



WATER-RIGHT DOCKET

Lake Roosevelt National Recreation Area

Docket No: 1

COLUMBIA RIVER, FDR LAKE

Preliminary Docket Information

00-00-0000: water docket information, coulee dam

WATER DOCKET INFORMATION

A R E A COULEE DAM

DOCKET NO. 1

APPLICATION NO. _____

PERMIT NO. _____

CERTIFICATE NO. _____

TITLE OF DOCKET COLUMBIA RIVER & FRANKLIN ROOSEVELT LAKE

PRIORITY _____

REMARKS: _____

C
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P
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STATE OF WASHINGTON

OFFICE OF THE STATE SUPERVISOR OF DIVISION OF WATER RESOURCES

DEPARTMENT OF CONSERVATION AND DEVELOPMENT

IN THE MATTER OF THE REQUEST OF THE)	
SECRETARY OF THE INTERIOR OF THE)	
UNITED STATES FOR AN EXTENSION OF)	ORDER AND DETERMINATION
THE PERIOD OF WITHDRAWAL OF WATERS)	GRANTING PETITION.
OF THE COLUMBIA RIVER WATERSHED)	
ABOVE GRAND COULEE DAM, WASHINGTON.)	

Whereas, on the 21st day of January, 1952 a petition by the Department of the Interior of the United States was received and filed in the office of the State Supervisor of the Division of Water Resources of the State of Washington for an extension of time within which the waters of the Columbia River and its tributaries in the State of Washington above the Grand Coulee Dam, required for the Grand Coulee and Columbia Basin projects to the extent of 100,000 cubic feet per second continuous flow, plus 6,400,000 acre-feet of storage would remain withdrawn and subject to no appropriation under the laws of the State of Washington, except by the United States, for a period extending from April 20, 1952 to December 14, 1959; in accordance with the provisions of an act of Congress of the United States, approved June 17, 1902 (32 Stat. 388), and acts amendatory thereof and supplemental thereto, known as the Reclamation Law, and in accordance with an Act of the Legislature of the State of Washington approved March 4, 1905 (Laws of 1905, Chap. 88, page 180), and the Act of the said Legislature approved March 14, 1917, amendatory thereof and supplemental

thereto; and

Whereas, the withdrawal originally obtained under the provisions of the laws aforesaid (effected by filing a notice by the Secretary of the Interior on May 10, 1938, indicating that the United States intended to make examination and surveys for the utilization of the waters of the Columbia River and its tributaries to the extent hereinabove set forth in the development of the proposed Columbia Basin Project); and under further notice of April 20, 1939, setting forth that the project was feasible and that the investigation will be made in detail, caused the waters involved to be legally withdrawn to April 20, 1942 and by application of the United States Department of the Interior an extension of time for the waters involved was granted to April 20, 1952; and

Whereas, since the notice of withdrawal has been filed the United States has shown good faith in the diligence with which construction work on the Grand Coulee Dam was prosecuted and in making investigations, surveys and plans for the irrigation of lands in the Columbia Basin Project; and

Whereas, in pursuance of the provisions of the Act of the Legislature of the State of Washington approved March 4, 1905 and referred to in the above request, notice of the filing and pendency of said request has been published once each week for four consecutive weeks in newspapers published and of general circulation in each of the counties of Okanogan, Grant, Stevens, Ferry, Pend Oreille, Lincoln, Spokane, Adams and Franklin, State of Washington, the same being the counties where the works for the utilization of such waters are being constructed or to be constructed, and the counties in which

the drainage basin lies above the Coulee Dam within the State of Washington; and copies of said notices and affidavits of their publication are on file in the office of the Supervisor of the Division of Water Resources; and

Whereas, the State Supervisor of the Division of Water Resources has received no objections to the granting of said application; and

Whereas, said State Supervisor of the Division of Water Resources has personally inspected and is familiar with the conditions of the reclamation and power works referred to in the request of the Secretary of the Interior quoted above, and is fully advised in the premises, and believes that the extension of time hereinafter ordered is and will be for the best interests of the United States and of the State of Washington, and that no sufficient interests adverse to those of the United States and of the State of Washington require the denial of said petition; and

