

(To be used if claimant is an Individual)

Reed Spendlove

....., being first duly sworn, upon oath deposes and says that he is the claimant whose name appears hereon, that he has read the foregoing statement of his claim and knows the contents thereof, that he has signed the same, and that the answers set forth therein are true to his best knowledge and belief.

Signature of Claimant

Subscribed and sworn to before me this...19...day of...October...1932...

My commission expires March 30, 1933. Notary Public

STATE OF UTAH

COUNTY OF.....

} ss.

(To be used if claimant is a corporation or an estate)

....., being first duly sworn, upon oath deposes and says that he is the.....of the above claimant, that he makes this certification on behalf of said claimant, that he has read the foregoing statement of claim and knows the contents thereof, and that he has signed the name of said claimant to said statement, that the answers set forth therein are true to his best knowledge and belief.

Subscribed and sworn to before me this.....day of.....19.....

Notary Public

1977  
T F S  
2 3 4 5  
9 10 11 12  
16 17 18 19  
23 24 25 26

MAR. 1977



# United States Department of the Interior

NATIONAL PARK SERVICE  
UTAH LANDS OFFICE  
135 South State Street  
Room 122 Federal Building Annex  
Salt Lake City, Utah 84111

Rocky Mountain  
Regional Office

AUG 4 '76

*B. Mekeel*

|                     |  |
|---------------------|--|
| Director            |  |
| Deputy Director     |  |
| NPS Manager         |  |
| Administrative      |  |
| Com. & Public Affs. |  |
| Open Space & Geol.  |  |
| Public Affairs      |  |
| ECO                 |  |
| <i>W. Mekeel</i>    |  |
| Asst. Dir. of       |  |

REPLY REFER TO:

L1425 ZION

Spendlove, Reed, Dallen,  
Spencer & wives  
Tr. 02-110, 01-163, 162,  
107, 112, 166

August 3, 1976

Mr. Gerald Stoker, Area Engineer  
State of Utah Division of Water Rights  
Box 506  
Cedar City, Utah 84720

Dear Mr. Stoker:

Since my letter to you dated April 15, 1974 requesting information on water rights pertaining to certain lands located within and adjacent to Zion National Park, the Park Service has completed the purchase and acquisition of these lands. For your records, I am enclosing copies of the recorded deeds of conveyance to the U.S.A. Also enclosed for your ready reference is a copy of your letter dated April 24, 1974 pertaining to water right Application No. 28355.

Apparently, the application for underground water well was the only filing of record with your office. In addition to the well, there is a spring on the lands in Section 15 of the acquired property and possibly water rights from the live stream running through the NE 1/4 of Section 19 for which there is no record in your office. In addition, there is another spring located near the north center 1/16 section corner in Section 5; however, it is believed this spring was on lands already owned by the U.S.A. and not on the lands conveyed by the attached deed. The Spendloves used this spring for years for live-stock watering purposes and may have attached some rights by use. All reserved rights for grazing by the Spendloves will expire in accordance with the deeds on November 12, 1977.

Very truly yours,

*/s/ Lloyd L. Garrison*

Lloyd L. Garrison  
Realty Specialist

Enclosures



cc:  
Bill Mekeel, Water Rights Div., RMR, w/encls.  
Superintendent, ZION, w/o encls.

The GRANTORS further remay, title and interest which  
OF AMERICA and its assigns, all right, title and interest which

ES

When recorded return to:  
LEE GARRISON  
NATIONAL PARK SERVICE  
Room 103 Federal Building Annex  
135 South State Street  
Salt Lake City, Utah 84111

Entry No. 163888  
Recorded at Request of Southern Utah Title Co.  
Date Nov. 12, 1974 at 2 P M  
Book 161 Page 451-452  
*Sagecraft*  
Washington County Recorder

WARRANTY DEED

The GRANTORS, Dallen Spendlove and Karen Sue Spendlove, husband and wife and Spencer Spendlove and Amelia Spendlove, husband and wife, for the consideration of (\$155,000.00)

ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS

to them in hand paid, receipt of which is hereby acknowledged, do hereby CONVEY and WARRANT to the UNITED STATES OF AMERICA and its assigns, GRANTEE, the fee simple title to the following described land located in ZION NATIONAL PARK and consisting of tracts 02-110 and parts of tracts 01-102 and 01-150:

T. 39 S., R. 11 W.

Sec. 5, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$

320 acres more or less

02-110

Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$

40 acres more or less

01-163

T. 40 S., R. 11 W.

Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$

40 acres more or less

01-166

Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$

80 acres more or less

All in the Salt Lake Base and Meridian, Washington County, Utah,  
containing 480 acres more or less.

