Docket No: 35

TOWNSLEY'S SPRING

Preliminary Docket Information

08-14-1995: dockets; august 14, 1995

August 14, 1995

L54(479)

Memorandum

To: Files

From: Owen Williams, Chief, Water Rights Branch OW

Subject: Dockets

This is one of seven springs in the "Pavilion group" as defined by Charles N. Gould in 1905. The springs are named:

Big Tom Spring	Docket # 31
Arsenic Spring	32
Little Tom Spring	33
Swords Spring	34
Townsley's Spring	35
Dog Spring	36
#11 Unnamed Spring	37

These springs have also been grouped and called "Pavilion Springs" for which a docket may have existed. Nevertheless, at least according to Gould, there are seven distinct springs and thus a need for seven dockets.

Where it is available, water quality data are included in the CHIC springs dockets. This is done here because of the original purposes for which the park was established. Water quality data would not normally be a part of a docket, but CHIC's springs were viewed as medicinal at the time of the park's establishment. This reason, among others, necessitated the protection and preservation of CHIC springs.

The State of Oklahoma has been informed of the U.S.'s claim to the springs but no quantification of a right under the reservation doctrine, or any other doctrine, has been made.

NATIONAL PARK SERVICE
WATER RIGHTS DATA SHEET

Organization Code: 7510 | Docket Classification: F (R) A (Federal Reserved Alien) | Docket Number: 21 | Source Number: 21 of 40

Card #1: (1A) 1C (Add Change)

Site: TOWNSLEY'S SPRING

Location:
1 Township/Range --- T ____ R ____ Sec __ [A B C D] (NE¼ NW¼ SW¼ SE¼) of [A B C D] of [A B C D]
2 Lat/Long --- Latitude 34 deg 30 min 09 sec (N) S Longitude 096 deg 58 min 12 sec
3 Other ---

Card #2: (2A) 2C (Add Change)

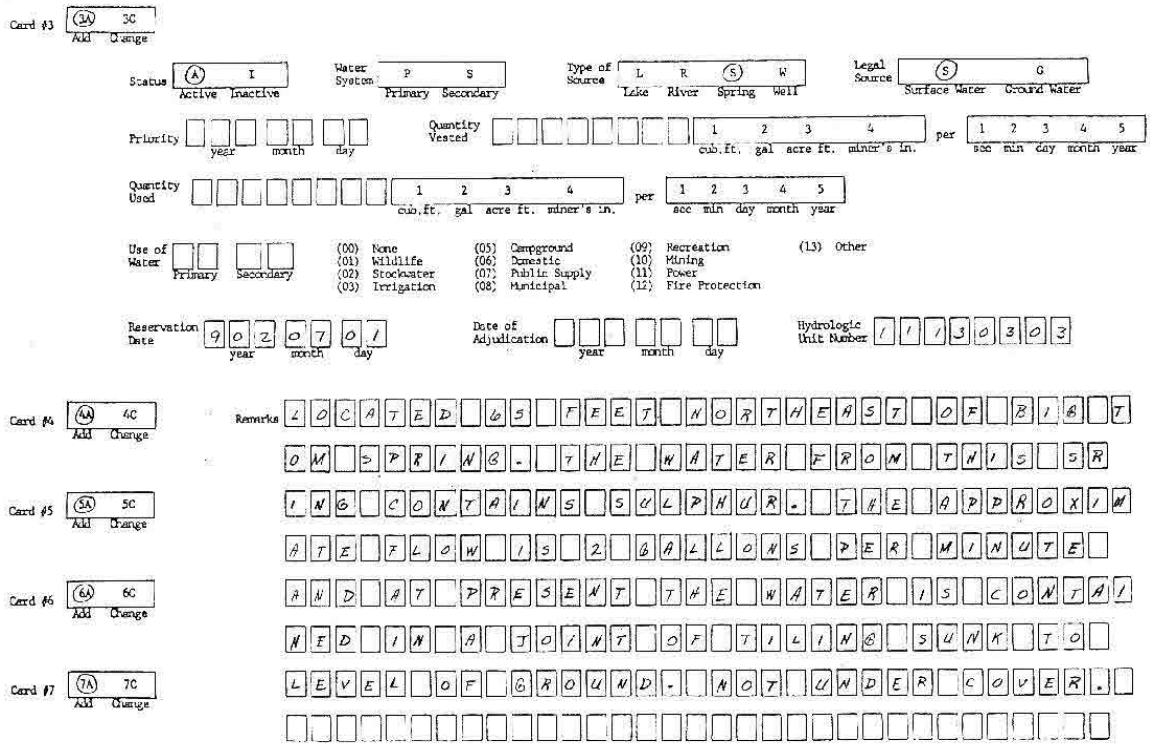
Sequence Number: __ State: 40 County: MURRAY

