



WATER-RIGHT DOCKET

Lake Mead National Recreation Area

Docket No: 20

LAKE MOHAVE. KATHERINE VACATION CABINS.

Preliminary Docket Information

05-19-1976: water right/source docket information

WATER RESOURCES/WATER RIGHT

DATE: May 19, 1976

WATER RIGHT/SOURCE DOCKET INFORMATION

REGION Western Region AREA Lake Mead National Recreation Area
SITE Katherine Vacation Cabin Sites
STATE Arizona COUNTY Mohave DOCKET NO WR #20
LOCATION NE $\frac{1}{4}$, Sec. 1, T21N, R22W, G&SRB&M
REGIONAL BASIN Colorado River LOCAL BASIN _____
ACQUIRED BY _____
APPLICATION _____ PERMIT _____ CERTIFICATE _____
ACTION DUE _____ PRIORITY _____ RESERVATION _____
QUANTITY _____ USE Domestic and irrigation
STATUS Active SOURCE Lake Mohave

REMARKS Hydrologic unit #15030101

NARRATIVE: On September 17, 1959, Mr. A. van V. Dunn distributed copies of Lake Mead Water Right Dockets Number 19 through 22 to the Regional Director of Region Three. Included in these dockets were prints of drawings representing irrigation studies of the four areas covered by the dockets. These irrigation studies were being conducted in preparation for the litigation in the case of Arizona v. California. Drawing No. NRA-IM 6991, the irrigation study of the Katherine Vacation Cabin Sites area, showed a number of lot sites for cabins in the Katherine area adjacent to Lake Mohave. The source of water for these lot sites was not shown. The net area to be irrigated was estimated to be 11.75 acres.

From chemical analysis taken in 1965 and 1968, it appears that the water source is Lake Mohave and the development is now called Katherine Landing Resort.

On March 23, 1976, Bill Shepard, Maintenance Supervisor of the area, reported the following: at present this area consists of 39 cabin sites. Water is supplied from Lake Mohave (one of two NPS intakes in the Katherine area).

Regarding NPS wells in the area and/or lake water usage, there is no evidence of any state water right filings.

See also WR Docket #10.

Compiled by Kevin Kidder

Approved by W. Werrell

Page 1 of 1

Form 10-114
(Rev. Oct. 1963)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit is valid for _____ of _____

SPECIAL USE PERMIT

Lake Mead National Recreation Area
(Area)

William H. and Vada L. Korn, of **Boulder City, Nevada** is hereby authorized during the period from **September 1**, 19**64**, to **August 31**, 19**65**, to use the following-described land in the above-named area:

Right-of-way from Leased Lot No. 34, Katherine Vacation Cabinsite Area, to Lake Mohave

PERMIT NO. 14-10-0304-656	EXPIRES 8/31/65
PREVIOUS PERMIT NO. None	

for the purpose of **installing a one inch water line and pump for domestic water system.**

Subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of **five** Dollars (\$ **5.00**) in advance **annually** (Monthly, semiannually, etc.), or as follows: **for each calendar year or portion thereof**

Payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at **Boulder City, Nevada** (City), this **7th** day of **August**, 19**64**

SIGNED: **Robert H. Sharp** Acting Superintendent

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

TWO WITNESSES TO SIGNATURES		* PERMITTEE (SIGNATURES)	
NAME SIGNED: Allan C. Vowels	NAME SIGNED: WILLIAM H. KORN	NAME SIGNED: WILLIAM H. KORN	NAME SIGNED: WILLIAM H. KORN
ADDRESS Box 584 Boulder City, Nevada	ADDRESS Boulder City, Nevada	ADDRESS Boulder City, Nevada	ADDRESS Boulder City, Nevada
NAME Eula Garrison	NAME VADA L. KORN	NAME VADA L. KORN	NAME VADA L. KORN
ADDRESS 632 Avenue D Boulder City, Nevada	ADDRESS Boulder City, Nevada	ADDRESS Boulder City, Nevada	ADDRESS Boulder City, Nevada
APPROVED: (If approval is required by higher authority)			
NAME	TITLE	DATE	

Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm", for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for the Branch of Lands, Washington)

PAGE 1

Form 10-114a
(Rev. 1964)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION

AREA Lake Mead National Recreation Area	PERMIT NO. 14-10-0304-656	PAGE NO. 2
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16. Commercial single phase power shall be used. Electrical cable, type VF, shall be used and a 1" x 6" redwood strike board shall be buried 12" above the cable. The cable shall have not less than 24" of ground cover.

17. G.I. water pipe shall have a minimum of 24" of ground cover.

18. A chlorination unit shall be installed at the pump if the water is piped into the cabin.

19. The pump shall have a permanent wooden, concrete block or metal covering which will prevent persons from touching electrical controls.

11: Recd 12/31/63
12) Cline

Form 10-114
(Rev. Oct. 1958)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit consists
of 4 pages

SPECIAL USE PERMIT

Lake Mead National Recreation Area
(Area)

PERMIT NO. 14-10-0304-626 EXPIRES 12/31/68
PREVIOUS PERMIT NO. 14-10-0304-406

Mr. B. L. Clements, of 1012 Gulf Avenue, Wilmington, Calif. is hereby authorized during the period from January 1, 19 64, to December 31, 19 68, to use the following-described land in the above-named area:
A plot of ground, containing approximately 725 square feet, adjacent to the west boundary of lot no. 16, Katherine Vacation Cabinsite.

for the purpose of **construction of a water reservoir to supply water through pipes for domestic use to said lot no. 16.**

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of Two Dollars (\$ 2.00), in advance annually (Monthly, semiannually, etc.), or as follows:

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at Boulder City, Nevada (City), this 20th day of December, 19 63

(Signed)

Charles A. Richey

Superintendent

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

TWO WITNESSES TO SIGNATURES		* PERMITTEE (SIGNATURE)	
NAME	<u>C. L. Ransom</u>	NAME	<u>(Signed) B. L. Clements</u>
ADDRESS	<u>26340 Monte Vista, Demita, California</u>	ADDRESS	<u>B. L. CLEMENTS</u>
NAME	<u>Lloyd W. Gwyter</u>	NAME	<u>1012 Gulf Avenue</u>
ADDRESS	<u>6212 San Lorenzo Dr. Buena Park, Calif.</u>	ADDRESS	<u>Wilmington, California</u>

APPROVED: (If approval is required by higher authority)

NAME

TITLE

DATE

*Sign name or name is written in body of permit, for copartnership, permittee should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary.

Form 10-114
(Rev. Oct. 1960)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT

Lake Mead National Recreation Area
(Area)

PERMIT NO. **14-10-0304-585**
PREVIOUS PERMIT NO.

Henry B. & Louis L. Dinkla of **375 Cliff Drive, Apt. #4, Pasadena, California** is hereby authorized during the period from **December 1** 19 **62** to **November 30** 19 **63** to use the following-described land in the above-named area:

As shown on Drawing NRA-IM No. 2263-A on file in the office of the Superintendent, Lake Mead National Recreation Area, Boulder City, Nevada, and a copy of which is filed in the District Ranger's Office, Katherine District.

for the purpose of **installation of water system to provide domestic water to lot No. 18.**

subject to the conditions on the reverse hereof and attached pages and to the payment to the Government of the United States of the sum of **Five** Dollars (\$ **5.00**) in advance **Annually** (Monthly, semiannually, etc.), or as follows:

payment to be made to the Superintendent by Express or Postal Money Order, Certified Check, or Draft payable to the National Park Service, or Cash.