TO HAVE AND TO HOLD the above granted and described premises together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in any wise appertaining unto the UNITED STATES OF AMERICA, and its assigns, forever.

The GRANTORS further remise, release and forever quitclaim to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantors may have in water rights, banks, beds, and waters of any stream or river bordering or traversing the said land to be conveyed and also all interest in any alleys, roads, street, ways, strips, gores or other rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

SUBJECT to those reservations and exceptions as contained in the patents to the lands and to existing easements for public roads and highways, public utilities, railroads, and pipelines as the records may reveal at the date of this conveyance.

FURTHER SUBJECT to a reservation, by GRANTORS, of livestock grazing uses for a period of three years from the date of this deed.

These lands are being acquired by the Department of Interior for the National Park Service.

480 ACRES  
inside Zion N.P.

ZION N.P. DEED 59

451

In witness whereof, the said GRANTORS have hereunto set their hand and seal this  
12<sup>th</sup> day of November, 1974.

Dallen Spendlove and Karen Sue Spendlove  
DALLEN SPENDLOVE and KAREN SUE SPENDLOVE  
(husband and wife)

Spencer Spendlove and Amelia Spendlove  
SPENCER SPENDLOVE and AMELIA SPENDLOVE  
(husband and wife)

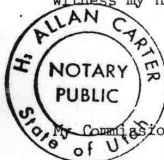
63888

ACKNOWLEDGMENT

STATE OF Utah  
COUNTY OF Washington ss

On this 12<sup>th</sup> day of November, 1974, personally appeared before me, a notary public in and for said county and state, DALLEN and KAREN SUE SPENDLOVE, husband and wife, and SPENCER and AMELIA SPENDLOVE, husband and wife. known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Witness my hand and seal the day and year first above written.



My Commission Expires:

7-20-78

[Signature]  
Notary Public In and For Said County

(SEAL)

When recorded return to:  
 LEE GARRISON  
 NATIONAL PARK SERVICE  
 Room 103 Federal Building Annex  
 135 South State Street  
 Salt Lake City, Utah 84111

WARRANTY DEED

The GRANTORS, Reed Spendlove and Thora L. Spendlove, husband and wife, as joint tenants with full rights of survivorship, for the consideration of (\$285,000.00)

TWO HUNDRED EIGHTY FIVE THOUSAND DOLLARS

to them in hand paid, receipt of which is hereby acknowledged, do hereby CONVEY and WARRANT to the UNITED STATES OF AMERICA and its assigns, GRANTEE, the fee simple title to the following described land located in Zion National Park and consisting of tracts 01-107, 01-112, and 01-162:

T. 40 S., R. 11 W.

|          |                                                                                                                                                                                                                    |                           |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 01-162 - | Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -----                                                           | 70.00 acres more or less  |
|          | Sec. 8, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ -----                                                                                                                                                  | 240.00 acres more or less |
|          | South 1200 feet of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ -----                                                                                                                                                     | 36.36 acres more or less  |
|          | Also beginning at the quarter corner common to sections 8 and 17; running thence N. 1320 feet; thence S. 42°1' E. 1777 feet; thence W. 1189.4 feet to beginning -----                                              |                           |
| 01-107 - | Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ -----                                                                                                                                | 18.03 acres more or less  |
| 01-112 - | Sec. 15, NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and lots 5 and 6 -----                                                                                         | 80.00 acres more or less  |
| 01-162 - | Sec. 17, E $\frac{1}{2}$ NW $\frac{1}{4}$ -----                                                                                                                                                                    | 293.86 acres more or less |
|          | Also beginning at north quarter corner of section 17; thence E. 1190 feet; thence S. 59°30' E. 1682.9 feet; thence S. 466 feet; thence W. 2640 feet; thence N. 1320 feet, more or less to point of beginning ----- | 80.00 acres more or less  |
|          |                                                                                                                                                                                                                    | 65.79 acres more or less  |

All in the Salt Lake Base and Meridian, Washington County, Utah, containing 884.04 acres more or less.