Acquired by: 1 Purchase 2 Appropriation 3 Riparian (4) Reservation 5 Other (Explain in Remarks)

Application Number: ____ Cancellation Date: ____ (year) ____ (month) ____ (day)

Permit Number: ____ Cancellation Date: ____ (year) ____ (month) ____ (day)

Certificate Number: ____ Cancellation Date: ____ (year) ____ (month) ____ (day)



State Water Rights Documentation

L34(SWR-OM)

Complete letter in CHIC-30

MAY 27 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P.O. Box 53585
Oklahoma City, Oklahoma 73152

Dear Mr. Barnett:

Following the National Park Service's "Declaration of Water Rights" to all springs and wells (see Enclosure A for individual listing), at Chickasaw National Recreation Area dated May 9, 1983, enclosed you will find the following additional information:

1. Excerpts of correspondence, office memoranda, etc., dated from the early 1900's generally describing the development of selected springs within the Sulphur Springs Reservation (formerly Platt National Park).

2. Photographs showing visitor use of selected springs through the years.

In addition to the above declarations, the National Park Service obtains water from the following water sources for municipal purposes.

1. City of Sulphur, Oklahoma.
2. Rural Water District No. 1.
3. NPS Water Treatment Plant.

Municipal water purchased from the City of Sulphur and the Rural Water District No. 1 from 1976 to 1982 is as follows:

Year	City of Sulphur	RWD no. 1
1976	1.431	.003
1977	2.199	.021
1978	4.383	.032
1979	3.287	.133
1980	1.035	.068
1981	1.639	.015
1982	1.195	3.037

The above metered values are in million of gallons per year.

Supplemental mineral water is obtained from the overflow of an artesian well (Caylor Well), which is located on non-National Park Service property within Sulphur, Oklahoma. The water has been flowing into park land since 1937, as nearly as we are able to determine at this time. A formal agreement reflecting the above verbal agreement, which has been in effect since 1937(?), was entered on June 3, 1961. The initial flow to the park from Caylor Well is estimated at 15 to 20 gallons per minute.

Visitation figures to the area (see Enclosure 8), compiled by the staff of Chickasaw National Recreation Area from 1907 to 1982 are also enclosed. As you will note, visitation to the area shows an increasing trend from 106,332 in 1908 to 2,094,319 in 1982. Visitation has increased in part because of the increasing size of the park and construction or replacement of physical facilities, plus the discovery of the recreational and aesthetic benefits of the area by first time visitors to the area.

Additional information is available, should you and the board request it. The information may take some time to secure as it is stored in Dallas, Texas. Obtaining additional information may require as much as two months work and attendant costs estimated at $10,000.

Sincerely,

/S/ JACK NECKELS

Associate Regional Director,
Park Operations, SWR

Enclosures 8

bcc:
Field Solicitor, Santa Fe
Superintendent, Chickasaw
Chief, WASO/497
Solicitor, Regional Office, P.O. Box 3156, Tulsa, Oklahoma 74101 (Atten: K. King)
(each w/o enclosures)

GMoore:og:5/26:83

Enclosure A

LISTING OF DECLARATION OF WATER RIGHTS

1. Antelope Springs
2. Buffalo Springs
3. Cunningham Spring
4. Base Spring
5. Big Tom Springs
6. Arsenic Spring
7. Little Tom Springs
8. Swords' Spring
9. Townsley's Spring
10. Dog Springs
11. Unnamed Spring
12. Hillside Spring
13. Beach Springs
14. Beach Springs
15. Beach Springs
16. Sand Springs
17. Bromide Spring
18. Cliff Bromide Spring
19. Unnamed Spring
20. Black Sulphur Spring
21. Sulphur Spring
22. Tuff's Spring
23. Iron Spring
24. Soda Spring
25. Sulphur Springs
26. Sulphur Springs
27. Wilson Spring
28. Churchill Spring
29. Rucker's Spring
30. Iron Spring
31. Jericho Spring
32. Unnamed Springs
33. Vendome Well
    Observation Well No. 1
    Observation Well No. 2

L54(SWR-OM)

May 9, 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P.O. Box 53585
Oklahoma City, Oklahoma 73152

Dear Mr. Barnett:

In accordance with an agreement reached during a meeting between members of our respective staffs on April 21, 1983, the National Park Service declares a water claim to all waters issuing from a total of 33 springs which were identified by Dr. Charles N. Gould, Professor of Geology at the University of Oklahoma, in 1906. In addition, the National Park Service declares its claims to water which issue from the Vendome Well, a free flowing artesian well.