Issued at **Boulder City, Nevada** (City), this **4th** day of **December** 19 **62**

/SGD/ **Charles A. Richey**
Charles A. Richey
Superintendent

The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

TWO WITNESSES TO SIGNATURES		* PERMITTEE (SIGNATURE)	
NAME		NAME	
/SGD/ Jeanne L. Turney		Henry B. Dinkla /SGD/ Henry B. Dinkla	
ADDRESS		ADDRESS	
61 Grace Terrace, Pas.		375 Cliff Drive, Apt. #4, Pasadena, Calif.	
NAME		NAME	
/SGD/ Gladys W. Skeels		Louis L. Dinkla /SGD/ Louis L. Dinkla	
ADDRESS		ADDRESS	
409 W. Orange Grove, Sierra Madre		375 Cliff Drive, Apt. #4, Pasadena, Calif.	

APPROVED: (If approval is required by higher authority)

NAME	TITLE	DATE

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for the Branch of Lands, Washington)

PAGE 1

CONDITIONS OF THIS PERMIT

1. **Regulations.**—The permittee shall exercise this privilege subject to the supervision of the Superintendent, and shall comply with the regulations of the Secretary of the Interior, or other authorized officer of the Government, governing the area.

2. **Definition.**—The term "Director, National Park Service" as used herein shall include the appropriate Regional Director or Superintendent as the representative of the Director.

3. **Rights of the Director.**—Use by the permittee of the land covered hereby is subject to the right of the Director, National Park Service, to establish trails, roads, and other improvements and betterments over, upon, or through said premises, and further to the use by travelers and others of such roads and trails as well as of those already existing. If it is necessary to exercise such right, every effort will be made by the National Park Service to refrain from unduly interfering or preventing use of the land by the permittee for the purpose intended under this permit.

4. **Nondiscrimination.**—If use of the land covered by the permit will involve the employment by the permittee of a person or persons, the permittee agrees to observe the following nondiscrimination provisions in connection with the use to which the lands covered by this permit may be devoted:

In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, religion, color, or national origin. The aforesaid provision shall include, but not be limited to, the following: employment, upgrading, promotion, or transfer; recruitment or recruitment advertising; layoff or termination; rate of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

The contractor further agrees to insert the foregoing provisions in all subcontracts hereunder, except subcontracts for standard commercial supplies or raw materials. (Executive Order 10557; September 3, 1954.)

5. **Damages.**—The permittee shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the permittee is authorized to make of the land described in this permit.

6. **Construction.**—No building or other structure shall be erected under this permit except upon prior approval of plans and specifications by the Director, National Park Service, and the premises and all appurtenances thereto shall be kept in a safe, sanitary, and sightly condition.

7. **Removal of structures and improvements.**—Upon the expiration of this permit by limitation of time or its termination for any reason prior to its expiration date, the permittee, if all charges due the Government hereunder have been paid, shall remove within such reasonable period as is determined by the Superintendent, but not to exceed 90 days unless otherwise stipulated in this permit, all structures and improvements placed on the premises by him, and shall restore the site to its former condition under the direction of the Superintendent. If the permittee fails to remove all such structures and improvements within the aforesaid period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and the restoration of the site.

8. **Water Rights.**—The United States reserves the right to perfect title to all rights for water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available, at reasonable rates to be approved by the Director, National Park Service. Should such water service be unavailable on adequate terms, the permittee may, with prior approval of the Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

9. **Disposal of refuse.**—The permittee shall dispose of brush and other refuse as required by the Superintendent.

10. **Timber cutting.**—No timber may be cut or destroyed without first obtaining a permit therefor from the Director, National Park Service.

11. **Fire prevention and suppression.**—The permittee and his employees shall take all reasonable precautions to prevent forest, brush, grass, and structural fires and shall assist the Superintendent in extinguishing such fires in the vicinity of any tract which may be used hereunder.

12. **Soil erosion.**—The permittee shall take adequate measures, as directed and approved by the Superintendent, to restrict and prevent soil erosion on the lands covered hereby and shall so utilize such lands as not to contribute to erosion on adjoining lands.

13. **Benefit.**—Neither Members of, nor Delegates to, Congress, or Resident Commissioners shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom. *Provided, however,* That nothing herein contained shall be construed to extend to any incorporated company, if the permit be for the benefit of such corporation.

14. **Assignment.**—This permit may not be transferred or assigned without the consent of the Director, National Park Service, in writing.

15. **Revocation.**—This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Director, National Park Service.

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 10 1962	
FBI - ALBUQUERQUE	

Form 10-111a
(Dec. 1957)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA Lake Mead National Recreation Area	PERMIT NO. 14-10-0304-585	PAGE NO. 3
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16. The water distribution line from the lake to the lease line of Lot No. 13 Katherine Vacation Cabinsite, shall not exceed 2' in diameter.
17. The water and electric lines shall be installed in the locations determined on the ground by the District Ranger, Katherine District.
18. The water and electric lines shall not be unsightly and shall not create a safety hazard.
19. The water lines shall either be underground or painted to harmonize with the ground.
20. This permit may be renewed annually by the permittee. The period covered by this permit, including renewals, shall not exceed five (5) years.

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

This permit contains
of _____ page(s)

PERMIT NO. **14-10-0304-583** EXPIRES **9/30/63**

PREVIOUS PERMIT NO. **None**

SPECIAL USE PERMIT

LAKE MEAD NATIONAL RECREATION AREA

California

Paul J. A. Barbach, 502 Palos Verdes Blvd., Redondo Beach is hereby authorized during the period from **October 1** to **September 30**, 19**63**, to use the following-described land for the purpose of **to use the following-described land for the purpose of**

As shown on drawings of the Superintendent, Lake Mead National Recreation Area, and a copy of which is filed in the District Engineer's Office, Reno, Nevada (see attached).

for the purpose of **Installation of water lines to provide electric water to leased Lot No. 21**

subject to the conditions and terms hereof, and to the payment to the Government of the United States of the sum of **Five** Dollars (\$ **5.00**), in advance **ADVANCE**

payment to be made to the Superintendent by Express, Postal Money Order, Certified Check, or Draft payable to the National Park Service, Reno, Nevada

Issued at **Boulder City, Nevada**, this **11th** day of **October**, 19**62**

Superintendent

The undersigned hereby accept this permit subject to the conditions and limitations expressed or implied therein.

TWO WITNESSES TO SIGNATURES

NAME	ADDRESS	NAME	ADDRESS
/SGD/ Gaylord DeForest	1746 3rd St., Manhattan Beach	Paul J. A. Barbach	502 Palos Verdes Blvd., Redondo Beach
/SGD/ A. Anesti	121 Bonita, Redondo Beach	Barbara Barbach	502 Palos Verdes Blvd., Redondo Beach

APPROVED: (If approval is required by higher authority)

NAME	TITLE	DATE

*Sign name or names as written in body of permit; for copartnership, permittees should sign as "members of firm"; for corporation, the officer authorized to execute contracts, etc., should sign, with title, the sufficiency of such signature being attested by the Secretary, with corporate seal, in lieu of witnesses.

(This copy for the Branch of Lands, Washington)

PAGE 1

Form 10-114a
(Dec. 1956)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SPECIAL USE PERMIT CONTINUATION SHEET

AREA

Mendocino National Recreation Area

PERMIT NO.

14-10-0304-583

PAGE NO.