TO HAVE AND TO HOLD the above granted and described premises together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in any wise appertaining unto the UNITED STATES OF AMERICA, and its assigns, forever.

The GRANTORS further remise, release and forever quitclaim to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantors may have in water rights, banks, beds, and waters of any stream or river bordering or traversing the said land to be conveyed and also all interest in any alleys, roads, street, ways, strips, gores or other rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

Entry No. 163889 Fee \$ 6.50

Recorded at Request of  
 Southern Utah Title Co.

Date Nov. 12, 1974 at 2 P.M.

Book 161 Page 453-454

David J. Craft  
 Washington County Recorder

01-107, 112 = 373.86  
 ACRES inside ZION N.P.

01-162 = 510.18 ACRES  
 outside ZION N.P.

ZION N.P. DEED 59

453

SUBJECT to those reservations and exceptions as contained in the patents to the lands and to existing easements for public roads and highways, public utilities, railroads and pipelines as the records may reveal at the date of this conveyance.

FURTHER SUBJECT to a reservation, by grantors, of livestock grazing uses for a period of three years from the date of this deed and a reservation for dry land farming on 200 acres more or less for a period of one year from the date of this deed.

These lands are being acquired by the Department of Interior for the National Park Service.

In witness whereof, the said GRANTORS have hereunto set their hand and seal this 12<sup>th</sup> day of November, 1974.

Reed Spendlove  
Reed Spendlove

Thora L. Spendlove  
Thora L. Spendlove

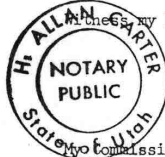
163889

ACKNOWLEDGMENT

STATE OF Utah )  
COUNTY OF Washington ) ss

On this 12<sup>th</sup> day of November, 1974, personally appeared before me, a notary public in and for said county and state, REED SPENDLOVE and THORA L. SPENDLOVE, his wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Attest my hand and seal the day and year first above written.



H. Allan Carter  
Notary Public In and For Said County

7-20-78

(SEAL)



STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

C. HANSEN  
STATE ENGINEER

JOHN BENE  
DEPUTY

GERALD W. STOKER  
AREA ENGINEER

P.O. BOX 506  
CEDAR CITY, UTAH 84720  
586-4231

April 24, 1974

*L1425 ZION*  
*Spendlove, Reed*  
*TA. 01-107 and*  
*01-162*

Mr. Lloyd L. Garrison, Realty Specialist  
National Park Service  
Utah Lands Office  
Room 103, Fed. Bldg. Annex  
Salt Lake City, Utah 84111

Dear Mr. Garrison:

In reply to your letter dated April 15, 1974, regarding certain properties in Washington County, Utah. We have researched our records for water rights appurtenant to the lands described in your letter and have found the following described right:

Application No. 28355 (81-327). Underground Water Well located at a point N. 1700 ft. and W. 600 ft. from the SE cor. Sec. 8, T40S, R11W, SLB&M. The flow is 0.015 sec.-ft. for the domestic use of one family. The right has a priority date of July 18, 1956, and is shown on our records in the name of Reed Spendlove.

We are enclosing a copy of this filing for your records. If you require further information please feel free to contact this office.