Whereas, the State Supervisor of the Division of Water Resources makes a request to the Secretary of the Interior that plans of the United States for the complete development of the Columbia Basin Project, as contemplated under the Act of the Legislature of the State of Washington, approved March 4, 1905, be completed and that the proper agent of the United States indicate, by filing of water right applications, the maximum water requirements for irrigation and incidental power of the Columbia Basin Project, so that the blanket withdrawal of water for the benefit of the irrigation and power sites remaining on tributaries of the Columbia River above the Grand Coulee Dam be made available for development by others;

and it is understood that the plans for irrigation and incidental power development may be completed so that the Interior Department will be able within the period of withdrawal to file applications for permits for the appropriation of water required for use in connection with the project. It is therefore

ORDERED AND DETERMINED That the time within which the United States is required to complete plans for the utilization of the aforesaid waters and file applications for permits for the appropriation thereof, as provided in the Act of the Legislature hereinabove referred to, be and is hereby extended to the 14th day of December 1959, and that during said period the waters hereinabove described shall not be subject to appropriation under any other law of the State of Washington, except that applications may be received and permits granted for irrigation, power and other uses under pending or new applications as provided by the Water Code (Laws of Washington, 1917, Chap. 117 and amendments thereto) for appropriation and use of waters from the aforesaid stream and its tributaries where said appropriations will not materially or actually conflict with the use of waters to be appropriated by the United States which are withdrawn under this order.

It is further provided that when all applications are filed on behalf of the United States for the Columbia Basin Project including all proposed extensions, under the provisions of the Water Code (Laws of Washington, 1917, Chapter 117 and amendments thereto) if filed within a period of time short of the time for which this extension is granted, this order shall be of no force or effect after the date of filing.

WITNESS my hand and official seal this 20th day of April, 1952.

(SEAL)

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/s/ Chas. J. Bartholet
State Supervisor, Division of
Water Resources, State of Washington



JAN 21 1 42 PM '52
 UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 REGIONAL OFFICE, REGION I
 BOX 937, BOISE, IDAHO

IN REPLY REFER TO

CRD ROUTING	
ACTION	
900	<i>[Signature]</i>
150	<i>[Signature]</i>
51	

JAN 18 1952

Mr. Chas. J. Bartholet, Supervisor
 Division of Water Resources
 Department of Conservation and Development
 Olympia, Washington

Dear Mr. Bartholet:

This is an application of the United States for an extension of the period of withdrawal of the waters of the Columbia River for the Columbia Basin Project, pursuant to Section 7410 of Washington's Revised Statutes of Washington (1940). The waters involved are those covered by the notice of withdrawal of May 10, 1938, which was the subject of the order of April 20, 1942, extending the time to April 20, 1952. Section 7410, supra, provides that the withdrawal may be further extended after proper publication of notice has been made.

Since the notice of withdrawal of May 10, 1938, continued progress has been made on the various features of the Columbia Basin Project. Construction of the Grand Coulee Dam, powerplant and related irrigation facilities has involved an expenditure of over \$110,000,000. Power facilities have been installed at a cost of \$118,500,000. Construction of an extensive system of irrigation canals and other irrigation works which will ultimately enable the furnishing of water to more than 1,000,000 acres in the Columbia Basin is well under way, with more than \$141,000,000 already expended for this purpose. Facilities are now complete for the irrigation of approximately 72,600 acres in calendar year 1952. Approximately \$2,000,000 per month is now being spent on the Columbia Basin Project. Approximately 7,800 men are employed at the present time on project work, 1,975 of these by the various contractors and 1,825 by the United States Bureau of Reclamation. The powerplants are producing electricity at the rate of approximately 13,700,000,000 kilowatt hours per year. The United States has also expended more than \$3,224,000 in surveys and investigations of the irrigable lands of the project and the works necessary to accomplish the proposed irrigation.

Although the construction work and the examinations and surveys for the utilization of the withdrawn waters are progressing, the size and complexity of the project are such

that the work has not yet been conducted to the point where the authorized officers of the United States may make appropriation of said waters so withdrawn. However, work is being carried on as rapidly as possible in order that an appropriation may be made under Section 7411 of Remington's Revised Statutes of Washington.