3

16. The water distribution line from the side of the lease line of Lot No. 21, Katherine Recreation Cabinsite shall not exceed 21 in diameter.
17. The water and electric lines shall be installed in the locations determined on the ground by the District Ranger, Katherine (Katherine) District.
18. The water and electric lines shall not be unsightly and shall not create a safety hazard.
19. The water lines shall either be underground or painted to harmonize with the ground.
20. This permit may be renewed annually by the permittee. The period covered by the permit, including renewals, shall not exceed five (5) years.

Supporting Hydro Data

(4)

S.W. _____ Type Analysis A-1, no Fe soln. **U S G S C H E M I C A L A N A L Y S I S** Account 20NP
 River Basin _____ Station Ident. No. _____ Date Collected 1-11-68 Project 34 20
 Station Name Katherine Landing Resort, Lake Mead Nat'l. Recreation Area County Mohave Time _____
 Appearance _____ Gage Height (ft) _____ Discharge (cfs) _____ Collector G. Wohlbrandt
 pH..... 7.6 Temp. (°C) _____ Specific Conductance, micromhos at 25°C 1,090
 Hardness as CaCO₃: _____ Concentrations in milligrams per liter (mg/L)
 Total, mg/L 328 Silica (SiO₂)..... 9.0 Bicarbonate (HCO₃)..... 148
 Noncarbonate, mg/L. 206 Calcium (Ca)..... 83 Carbonate (CO₃)..... 0
 Color.. 0 Sodium-adsorption ratio..... 2.5 Sulfate (SO₄)..... 291
 %Na..... 40 Tons per acre ft... _____ Magnesium (Mg)..... 29
 Density, g/ml at 20°C. _____ Sodium (Na)..... 104
 Owner: NPS, Boulder City, Nev. Potassium (K)..... 4.8
 Rmks: Chlorinated Na+K (Calculated)..... _____
 Composite Period _____ Dissolved Iron (Fe).... 0.04
 Mean Daily Discharge (cfs) _____ Total Iron (Fe)..... 0.04
 Field Conductance _____ Boron (B)..... 0.19
 Field pH _____ Dissolved Solids: Sum of Constituents..... 690
 Dissolved Oxygen (mg/L) _____ Residue on Evaporation at 180°C..... 733
 B. O. D. (mg/L) _____
 Coliform (counts/100 ml) _____
 Chemist RLS, SWM, BR Checked By EFW
 Date Completed 2-8-68
 Date Transmitted _____
 Laboratory No. 663015

Provisional records, subject to revision.

Docket No. 20

C.W. Type Analysis A-1 U.S. GEOLOGICAL SURVEY ANALYTICAL NOTES Project NPS Collector M. C. Ott
 State Arizona County Mohave City (at or near) Katherine
 Latitude-Longitude _____ Well No. _____ Date Collected 1/25/65
 Owner Govt. Date Drilled _____ Cased to _____ Depth (ft) _____ Diam. (in) _____

pH 7.8 7.8 Temp (°F) _____
 Hardness as CaCO₃ 354 354
 Total _____
 Noncarbonate 230 230
 Color 2 2 S.A.R. 2.6 2.6
 % Na 41 41 T/af 1.02 1.02
 Density (g/ml) _____

V.B.F. _____

Producing Intervals _____

W.L. _____

Sampled after Pumping (Time) _____

Yield _____

Point of Collection _____

Appearance _____

Use _____

Remarks: Source: LakeChemist Kim Ong Checked By E.F.W.Date Completed MAR 31 1965

Date Transmitted _____

Laboratory No. 56338

Spec. Cond. (micromhos at 25°C): T <u>26.2</u> R KCl <u>330.1</u> R Sample <u>285</u> <u>(1160)</u> <u>1,160</u>			
PPM		EPM	
Silica f <u>48.6</u> vol <u>10</u> <u>(11)</u> <u>11</u>			
o.d. <u>0.235</u>			
Calcium <u>46</u> <u>0.00</u> EPM TH <u>7.08</u>			
vol <u>25</u> <u>4.66</u> <u>(93)</u> <u>93</u> <u>4.64</u>			
Magnesium <u>36.90</u> <u>28.05</u>			
vol <u>25</u> <u>8.85</u> <u>(30)</u> <u>30</u> <u>2.44</u>			
Sodium vol <u>15-50</u>			
<u>0-100</u> range <u>43.4</u> <u>43.4</u>			
<u>156</u> <u>33.8</u> x <u>3.333</u> <u>(113)</u> <u>113</u> <u>4.92</u>			
Potassium vol <u>50</u>			
<u>0-10</u> range <u>51.9</u> <u>51.9</u> <u>(5.1)</u> <u>5.1</u> <u>0.13</u>			
Na+K (Calculated)			
Iron f <u>1.92</u> vol <u>25</u>			
In sol.: o.d. _____			
Total: o.d. <u>0.015</u> <u>(0.03)</u> <u>0.03</u>			
TOTAL CATIONS		<u>12.13</u>	
Bicarbonate <u>16.10</u> <u>8.50</u> <u>(152)</u> <u>152</u> <u>2.49</u>			
vol <u>50</u> <u>7.60</u>			
Carbonate <u>(0)</u> <u>0</u> <u>0.00</u>			
Sulfate <u>4.02</u> <u>4.02</u>			
vol <u>50-700</u> <u>0.07</u> <u>3.95</u> <u>(316)</u> <u>316</u> <u>6.58</u>			
Chloride <u>5.65</u> <u>3.00</u>			
vol <u>25</u> <u>2.60</u> <u>(102)</u> <u>102</u> <u>2.88</u>			
AgNO ₃ <u>1.0</u> <u>2.55</u>			
Fluoride vol <u>10</u>			
o.d. <u>1.395</u> <u>(0.4)</u> <u>0.4</u> <u>0.02</u>			
Nitrate f <u>22.9</u> vol <u>5</u>			
o.d. <u>0.027</u> <u>(2.0)</u> <u>2.0</u> <u>0.03</u>			
Boron f <u>1.53</u> vol <u>1</u>			
o.d. <u>0.182</u> <u>(0.28)</u> <u>0.28</u>			
Sum of Constituents		<u>(748)</u> <u>748</u>	
Residue on Evaporation at 180°C			
vol <u>100</u> <u>58.3583</u> <u>(772)</u> <u>772</u>			
dish <u>1.22</u> <u>0.0772</u>			
TOTAL ANIONS		<u>12.09</u>	

Provisional records, subject to revision.

Other Supporting Information

Lake Mead

WRGfy
D.

November 2, 1961

L54-OEL

Memorandum

To: Regional Director, Region Three
From: Chief, Water Resources Section
Subject: Mr. W. F. Wahrenberger's Desire to Sell the Water System Appurtenant to his Formerly Leased Lot No. 34, Katherin Vacation Cabinsites, Lake Mead

Mr. Carpenter's suggestion in his memorandum of October 13 to the Superintendent is correct on the basis of the policy adopted with regard to water developments when the lease forms were drafted. However, I do not consider the provisions entirely compatible with the policy which has also been followed, to require that all rights to the use of water on Federal land shall be perfected in the name of the United States. It is also a provision which may result in the loss of Federal water rights, once they are established, if lessees remove their water systems if they cannot sell to the next lessee. These diversions directly from Lake Mohave (and Lake Mead) are the only ones covered by the pending decree in Arizona vs. California.

The Superintendent does not yet appear to have had time to establish any of the rights in Arizona by filing applications to support the claims in Arizona vs. California. There also appears to have been no pressure by the State, as in Nevada, to have the specific quantities and points of diversion defined. So far as I know, there are also many lessees in the various cabinsite areas in both States who have not initiated water developments.