Yours truly,

Gerald W. Stoker  
Area Engineer

GWS/sm

RECEIVED

APR 25 1974

*cc chief Dir. of Land & Water, NPS*

When recorded return to:  
LEE GARRISON  
NATIONAL PARK SERVICE  
Room 103 Federal Building Annex  
135 South State Street  
Salt Lake City, Utah 84111

163888  
Entry No. 163888 Fee \$ 4.90  
Recorded at Request of  
Southern Utah Title Co.  
Date Nov. 12, 1974 at 2 P. M.  
Book 161 Page 451-452  
*Bayle J. Craft*  
Washington County Recorder

WARRANTY DEED

The GRANTORS, Dallen Spendlove and Karen Sue Spendlove, husband and wife and Spencer Spendlove and Amelia Spendlove, husband and wife, for the consideration of (\$155,000.00)

ONE HUNDRED FIFTY FIVE THOUSAND DOLLARS

to them in hand paid, receipt of which is hereby acknowledged, do hereby CONVEY and WARRANT to the UNITED STATES OF AMERICA and its assigns, GRANTEE, the fee simple title to the following described land located in ZION NATIONAL PARK and consisting of tracts 02-110 and parts of tracts 01-102 and 01-150:

T. 39 S., R. 11 W.

Sec. 5, S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  ----- 320 acres more or less 02-110  
Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$  ----- 40 acres more or less 01-163

T. 40 S., R. 11 W.

Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$  ----- 40 acres more or less 01-16  
Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$  ----- 80 acres more or less

All in the Salt Lake Base and Meridian, Washington County, Utah,  
containing 480 acres more or less.

TO HAVE AND TO HOLD the above granted and described premises together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, or in any wise appertaining unto the UNITED STATES OF AMERICA, and its assigns, forever.

The GRANTORS further remise, release and forever quitclaim to the UNITED STATES OF AMERICA, and its assigns, all right, title and interest which the Grantors may have in water rights, banks, beds, and waters of any stream or river bordering or traversing the said land to be conveyed and also all interest in any alleys, roads, street, ways, strips, gores or other rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

SUBJECT to those reservations and exceptions as contained in the patents to the lands and to existing easements for public roads and highways, public utilities, railroads, and pipelines as the records may reveal at the date of this conveyance.

FURTHER SUBJECT to a reservation, by GRANTORS, of livestock grazing uses for a period of three years from the date of this deed.

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480 ACRES  
inside ZION N.P.

ZION N.P. DEED 59

451

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(husband and wife)

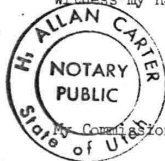
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Spencer Carter  
Notary Public In and For Said County

(SEAL)

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|          |                                                                                                                                                                                                                    |                           |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 01-162 - | Sec. 5, SE $\frac{1}{4}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -----                                                           | 70.00 acres more or less  |
|          | Sec. 8, NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ -----                                                                                                                                                  | 240.00 acres more or less |
|          | South 1200 feet of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ -----                                                                                                                                                     | 36.36 acres more or less  |
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| 01-107 - | Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ -----                                                                                                                                | 18.03 acres more or less  |
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|          |                                                                                                                                                                                                                    | 80.00 acres more or less  |
|          |                                                                                                                                                                                                                    | 65.79 acres more or less  |

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Date Nov. 12, 1974 at 2 P.M.

Book 161 Page 453-454

*Shirley J. Smith*  
 Washington County Recorder

01-107, 112 = 373.86

ACRES inside ZION N.P.

01-162 = 510.18 ACRES

outside ZION N.P.

ZION N.P. DEED 59

453

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163889

Reed Spendlove  
Reed Spendlove

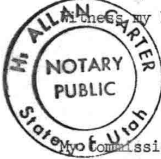
Thora L. Spendlove  
Thora L. Spendlove

ACKNOWLEDGMENT

STATE OF Utah )  
COUNTY OF Washington ) ss

On this 12<sup>th</sup> day of November, 1974, personally appeared before me, a notary public in and for said county and state, REED SPENDLOVE and THORA L. SPENDLOVE, his wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Witness my hand and seal the day and year first above written.



H. Allan Carter  
Notary Public In and For Said County

7-20-78

(SEAL)

454

# REPORT OF TELEPHONE CONVERSATION

DATE 12 04 TIME 3:27 AM/PM  
PROJECT \_\_\_\_\_

NPS PERSON ON CALL: Alice Johns

☐ I CALLED ☐ S/HE CALLED

PERSON Bob Lineback

ORGANIZATION ZION

ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_ EXT. \_\_\_\_\_

SUBJECTS DISCUSSED wells on property previously owned by Spendlove, Hamilton.