Accordingly, in pursuance of the authority conferred upon me by the Act of Congress of June 17, 1902 (32 Stat. 388), the Act of Congress of August 30, 1935 (49 Stat. 1028), the Act of Congress of August 4, 1939 (53 Stat. 1187), known as the Reclamation Project Act of 1939, and acts amendatory thereof and supplementary thereto, and in pursuance of the act of the legislature of the State of Washington, approved March 4, 1905 (Laws of 1905, chapter 88, page 180, section 7410, Remington's Revised Statutes), I request that you extend the time within which the waters of the Columbia River as described in the referred-to notices and heretofore withdrawn and reserved as aforesaid, shall remain withdrawn and subject to no appropriation whatsoever under the laws of the State of Washington, except by the United States for an additional period ending December 14, 1959, in order to permit the United States to continue its examinations and surveys for the utilization of said withdrawn water preliminary to the appropriation to be made by the United States of water needed for the Columbia Basin Project. Every effort will be made to file an application for a permit to appropriate the withdrawn water as far in advance of December 14, 1959, as is practicable.

Section 7410 of Remington's Revised Statutes of Washington provides for publication of notice in a newspaper publication in each county "where the works for the utilization of such waters are to be constructed." It is our plan to construct such works in Adams, Ferry, Franklin, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, and Stevens Counties.

An identical letter is being sent to the Commissioner of Public Lands.

Sincerely yours,

For the Secretary of the Interior

(Signed) H. T. Nelson

Regional Director
Bureau of Reclamation
Region 1, Boise, Idaho

In duplicate

Identical letter to the Commissioner of Public Lands,
Olympia, Washington

Copy to: Commissioner, Washington, D. C.
Chief Engineer, Denver, Colorado
Regional Counsel, Boise, Idaho
District Manager, Ephrata, Washington
Assistant Regional Counsel, Ephrata, Washington

C O P Y

STATE OF WASHINGTON

DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Art Garton, Director
Transportation Building
Olympia

Mon C. Wallgren
Governor

July 21, 1948

Director
National Park Service
Washington D. C.

Attn: A. van V. Dunn
Chief, Water Resources Branch

Dear Sir:

In reply to your inquiry of May 17, 1948, you are advised that the date of the original withdrawal of waters of the Columbia River above Coulee Dam was on December 14, 1934. In this notice no quantity of water was named, but on August 11, 1934, a document titled "Written release of part of the waters of Columbia River from withdrawal dated January 4, 1934 Section 3378; Pierce's Code, Washington Statutes" was received.

In this document there was reserved 100,000 c.f.s. plus 6,400,000 acre-feet.

The current withdrawal expires on April 20, 1952.

Very truly yours,

H. W. Pollock
Supervisor of Hydraulics

By: (Sgd) J. F. R. Appleby

J. F. R. Appleby
Assistant Supervisor

JFRA:bg

C O P Y
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

WASHINGTON 25, D. C.

May 17, 1948.

Mr. Rodney Ryker,
Supervisor of Hydraulics,
Department of Conservation and Development,
Box 207,
Olympia, Washington.

Dear Mr. Ryker:

Under interbureau agreement with the Bureau of Reclamation, this Service administers the lands withdrawn for the Grand Coulee Project as the Coulee Dam Recreational Area. In order to complete our own records of related water rights, we asked the Bureau for information concerning its withdrawals for that project.

The Bureau has supplied us with a copy of the Notice of Petition of the Secretary of the Interior for an Extension of Time on the withdrawal, from 1943 to 1946, and advised that the Boise Office had subsequently obtained other extensions of time up to 1956.

In order to complete the records, will you advise us of the date of the original withdrawal, and whether the original withdrawal was for 100,000 second feet plus 6,400,000 acre feet of storage, as described in the aforesaid notice. Also, was any number, or other identification assigned to this withdrawal?

Sincerely yours,

(Sgd.) A. van V. Dunn

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

cc: Regional Director, Region Four (2).