Within 2 weeks, the National Park Service will submit under separate cover, two packages consisting of photographs and excerpts of correspondence dating back to the turn of the century, concerning these claims.

Sincerely,

/s/ Robert L. Kerr

Regional Director,
Southwest Region

Separate Cover

cc:
Field Solicitor, Santa Fe)
Superintendent, Chickasaw) each w/copy of enclosure
Chief, WASO/497)
Mr. K. King, Solicitor, Regional Office, P.O. Box 3156, Tulsa, OK 74101 w/enc.
GMoore:edr:5/9/83
OM

DECLARATION OF OWNERSHIP OF WATER RIGHTS

No. 9. Tom Bailey's Spring - Sulphur Artesian Basin
Basin Name

Declaration No._____ Date received_____

1. Name of Declarant United States of America through National Park Service

Mailing Address Chickasaw National Recreation Area, Box 201, Sulphur OK 73086

County of Murray State of Oklahoma

2. Source of water supply Simpson/Arbuckle Group *(See 8A)
(artesian or shallow water aquifer)

3. Describe well location under one of the subheadings:

a. SW ¼ NE ¼ NE ¼ of Sec. 3 Twp. 1S Rge. 3E IPM., in Murray County.

b. Tract No._____ of Map No._____ of the_____.

On land owned by the United States of America.

4. Description of well: date drilled_____ driller_____ depth_____ feet.

outside diameter of casing_____ inches; original capacity_____ gal.per min.; present capacity_____ gal. per min.; pumping lift_____ feet; static water level_____ feet(above) (below) land surface; make and type of pump_____

Make, type, horsepower, etc., of power plant_____

Fractional or percentage interest claimed in well_____

5. Quantity of water appropriated and beneficially used 2 gallons per minute *(See 8B) – historical and current uses: (acre feet per acre) public drinking water, livestock watering, education, recreation, fish and wildlife, including support purposes of existing natural riparian vegetation.
(acre feet per annum)

6. Description of spring: Developed or Undeveloped (Circle One)

Date Developed: prior to 08-01-1910 by unknown.

7. Water was first applied to beneficial use prior to 08 (month) 01 (day) 1910 (year)

and since that time has been used fully and continuously for the above described purpose in Number 5.

8. Additional statements or explanations A) Classified as one of seven springs of the Pavilion Group of Springs by Dr. Charles N. Gould in "Report of Springs", August 13, 1906
B) Approximate flow determined by Dr. Charles N. Gould in 1906
C) See attached.

I, [signature] being first duly sworn upon my oath, depose and say that the above is a full and complete statement submitted in evidence of ownership of a valid water right, that I have carefully read each and all of the items contained therein and that the same are true to the best of my knowledge and belief.

[signature] declarant

by_____

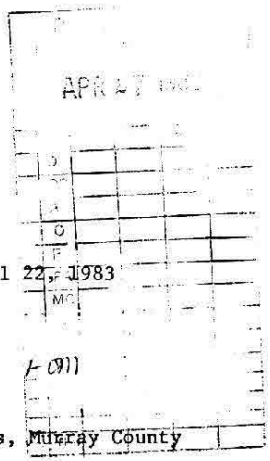
Subscribed and sworn to before me this 9th day of May, A.D., 1983

My Commission expires February 21, 1987 [signature] Notary Public

8. . This Declaration is provided pursuant to the policy of the Secretary of the Interior to recognize and grant deference to state laws, regulations and procedures where those secure water rights and uses of the United States. This Declaration is given as a matter of comity, cooperation and information. It does not consent to the jurisdiction of the State in regards to judicial or other adjudications, the rights of the United States to the use or amount of water, or the amount described in this Declaration. This Declaration cannot affect vested rights under Federal or State law.