Hence, while hoping that Lot 34 is released, and that the new lessee takes over the water system, there is little loss if the claims for Mr. Wahrenberger's supply lapse at this time. However, you and the Field Solicitor should give further thought to the general procedure which should be followed. I hope we do not have to purchase the water systems.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Lake Mead
Mr. Carr
Lands
Mr. Dunn

AvVDunn:lct

Lake Mead

*OK copy
PZ*

Region Three
Santa Fe, New Mexico

L3035

OCT 13 1961

Memorandum

To: Superintendent, Lake Mead
From: Acting Regional Director
Subject: Proposal to Sell Water System, W. F. Wahrenberger,
Lot No. 34, Katherine Vacation Cabinsites, Lake Mead
National Recreation Area

Your memorandum of October 5 and Mr. Allen's memorandum of
October 4 crossed in the mail.

Both pieces of correspondence were in reply to Assistant
Secretary Carver's letter of September 18 to Congressman Bob
Wilson.

Since your memorandum of October 5 states that the service does
not need the system and has no desire to purchase it we think
the alternate solution would be for Mr. Wahrenberger to dispose
of his investment to the successor lessee. If this is not
imminent he may wish to remove the equipment from the premises.

We are sending a copy of this memorandum to the Washington Office
in partial reply to Assistant Carver's letter of September 18.

Your confirmation or counter proposal should be supplied at your
early convenience.

James M. Carpenter
Acting Regional Director

In duplicate

Attachments

Copy to: Director (2) w/inc. ✓



IN REPLY REFER TO:

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Lake Mead National Recreation Area
Boulder City, Nevada

October 5, 1961

RECEIVED	
NPS REGION THREE OFFICE	
OCT 9 - 1961	
FILE NO.	DATE
REC. DIV.	
ASSIST. DIR.	
ADMIN.	
~~INVESTIGATIVE~~	<i>ch 10</i>
~~TRAINING ACT.~~	
~~FILES &~~	
REGISTRATION	
<i>✓ 1200</i>	
SOLICITOR	

April 28, 1961

L54-OBL

Memorandum

To: Regional Director, Region Three

From: Chief, Water Resources Section

Subject: Water for Vacation Cabinsites - Katherine Area, Lake Mead

The attachments with the Superintendent's memorandum of April 21 to you, and Assistant Commissioner Palmer's memorandum of March 21 to the Assistant Regional Director, Bureau of Reclamation, were not clear to me, and may not be clear to you and the lessees. I assume that the Regional Director has explained the matter to Mr. Richey, but believe that the following points should be confirmed or corrected by Mr. Richey so that we shall all have the same understanding.

The airmail speed letter of March 21 from Mr. Palmer is found to have been written by Mr. M. N. Langley, Chief of the Irrigation Branch, Bureau of Reclamation, from whom I obtained the following information by phone.

1. The language in the addition to Sec. 5 of the leases is presumed to be that formulated with considerable care for the Pecacho State Park lease.
2. Mr. Palmer's reference to a Federal establishment, in this case, is to Lake Mead National Recreation Area as a whole, and an Indian Reservation, or Reclamation Project, is also considered as an establishment.
3. Recognition was given to the Park Service claims for water for the vacation homesites in Exhibits 2802 and 2825, as presented in Arizona vs. California, and the Bureau of Reclamation has not intended to imply any further Federal rights to waters from Lakes Mead and Mohave than the Park Service has, or will establish under State law and the pending Supreme Court decision, despite the reference to possible limitations in the addition to Sec. 5 of the leases.
4. The provision in said addition that the pumping and use of water may be terminated or curtailed on notice from the United States that Colorado River water is limited or no longer available, is to protect the United States in the event that the water allocated to the Recreation Area is insufficient, on the basis of priority of rights established

under State law or the pending Supreme Court decision. The Bureau of Reclamation does not propose to make any further limitations because it is not authorizing any use under any Federal rights established for its own consumptive use.

I have always considered the old Sec. 5 of the leases to be somewhat inconsistent or ambiguous, as a result of its two provisions: (1) that the United States shall supply any water to the lessee; but (2) the necessary water rights shall be in the name of the United States. Mr. Langley explained that Mr. Palmer's reference to "place on a permanent service contract basis the water rights for the Federal establishment: reflects their confirming independent thinking that the water rights should be permanently appurtenant to the Federal land, regardless of changing lessees. I think Sec. 5 might be clarified to indicate that the United States does, or will, provide water at the source, to the extent of availability of such water under Federal water rights, but assumes no responsibility for the construction, operation, and maintenance of water systems to divert and deliver such water to the lessees.

It also appears from the Regional Director's memorandum of April 7 to the Superintendent, that there has been some discussion of the relative merits of permitting the lessees to construct individual or community water systems. Mr. Richey appears to have favored individual systems, and the Bureau appears to have been agreeable to either type which proves most practical.

It is probable that lessees will have some difficulty with the organization and financing for community water systems, particularly in a homesite area which is not all leased and developed at once, and if some lessees want well appointed homes while others wish, or can only finance simple camps. However, it would simplify water right procedure if the number of diversions in each homesite area were kept to a minimum, and appearances should be improved by keeping the number and complexity of water systems to a minimum.

I had not anticipated the water right provisions when suggesting that we find out whether the Bureau wished to impose conditions for the use of water from Lakes Mead and Mohave, but had expected them to suggest a charge based on the reduced pump lift, from River to Lake level. Mr. Langley advises that, while such a charge is frequently made, it does not appear justified for the small quantities to be pumped for homesites. He suggested that the small charge was probably covered by the annual land rental.

I have also received the copy of Mr. Richey's letter of April 17 to the Chief Engineer of the Colorado River Commission with regard to the Federal water rights for Lake Mead. This will be the subject of

separate correspondence. However, it should be noted here that the National Park Service should have filed its claim to all water it proposes to appropriate under the MISSION 66 development in Arizona and Nevada, respectively, before, rather than after its claim in Arizona vs. California. It should also have expedited such filings since our testimony, in order to confirm the claims. The claims should also be amended if I have estimated too little or too much, and should reflect all reasonable increase in water use within the life of the water systems, or for the ultimate development and use which can now be determined.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Copy to: Superintendent, Lake Mead
Chief, WDC (2)
Mr. P. Miller
Mr. B. Thompson
MISSION 66
Mr. Carr
Mr. Dunn

AvVDunn:lct

Lake Mead National Recreation Area
Boulder City, Nevada

April 21, 1961

L 3035
Cabinsites -
Katherine

WASO
~~Print~~
D.E. Lee
~~Handwritten signature~~
B Thompson
P Miller
MISS 10/66

Memorandum

To: Regional Director, Region Three
From: Superintendent, Lake Mead
Subject: Water for Vacation Cabinsites - Katherine

In order to keep you fully apprized as to the developments concerning water for the subject vacation cabinsites there are enclosed:

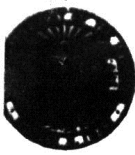
1. Copy of letters from Regional Director A. B. West dated March 29 and April 7.
2. Copy of amendment to lease forms.
3. Copy of letter to lessees.

After amendment to lease has been executed, a special use permit covering the water system will be issued. The fee will be \$5.00 annually. Conditions of the permit will require the water and electric lines to be placed underground.