NOTICE OF PETITION OF THE SECRETARY OF THE INTERIOR OF THE
UNITED STATES FOR AN EXTENSION OF THE PERIOD OF WITHDRAWAL
OF WATERS OF THE COLUMBIA RIVER FOR THE COLUMBIA BASIN PROJECT.
NOTICE IS HEREBY GIVEN:

That in accordance with the provisions of an Act of Congress of the United States, approved June 17, 1902 (32 Stat. 388), and acts amendatory thereof and supplemental thereto, known as the Reclamation Law, and in accordance with an Act of the Legislature of the State of Washington approved March 4, 1905 (L. 1905, Chap. 88, page 180), and the Act of said Legislature approved March 14, 1917, amendatory thereof and supplemental thereto, application has been made by the Department of the Interior of the United States to the State Supervisor of Hydraulics of the State of Washington for an extension of time within which the waters of the Columbia River watershed, Washington, required for the Grand Coulee and Columbia Basin projects above the Grand Coulee Dam site to the extent of 100,000 cubic feet per second continuous flow, plus 6,400,000 acre-feet of storage, shall remain withdrawn and subject to no appropriation under the laws of the State of Washington, except by the United States, for a period extending from December 14, 1943 to December 14, 1946.

That during the period for which said extension of time is asked, water from the sources above described shall not be subject to appropriation under any law of the State of Washington, except that applications may be received, and, with the consent of the United States, permits granted under pending or new applications

under the Water Code (Laws of Washington, 1917, Chapter 117) for appropriation for storage and use of waters from the aforesaid stream and its tributaries where said appropriations will not conflict with present or projected use by the United States.

That the period of withdrawal of said waters originally obtained under the provisions of the laws aforesaid has been extended from time to time, in the manner provided by law; that the period of the last extension of time within which the United States was required to utilize said waters will expire December 14, 1943.

That any person, firm or corporation interested in, affected by, or whose property rights will in any way be affected by, or prejudiced by the extension of time applied for may file with the State Supervisor of Hydraulics, at his office in Olympia, Washington, objections or representations in writing against said extension within the period from the date hereof until December 13, 1943, after which said time said application will be considered and the matter determined.

WITNESS my hand and official seal this 5th day of November, 1943.

CHAS. J. BARTHOLET
Supervisor of Hydraulics,
State of Washington.

C
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BUREAU OF RECLAMATION
Almira, Washington

December 14, 1934

To the State Commissioner of Public Lands and
the State Supervisor of Hydraulics,
Department of Conservation and Development,
Olympia, Washington

Gentlemen:

Under date of January 4, 1934 notice was given by me as follows:

"State Commissioner of Public Lands,
Olympia, Washington

Dear Sir:

Please take notice that pursuant to the act of Congress of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, the United States intends to make examinations and surveys for the utilization of the waters of Columbia River and its tributaries in the development of the proposed Columbia Basin Project.

The foregoing notice is given pursuant to Section 3378 of Pierce's Code (1929).

Please take further notice that attached hereto, identified as 'Exhibit A' and made a part hereof is a list of lands owned by the State of Washington, over and upon which the United States requires rights of way for canals, ditches, laterals and sites for reservoirs and structures appurtenant thereto; and such additional rights of way and quantities of land as may be required for the operation and maintenance of the completed works for the said proposed Columbia Basin Project. Please file this notice, together with the attached list, in your office, as a reservation from sale or other disposition of such lands, so described, by the State of Washington.

The notice last herein given is in pursuance of Section 3380 of Pierce's Code (1929).

Very truly yours,
T. A. Walters,
First Assistant Secretary."

Section 3378 of Pierce's Code of 1921, provides among other things:

" . . . if the said Secretary of the Interior or other duly authorized officer of the United States shall, before the expiration of said period of one year, certify in writing to the said commissioner of public lands that the project contemplated in such notice appears to be feasible and that the investigation will be made in detail, the waters specified in such notice shall not be subject to appropriation under any law of this State for the further period of three years following the date of receipt of such certificate, and such further time as the commissioner of public lands may grant, upon application of the United States or some one of its authorized officers."

Pursuant to the above quoted provision of the statute, it is hereby certified that the project contemplated in the said above quoted notice appears to be feasible and that the investigation will be made in detail.

The foregoing notice is given pursuant to Section 3378 of Pierce's Code of 1929.

Very truly yours,

/s/ T. A. Walters

First Assistant Secretary.

cc - C.E., Denver
D.C., Portland
Const.Eng.,Almira

C
O
P
Y

January 4, 1934

State Commissioner of Public Lands,
Olympia, Washington.