Well on 310 ac. parcel: Bud Lee said that Reed Spendlove drilled it, but hit black rock, so he stopped. The casing was pulled and the land plowed.

Bud Lee has water from Salvation Spring & another source, which he pipes to Heavenly Valley Cabin.

Bob wanted to know about water right on <sup>the former</sup> Spendlove's 310 acre parcel. I told him that if water it is valid and is not excluded specifically in a deed, then it remains with the land, and that I didn't think that Lee Garrison did exclude it from deed; that I had informed Owen about it & that if he and Steve thought it was worth pursuing, they'd no doubt talk to ~~the~~ the Superintendent, and Lee Garrison about it.

ACTION TO BE TAKEN \_\_\_\_\_

COPIES TO: \_\_\_\_\_

# REPORT OF TELEPHONE CONVERSATION

DATE 12-1-86 TIME 1326 AM/PM  
PROJECT ZION -- consumptive water use

NPS PERSON ON CALL: Alice Johns ☐ I CALLED ☐ S/HE CALLED

PERSON Paul Kirkland

ORGANIZATION ZION

ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_ EXT. \_\_\_\_\_

SUBJECTS DISCUSSED well on Spendlove property, 310-acre parcel outside the exterior boundary of ZION. He and Bob Linetack went to the parcel over the weekend to locate well which we obtained rights to when we purchased the land. They could not, after cursory examination, locate a well. However, he indicated that one may be there. Many piles of lava rocks were located on the parcel -- the well may be at the base of these. Additionally this is an area in which drifting of sand occurs, and this may have obscured the well's location.

ACTION TO BE TAKEN nothing at this time.

COPIES TO: \_\_\_\_\_

*Tues*

WATER RIGHT LAWS  
AND  
WATER USE IN KOLOB

September 20, 1981

Jon R. Dick

LS4 (21021-3)

January 22, 1986

Mr. Gerald Stoker  
State Water Engineer  
585 North Main  
Cedar City, Utah 84720

Dear Mr. Stoker:

Enclosed is a copy of the warranty deed conveying certain properties to the United States of America. We request that you transfer Diligence Claim No. 1031 on Earl Spring (581-728) to the United States of America in your ownership files. Earl Spring is located on National Park Service land inside of Zion National Park. The United States of America gained rights to this spring when we purchased all rights pertaining to the adjacent property from Reed Spaulding in November of 1974.

If we can assist in any way, please contact us at 773-3256.