Charles A. Richey
Superintendent

Enclosures

Copy to: The Director w/enclosures ✓



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGION 3
BOULDER CITY, NEVADA

1 REPLY
EPER TO: 3-100

APR - 7 1961

3	ADM. OFFICER
	CHIEF ENGINEER
	CHIEF FORESTER
	CHIEF HYDROLOGIST
	CHIEF INSPECTOR
	CHIEF PLANNING
	CHIEF RESEARCH
	CHIEF SURVEY
	CHIEF TRAVEL
	CHIEF UTILITIES
	CHIEF WATERS
	CHIEF WILDLIFE
	CHIEF ZOOLOGIST
	CHIEF ARCHITECT
	CHIEF PHOTOGRAPHY
	CHIEF ACCOUNTING
	CHIEF FILE
	CHIEF PREPARE REPLY
	CHIEF COMMENTS
	CHIEF NECESSARY ACTION
	CHIEF SEE

Memorandum

To: Superintendent, Lake Mead National Recreation Area,
National Park Service, Boulder City, Nevada

From: Regional Director

Subject: Availability of Colorado River water to homesites in
Lake Mead National Recreation Area

D5039

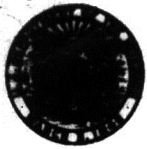
This will confirm our telephone conversation of April 6, during which you asked that I explain further the position of Reclamation in connection with the availability of domestic water to homesites in the Katherine Wash Recreation Area.

The letter of March 29, 1961, from Acting Regional Director Pelham, this subject, suggested that Park Service continue to allow pump installations at its homesite areas, but include language which had been developed in our Commissioner's Office, working in conjunction with the Office of the Solicitor. Our Commissioner's Office has, as the letter of March 29 stated, suggested that we advise you that it would be appropriate for you to include this same language in your homesite leases at Katherine Wash and elsewhere.

In our telephone conversation you commented that the language did not appear to be fully suited to your needs inasmuch as it would authorize, at least apparently, the placing of individual small pipelines connected to pumps at the water's edge, which would impair access to the shoreline and create an objectionable appearance. I suggested that this language is, in my opinion, sufficiently broad to permit the Park Service, through a centralized pump intake station, to withdraw the water under the same terms as it would be withdrawn by individuals and through some suitable arrangement make it available to the individuals. If individual intake arrangements are unacceptable, a central intake would appear to be your only recourse, if these people are to be given a supply of domestic water.

You are reassured that this procedure has been cleared with our Commissioner's Office.

asmet



IN REPLY
REFER TO: 3-700

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
REGION 3
BOULDER CITY, NEVADA

MAR 29 1961

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Memorandum

To: Superintendent, Lake Mead National Recreation Area,
National Park Service, Boulder City, Nevada

From: Regional Director

Subject: Availability of Colorado River Water to Homesites in
Lake Mead National Recreation Area

Reference is made to our conversations on the above subject. The question of policy to be followed in considering requests for permits to divert water for domestic purposes to vacation homesites in the Katherine Wash Recreation Area has been discussed with the Commissioner's office. I am pleased to inform you that a procedure has been suggested which I believe will prove satisfactory for present purposes.

It is suggested that you continue to allow pump installations in connection with recreational homesite leases but include in the language of the lease certain provisions relating to the availability of water. The following language is proposed:

"In the event the lessee diverts or pumps water from the Colorado River in connection with the enjoyment of the leased premises as herein provided, such pumping or diversion and use of Colorado River water shall cease or be curtailed upon, and as provided in, notice from the United States that Colorado River water is limited or no longer available for use on the leased premises."

If the Supreme Court issues a decision in Arizona v. California which will confirm the portion of the Special Master's proposed decree including the section dealing with water rights for the Lake Mead National Recreation Area, the problem probably can be resolved on a permanent basis.

Please advise me whether the procedure proposed and the language quoted for insertion in National Park Service leases are agreeable to you.

H. E. Bellhorn

L 3035
Cabinsite -
Katherine

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Lake Mead National Recreation Area
Boulder City, Nevada

Dear

A procedure has been established by the U. S. Bureau of Reclamation which now makes it possible for vacation cabinsite lessees to obtain Colorado River (Lake Mohave) water for domestic purposes. Briefly, the procedure requires (1) an amendment to the present lease to cover the diversion of water for domestic purposes and (2) a special use permit authorizing the pump installation and the location of the distribution line from the water to the lessee's lease line.

If you desire to obtain domestic water from the lake, you may obtain further details by writing to this office or contacting District Ranger Wenger at Katherine.

We will be glad to assist you in any way we can.

Sincerely,

Charles A. Richey
Superintendent

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

AMENDMENT TO LEASE OF UNITED STATES PROPERTY
IN LAKE MEAD NATIONAL RECREATION AREA

THE LEASE, made by and entered into _____ 19____, by and between the UNITED STATES OF AMERICA, acting through the Superintendent of Lake Mead National Recreation Area, party of the first part and hereinafter referred to as the "Government", and, _____

party of the second part, and hereinafter referred to as the "Lessee", is amended by adding the following sentences to Section 5 of said lease:

In the event the lessee diverts or pumps water from the Colorado River in connection with the enjoyment of the leased premises as herein provided, such pumping or diversion and use of Colorado River water shall cease or be curtailed upon, and as provided in, notice from the United States that Colorado River water is limited or no longer available for use on the leased premises. Written approval by the Superintendent of the location for distribution lines and pumping facilities must be obtained prior to initiation of the construction.

IN WITNESS WHEREOF, the said parties have hereunto subscribed their names and affixed their seals the day, month and year first above written.

UNITED STATES OF AMERICA

BY _____
Superintendent
Lake Mead National Recreation Area

Two witnesses to each signature:

(Sgd.) _____

Address _____

(Sgd.) _____

Address _____

(Lessee)

(Sgd.) _____

Address _____

(Sgd.) _____

Address _____

(Lessee)

September 1959

LAKE MEAD - KATHERINE VACATION CABIN SITES - IRRIGATION STUDY				
*Gross Area	Net Irrigation Area	% of Gross Area to be Irrigated	@ 5 AF/A/AN	@ 8 AF/A/AN
23.49 acres	11.75 acres	50%	58.75 AF	94.00 AF

*Note: Area considered is that of lot sites only.
Derived from Drawing NRA-LM-6991.

WR Copy
LS4-L

June 5, 1956

AIR MAIL

Memorandum

To: Superintendent, Lake Mead
From: Chief, Water Resources Section
Subject: Test Wells, Katherine and Willow Beach, Lake Mead

We have teletyped Region Three that we are allotting \$1860 under Account 140.3 (143.2) for the subject test wells, in accordance with bids reported in your memorandum of May 28.

We are not sure that the Arizona well drillers have standard forms for logs and pump tests. Attached is one copy of the form we use when the state does not supply them, and a dozen extra copies are being forwarded by regular mail. Please be sure that the necessary data is obtained during drilling, noting depths where water is intercepted under remarks following the thickness of strata on the reverse of sheet. This office should be supplied with five copies of the Record of Well, or the equivalent state form; or with one good copy of each from which photostats may be made for four assemblies of each docket, and one copy for the Geological Survey. We wish the logs of wells, even if no water is intercepted.

No water right filing is required in Arizona unless we prove that the groundwater is underground flow of the Colorado River, but we should get ties from wells to section corners, and plans for any water system, if adequate water is obtained, as soon as practical after the wells are drilled.