These Declarations concerning ownership of or flows of springs - developed and undeveloped - and wells should be taken and considered in totality as part of the entire Chickasaw National Recreation Area.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
REGIONAL OFFICE, SOUTHWEST REGION
P.O. BOX 3156
TULSA, OKLAHOMA 74101



April 22, 1983

Mr. James R. Barnett
Executive Director
Oklahoma Water Resources Board
P. O. Box 53585
Oklahoma City, Oklahoma 73152

Re: Determination of Prior Vested Ground Water Rights, Murray County

Dear Mr. Barnett:

In accordance with the conclusions reached during the discussion on April 21, among members of your staff, employees of the National Park Service, and me in the Office of the Chief, Division of Stream Water, concerning the determination of prior vested ground water rights in Murray County as they affect the Chickasaw National Recreation Area, additional time is hereby requested to May 9, 1983, within which National Park Service will submit evidence and information to supplement the record on behalf of historical uses by the National Recreation Area and its predecessor National Park.

It was agreed during our discussion that, subject to your approval of this request for additional time, supplemental information and evidence will be provided to O.W.R.B. by May 9 in order to allow timely completion of the ongoing determination process.

Sincerely yours,

Kathleen King

Kathleen King
Department Counsel
National Park Service

cc: Office of the General Counsel, OWRB, Attention: Glen Hammonds

bcc: Regional Director, NPS, Attn: Gary Moore, Hydrological Engineer
Field Solicitor, Santa Fe, Attn: John Harrington

T 1 S R 3 E IM

NAME OF WELL/SPRING	LOCATION	CLASS	QUANTITY CLAIMED	DATE OF FIRST USE
Vendome	NE NW NE §3	DRILLED well	2500 gpm	1922
Observation test well #1	NE NW NE §1	DRILLED well	?	Aug 1972
Observation test well #2	NW NW NW §1	Drilled well	?	July 1972
No. 1 Antelope Springs	NW NW NE §1	Undeveloped-Natl spring	to 3300 gpm	July 1, 1902
No 2 Buffalo Springs	NE SW NE §1	Natural spring	to 3300 gpm	July 1, 1902
Cunningham Spring	NE SW NE §2	Undeveloped Spring	?	July 1, 1902
Birch Spring	SW NW NW §1	Undeveloped spring	?	7-1-02
Big Tom Spring	SW NE NE §3	Develd Spring	40 gpm	8-1-10
Frisbie Spring	SW NE NE §3	Develd Spring	8 gpm	8-1-10
Little Tom Spring	SW NE NE §3	Develd Spring	3 gpm	8-1-10
Sheep Spring	SW NE NE §3	Develd Spr.	5 gpm	8-1-10
Spring	SW NE NE §3	Develd Spr.	2 gpm	8-1-10
Tank Spring	SW NE NE §3	Develd Spr.	2 gpm	8-1-10
Unnamed Spring	SW NE NE §3	Develd Spring	2 gpm	8-1-10
Spring	NW SE NE §3	Develd Spring	20 gpm	5-26-04
Antelope Creek	SW NE NE §3	Develd Spring	70 gpm	7-1-02
Spring	SW NE NE §3	Undeveloped Spring	?	7-1-02
Spring	SE SW NW §2	Develd Spring	1 spr	5-17-06
Spring	NE SW SE §2	Develd Spring	3 gpm	5-17-06
Spring	SE NW SW §2	Develd Spring	3 gpm	7-1-02
Spring	SW NW SW §2	Develd Spring	2 gpm	7-1-02
Spring	SE

Churchill Spring	SW NE S1	Undeveloped Spr.	5 gpm	7-1-02
Rockers Spring	SW NE S1	Undeveloped Spr.	3 gpm	7-1-02
Iron Spring	SW NE S1	Undeveloped Spr.	4.65 gpm	7-1-02
Jericho Spr.	SW NE S1	Undeveloped Spr.	3 gpm	7-1-02
Unnamed Springs (2)	SW NE S1	Undeveloped Spr.	4.25 gpm	7-1-02

September 11, 1995

L54(479)

Memorandum

To: Files

From: Owen Williams, Chief, Water Rights Branch

Subject: Land Status Information - CHIC Dockets

Information concerning land status for CHIC is contained in the file folder labeled CHIC Deeds rather than in individual dockets.

Docket Information

Number of Documents in Docket 13

Documents Dated from 4/22/1983 to 9/11/1995

Docket Compiled: 6/14/2016