Sincerely,

Signed

James M. Brady  
Acting Superintendent

Enclosure

bcc:  
Supt.  
CMT  
BWC  
BCC,  
BR,  
Zion Files, w/c encl.  
Reading

RLInchbackmae:01/22/86:(801)773-3256

EARL SPRING

Diligence Claim 1031

LOCATION: S340' E900' NW Corner Section 9, T40S, R11W SLM

AMOUNT OF WATER FLOW: Unknown

USER: Reed Spendlove and Bud Lee

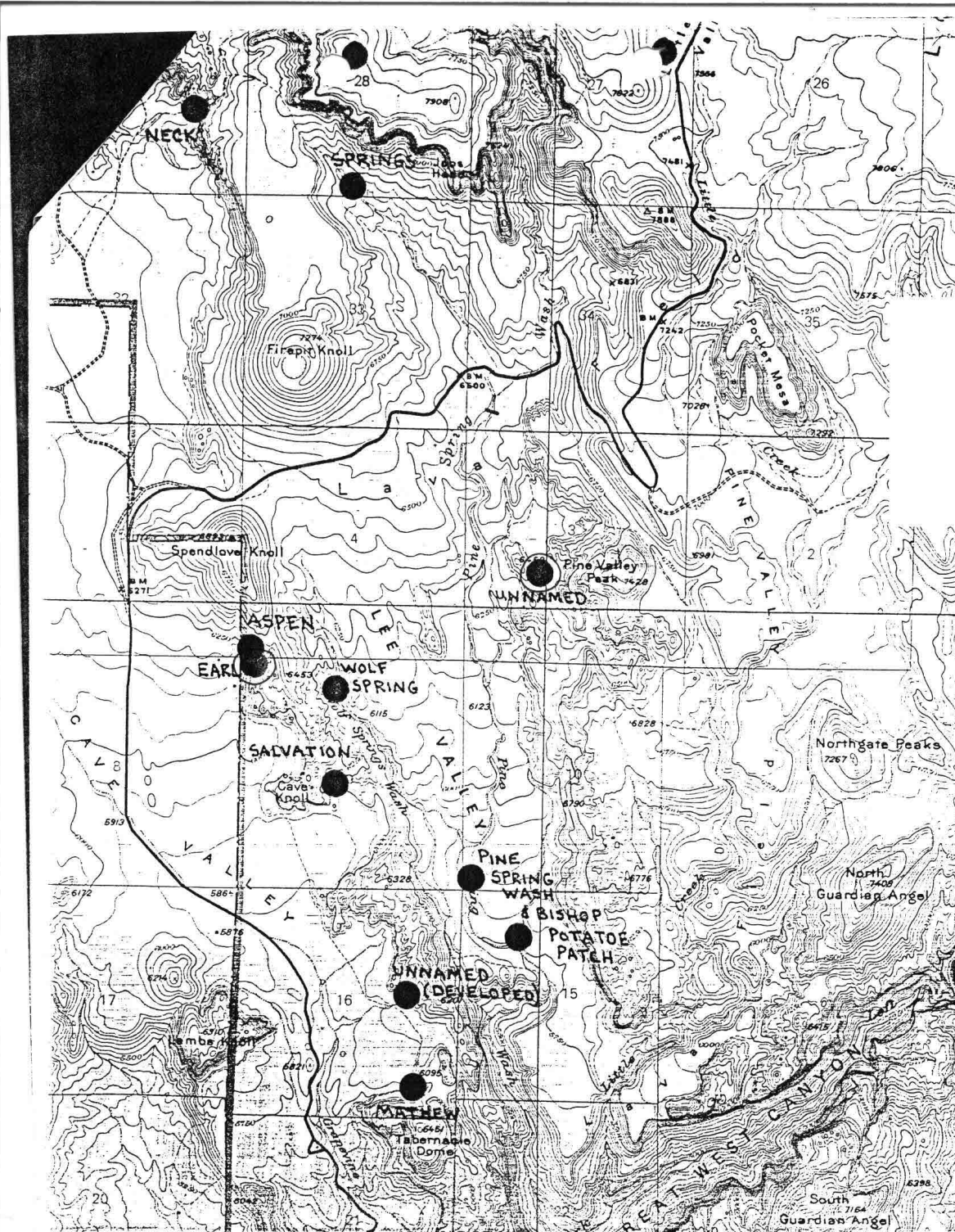
BRIEF HISTORY:

A diligence claim was filed by Reed Spendlove, who is a brother-in-law of Bud Lee. It consists of a catchbasin arrangement high in the rocks with a line running west to a cabin just inside Section 8, T40S, R11W, SLM.

It appears that this water is being used for stock watering by Kenneth Cornelius in trespass grazing of Section 8 and 9, T40S, R11W, SLM. This grazing trespass was noted on September 19, 1981.

The water line between the Spendlove cabin and Earl Spring is not connected. approx. The water now runs into a water trough located inside the Park, 60 feet west of the Earl Spring Catchbasin. The trough was a large split drum and had approximately 1" to 2" of water in the bottom. Five head of HC branded cows were lying around trough on September 19, 1981. Other HC brand cows were seen in the area.

The water is piped down from a man made catchbasin in black plastic pipe. Above the catchbasin black plastic pipe runs to another natural catchbasin. This black plastic pipe must apparently feed the man-made catchbasin.



Docket Information

Number of Documents in Docket 18

Documents Dated from 10/22/1962 to 12/1/1986

Docket Compiled: 8/3/2011