SIGNED

A. van V. Dunn
Chief, Water Resources Section

Attachment

Copy to: Superintendent, Lake Mead - REGULAR MAIL
Regional Director, Region Three
Western Office of Design and Construction
Mr. P. Miller
Mr. Dunn

AvVDunn:lct

Department of the Interior

National Park Service

GAE 413

May 5, 1956

VIA PBS

Regional Director, Region Three, National Park Service, Public Buildings
Administration, Teletype Center, Room 407, U. S. Court House Building,
Albuquerque, New Mexico

L54-L We are allotting \$1860, Account 140.3 (143.2) for test wells
Katherine and Willow Beach, Lake Mead, per Glenn's air mail memorandum
June 1.

SIGNED

Price
Assistant Director

CONFIRMATION

Copy to: Superintendent, Lake Mead
Mr. Pipes - Please allot \$800 already obligated, plus
additional \$1060
Mr. Dunn

AvVDunn:lct 5-4-56

COPY

154-L

May 28, 1956

Via Air Mail

Memorandum

To: Regional Director

From: Superintendent, Lake Mead

Subject: Proposed Test Wells, Katherine and Willow Beach, Under
Appropriation 1461033, Account 140.3 (143.2), Lake Mead

Assistant Director Price's memorandum of May 9 to your office (copy to this office) stated that allotments would be made on receipt of bid prices.

It was further stated that half of the \$1,600 referred to in Mr. Dunn's memorandum of May 2 was available now and that the remaining \$800 could not be allotted until the supplemental 1956 appropriation was passed.

The low bid on each of the two wells was \$930, or a total of \$1,860 for the two wells.

It is requested that \$800 be allotted immediately and that the remaining \$800 be allotted immediately upon passage of the supplemental 1956 appropriation bill.

Please expedite this matter.

Charles A. Richey
Superintendent

C
O
P
Y

NR Cop
[Signature]

May 5, 1954

My dear Governor Pyle:

For your information, there is attached a copy of a memorandum dated March 19, 1954, which I have today approved at the request of Mr. Conrad Wirth, Director of the National Park Service, which will permit, should the question arise, the lessees of vacation cabins at the Katherine Vacation Cabin Site on the Arizona side of Lake Mohave to obtain water from drilled wells.

The memorandum refers to my letter to you of May 14, 1953, copy attached for your ready reference, in which the Department advised that it "does not contemplate entering into any further contracts with respect to the diversion and use of Hoover Dam water during the pendency of the litigation." It is my opinion that the approval of the Park Service memorandum is in accord with the objectives we had in mind when my letter was written.

Sincerely yours,

(Sgd) Fred G. Aandahl

Fred G. Aandahl
Assistant Secretary

The Honorable
Howard Pyle
Governor of Arizona
State House
Phoenix, Arizona

Enclosures (2)

5/12/54 Copy to: Regional Director, Region Three - (By NPS) (2)
Supt., Lake Mead - (By NPS) (2)

EDFrye:pk
5-4-54
cc; National Park Service

C
O
P
Y

In reply refer to:
D5039-R

Memorandum

To: Assistant Secretary Aandahl
Through: Assistant Secretary Lewis

From: Director, National Park Service

Subject: Development of Vacation Cabin Sites, Lake Mead National Recreation Area

On November 19, 1953, Acting Regional Director Jones, Region 3, Bureau of Reclamation, Boulder City, Nevada, notified the Superintendent, Lake Mead National Recreation Area, by memorandum, a copy of which is attached, that an understanding had been reached through your office and that of Governor Pyle of Arizona that, with certain stated exceptions, the Department "does not contemplate entering into any further contracts respecting the diversion and use of Hoover Dam water" until the Arizona vs. California litigation had been concluded.

Prior to receipt of notification of this understanding, this Service had established the Katherine Vacation Cabin Site on the Arizona side of Lake Mohave and leases for 37 of the 39 sites have been executed. We have also approved a similar site at Stewart's Point on the Nevada side of Lake Mead and are currently reviewing for approval the Monkey Cove site near Temple Bar in Arizona.

The lessees of vacation cabin sites are expected to obtain water from wells and have been directed to perfect rights in the name of the United States in cases where State water laws may require appropriation. We assume that this is in conformity with your commitment to Governor Pyle and that neither of you was concerned with minor land use contracts. We estimate that the total domestic water consumption at the Katherine area, for instance, with full development would not exceed 3.0 acre-feet per year.

At present, our sole concessioner on the Arizona side of Lake Mead obtains water from drilled wells. Similar arrangements are in effect at other concession operations on both Lakes Mead

and Mohave in both Arizona and Nevada. We assume that the commitment to Governor Pyle does not apply to contracts for concession developments to accommodate the visiting public, or to the Federal appropriation of water for administrative and concessioner use.

Since we have been under continuous pressure to expedite our vacation cabin site policy at the Lake Mead National Recreation Area, your approval of our understanding as outlined will be appreciated.

(Sgd) Conrad L. Wirth
Conrad L. Wirth
Director

Attachment

Approved: May 5, 1954

(Sgd) Fred G. Aandahl

Assistant Secretary

Copy to: Regional Director, Region Three (2)

Mr. Price
Mr. Dunn
Mr. Vint
Mr. Thompson

SMWoodward:ms

C
O
P
Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Washington 25, D. C.

April 16, 1954

Memorandum

To: Assistant Secretary Aandahl
From: Commissioner, Bureau of Reclamation
Subject: Development of Vacation Cabin Sites, Lake Mead National
Recreation Area

Mr. Frye has sent to us for review a memorandum on the above subject which had been prepared for your approval by the National Park Service.

In so far as the memorandum deals with obtaining permits to appropriate water from ground water sources, this Bureau has no objection to it. I may point out, however, that Arizona has no statutory provisions governing such appropriations.

In so far as the memorandum deals with the appropriation of water from the Colorado River, the Bureau of Reclamation must recommend that you do not approve it. Virtually all water in the stream below Hoover Dam comes from releases from that structure. The Boulder Canyon Project Act (section 5) provides that "No person shall have or be entitled to have the use for any purpose of the water stored as aforesaid except by contract" with the Secretary of the Interior. We see no reason to believe that, inasmuch as the quantity of water involved in the National Park Service memorandum is very small, a suitable supply could not be made available by the Secretary for the purposes indicated. Since, however, the use of this water will almost certainly be charged to Arizona in the current litigation and in view of commitments made to the Governor of Arizona by the present Administration and to Senator Hayden by the previous Administration, we point out that this is a matter on which they should at least be advised before definite action is taken.

(SGD) W. A. Dexheimer

Commissioner

Enclosure

Copy to: Regional Director, Boulder City, Nevada
Regional Counsel, Los Angeles, California
Director, National Park Service

WR (p) ②

In reply refer to:
D5039-R

MAR 19 1954

Memorandum

To: Assistant Secretary Aandahl
Through: Assistant Secretary Lewis

From: Director, National Park Service

Subject: Development of Vacation Cabin Sites, Lake Mead National Recreation Area

On November 19, 1953, Acting Regional Director Jones, Region 3, Bureau of Reclamation, Boulder City, Nevada, notified the Superintendent, Lake Mead National Recreation Area, by memorandum, a copy of which is attached, that an understanding had been reached through your office and that of Governor Pyle of Arizona that, with certain stated exceptions, the Department "does not contemplate entering into any further contracts respecting the diversion and use of Hoover Dam water" until the Arizona vs. California litigation had been concluded.

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Since we have been under continuous pressure to expedite our vacation cabin site policy at the Lake Mead National Recreation Area, your approval of our understanding as outlined will be appreciated.

(SGD) Conrad L. Wirth

Conrad L. Wirth
Director

Attachment

Approved: May 5, 1954

(SGD) FRED G. AANDAH
Assistant Secretary

Copy to: Regional Director, Region Three (2)
Mr. Price
✓ Mr. Dunn
Mr. Vint
Mr. Thompson

SMWoodward:ms

WRM
In reply refer to
L3635-L

DEC 21 1953

Memorandum

To: Regional Director, Region Three

From: Assistant Director

Subject: Water for Vacation Cabin Site Lessees, Katherine; and
Others Using Colorado River Water under the Boulder
Canyon Act, Lake Mead

The memorandum of November 6 to the Regional Director, Region Three, Bureau of Reclamation, from Mr. Bagley states that Arizona water users must obtain water under direct contracts with the Bureau of Reclamation, while in Nevada water is taken under a State water right. We believe that the potential problems will resolve themselves after planning and developments of water resources are carried out in accordance with paragraphs 7 and 9 of Memorandum WO-49-53 of April 13, and paragraph 5 of the lease form which was attached to the invitation for bids for lots, which was included with that memorandum.

However, a review of the matter indicates that in approving the invitation and proposed contract the Bureau of Reclamation must have had some details of procedure in mind with which we should be familiar before the National Park Service is called upon to approve any water right applications or impose conditions relating to the diversion of water from Lakes Mead or Mohave, or the higher ground water level which has been created thereby.

Please refer to House Document 717 - 80th Congress, 2nd Session, The Hoover Dam Documents, by Ray Lyman Wilbur and Northcutt Ely, 1948. The Bureau of Reclamation, Boulder City; and all State Engineers of the compact States, must have copies if there is none in the Park Service offices.

The Arizona Contract of February 1944 begins on page A559, and provides in paragraph 7.(a) that: "the United States shall, and Arizona, or agencies or water users therein, will accept at a point or points of diversion on the Colorado River, so much water" The basic Nevada Contract of March 30,

1942, begins on page A571, and provides in paragraph 5(a) that: "the United States shall deliver to the State at a point, or points, to be selected by the State so much water". The cost of water, in each case, is \$0.50 per acre-foot. The Arizona Contract permits direct contracts with small water users; but the Nevada Contract makes it necessary for the State to act as contracting agency, and it can only do so through its records of appropriations under its State water code.

In Arizona, an appropriator can establish conditional rights to an ultimate quantity of water by filing an application with, and obtaining a permit from, the State Land Commissioner; and independently contract to pay the Bureau of Reclamation for only so much of that quantity as he may divert and use each year. On the other hand, the State Engineer of Nevada will probably contract to pay the Bureau of Reclamation for water on the basis of the ultimate right and collect the money from the appropriator under terms imposed in the water right permit and subsequent license. We should obtain information from the Bureau of Reclamation as to how these matters are to be handled and include proper conditions in the instructions to lessees for perfecting water rights.

As a related consideration, Mr. Dunn has previously reported that the State Engineer expressed the hope that Federal diversions for the Recreation Area in Nevada would not be counted in the State quota; while the Secretary of Mr. Smith, the Engineer in the Arizona State Land Department, has welcomed Federal water right filings in accordance with Arizona water laws, to augment the State claims to water. These statements were made more than a decade ago, but both officials have continued to treat Federal water right applications in a manner to suggest that there has been no change in attitude. So far as Mr. Dunn knows, there has been no decision under which Federal appropriations in either State may, or may not, be excluded from State quotas, and there have been numerous bills introduced in Congress, and administrative statements which suggest an ultimate possibility the United States will have only the status of any other landowner, and be governed by the State water laws when the issue is settled. The Appropriation Act for the Department of Justice for 1953 has been the first step in that direction. If the water rights are to be perfected in the name of the United States, the National Park Service must also prescribe conditions under which it will not become obligated to handle the financing under the contracts between the Bureau of Reclamation and the two States or the water consumers.

In either State a multiplicity of independent small diversions will result in increased administrative cost. The water use in most summer homes without irrigated lawns or shrubbery will average only about 250 gallons per day, or a little over 0.02 acre-feet per month. The charge would only be about \$0.12 per year if the cabin were occupied throughout the year, which is doubtless not true. The entire cost for the 39 sites at Katherine would not exceed \$5.00 per year. If each home site has an area of about 0.5 acre, irrigation might require additional water costing about \$1.25, or about \$49.00 per year for the subdivision if all lots were fully irrigated.

It will also cost about \$100 to perfect a water right in Nevada, including the preparation of a map by a licensed engineer, whether the right is for one lot or the entire subdivision. The cost may be somewhat less in Arizona. For this reason, it is suggested that the lessees in each subdivision might elect to form a cooperative organization to plan a single water system for the subdivision, to handle the water right matters, and to contract with the Bureau of Reclamation or the State of Nevada for the annual payments.

This will require that a basic plan for a joint water system for each subdivision be formulated, with temporary provisions for some individual diversions until there are sufficient lessees to incur the necessary indebtedness for the financing of the joint water system. Thereafter, new lessees will have to contribute their share of the down payment as a condition for their leases. We understand that more than 11 of the 39 lots in the Katherine area are being leased, and that a cooperative system can be planned and constructed with a minimum of temporary diversions if the lessees agree.

It is fortunate that the first leases have been of lots of a subdivision in Arizona. The Bureau of Reclamation is free to make such arrangements for the sale of water from Lake Mohave as it sees fit, and the National Park Service is largely only concerned with the perfection of water rights. However, we should work out the procedure for subdivisions in both States at this time. Please keep us supplied with two copies of all correspondence and reports on meetings, and refer the final decisions to us for approval before binding agreements are signed.

While this information is supplied in connection with the proposed cabin site leases, Mr. Dunn believes that the basis for the difference should be considered in connection with all water use from Lakes Mead and Mohave, including water developments by the National Park Service and concessioners.

(SGD) THOMAS J. ALLEN
Assistant Director

In duplicate

Copy to: Mr. Price
 Mr. Thompson
 Mr. Dunn

AvanVDunn:sh

C O P Y

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Reclamation
Region III
Boulder City, Nevada

November 19, 1953

Memorandum

To: The Superintendent
Lake Mead National Recreation Area

From: Acting Regional Director, Region 3, Bureau of
Reclamation, Boulder City, Nevada

Subject: Water for Vacation Cabin Site Lessees, Katherine

Reference is made to your letter of November 6, 1953. Enclosed are copies of letters from Governor Howard Pyle, of the State of Arizona, dated April 27, 1953, to Secretary of the Interior Douglas McKay, and from Assistant Secretary Fred G. Aandahl to Governor Pyle, dated May 14, 1953.

These letters indicate that the Bureau of Reclamation is prohibited from issuance of permits for use of Colorado River water for any purpose, and that no relief through State action may be expected before Arizona's case now pending before the Supreme Court is disposed of.

Water rights for Overton Vacation Cabin Sites should be obtained from Hugh Shanberger, State Engineer, Carson City, Nevada.

Where Colorado River water is available, the stipulations of the Boulder Canyon Project Act, Section 5, will be pertinent to any plan in connection with contracts for water. That act provides that contracts for water for irrigation and domestic use should be for permanent service. Our Regional Counsel has advised that a lessee is in no position to receive a permanent contract for water.

- - -

/s/ J. P. Jones

J. P. Jones

Enclosures 2

Maps and Miscellaneous Information

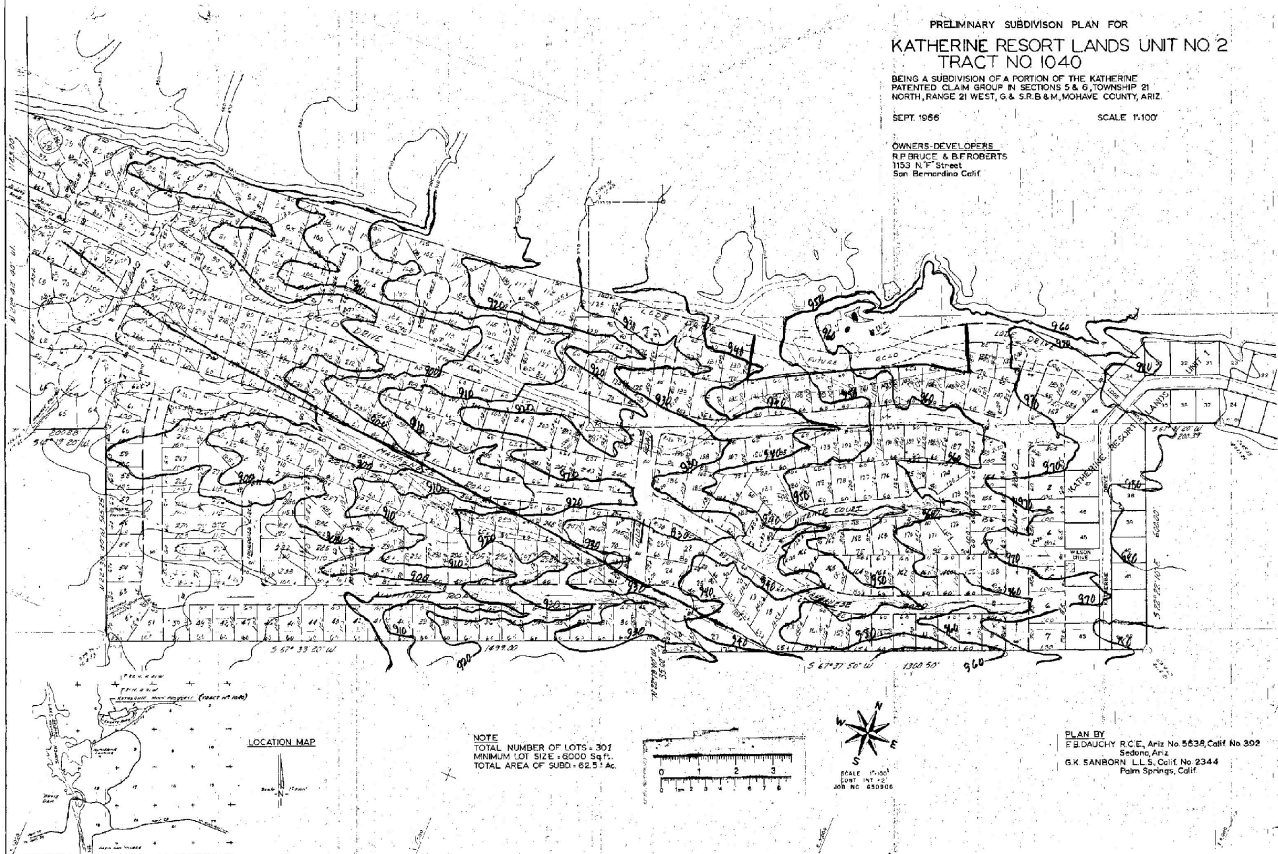
PRELIMINARY SUBDIVISION PLAN FOR
KATHERINE RESORT LANDS UNIT NO. 2
TRACT NO. 1040

BEING A SUBDIVISION OF A PORTION OF THE KATHERINE
PATENTED CLAIM GROUP IN SECTIONS 5 & 6, TOWNSHIP 21
NORTH, RANGE 21 WEST, G & S.R.B. & M. MOHAVE COUNTY, ARIZ.

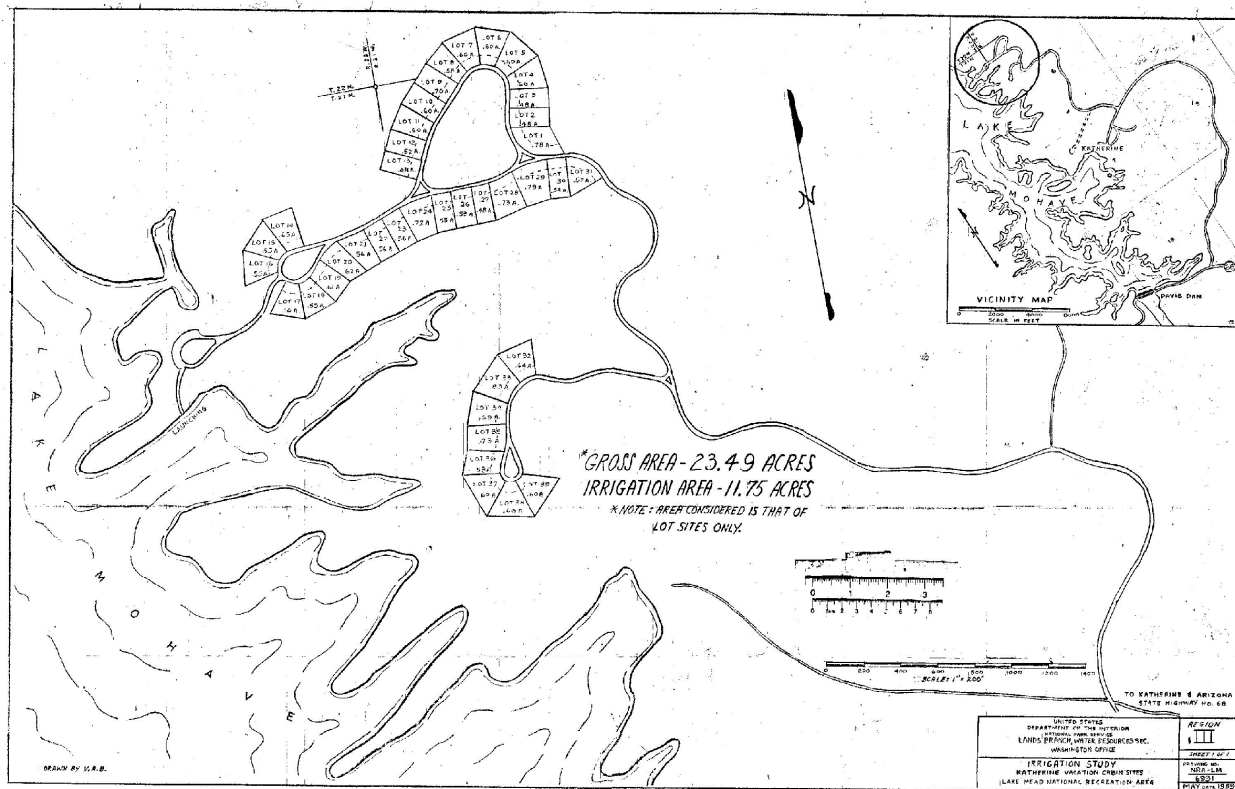
SEPT. 1956

SCALE 1"=100'

OWNERS-DEVELOPERS
R.P. BRUCE & R.F. ROBERTS
1152 N. 7th Street
San Bernardino, Calif.



DRAWN BY
F.B. LAUCHLY - R.C.E. Ariz. No 5538, Calif. No 302
Sedona, Ariz.
G.K. SANBORN - L.L.S. Calif. No 2344
Palm Springs, Calif.



Docket Information

Number of Documents in Docket 40

Documents Dated from 11/19/1953 to 5/19/1976

Docket Compiled: 6/2/2016