Dear Sir:

Please take notice that pursuant to the Act of Congress of June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, the United States intends to make examinations and surveys for the utilization of the waters of the Columbia River and its tributaries in the development of the proposed Columbia Basin Project.

The foregoing notice is given pursuant to Section 3378 of Pierce's Code (1929).

Please take further notice that attached hereto, identified as "Exhibit A" and made a part hereof is a list of lands owned by the State of Washington, over and upon which the United States requires rights of way for canals, ditches, laterals and sites for reservoirs and structures appurtenant thereto; and such additional rights of way and quantities of land as may be required for the operation and maintenance of the completed works for the said proposed Columbia Basin Project. Please file this notice, together with the attached list, in your office, as a reservation from sale or other disposition of such lands, so described, by the State of Washington.

The notice last herein given is in pursuance of Section 3380 of Pierce's Code (1929).

Very truly yours,

/s/ T. A. Walters

First Assistant Secretary

Incl. 346915

Copy - Chief Engineer
D.C., Portland
Constr.Engr.,Almira

MEMORANDUM OF AGREEMENT AMONG THE BUREAU OF RECLAMATION,
NATIONAL PARK SERVICE, AND OFFICE OF INDIAN AFFAIRS RE-
LATING TO THE PLANNING, DEVELOPMENT, AND ADMINISTRATION
OF THE COULEE DAM RECREATIONAL AREA

Recitals

1. Whereas, the Bureau of Reclamation (herein called Reclamation) in connection with its responsibility for the construction, operation, and maintenance of the Columbia Basin Project has withdrawn or acquired lands and will acquire additional lands under the Federal Reclamation Laws, being the Act of June 17, 1902 (32 Stat. 388) and acts amendatory thereof and supplementary thereto, including the Columbia Basin Project Act (57 Stat. 14) and the pertinent portion of section 2 of the Act of August 30, 1935 (49 Stat. 1028, 1039) for the construction, operation, and maintenance of the Grand Coulee Dam and the reservoir formed thereby;

2. Whereas, the Committee for the Study of Problem No. 26, Joint Investigations, Columbia Basin Project, has found that the recreational and other natural resources of the Franklin D. Roosevelt Lake and adjacent lands under the jurisdiction of Reclamation, which together comprise the reservoir area, offer unusual opportunities through sound planning, development, and management for health, social, and economic gains for the people of the Nation;

3. Whereas, approximately one-fourth of the reservoir area is contiguous to Indian lands in the Spokane and Colville Reservations under the jurisdiction of the Office of Indian Affairs (herein called the Indian Office), which area has potential uses for recreation and other beneficial purposes;

4. Whereas, there is an inter-relationship between the development of recreational and other natural resources of the reservoir area and the contiguous Indian lands;

5. Whereas, the Congressional Act, approved June 29, 1940 (54 Stat. 703), for the acquisition of Indian lands for the reservoir area and for other purposes, provides, among other things (paragraph 2 of section 1), as follows:

"The Secretary of the Interior, in lieu of reserving rights of hunting, fishing, and boating to the Indians in the areas granted under this Act, shall set aside approximately one-quarter of the entire reservoir area for the paramount use of the Indians of the Spokane and Colville Reservations for hunting, fishing, and boating purposes, which rights shall be subject only to such reasonable regulations as the Secretary may prescribe for the protection and conservation of fish and wildlife: PROVIDED, That the

exercise of the Indians' rights shall not interfere with project operations. The Secretary shall also, where necessary, grant to the Indians reasonable rights of access to such area or areas across any project lands;"

and the Solicitor of the Department of the Interior has written an opinion under date of December 29, 1945, M. 34326, construing the same;

6. Whereas, the use of the portion or portions of the reservoir area set aside for the paramount use of the Indians for hunting, fishing, and boating purposes under authorization of said Act will vitally affect planning and use of the area by others for recreation and other purposes;

7. Whereas, the National Park Service (herein called the Service) is specialized and experienced in planning, developing, maintaining, and managing areas devoted to recreational uses, among others, and by the Act of June 23, 1936 (49 Stat. 1894), is authorized to cooperate with other Federal agencies in developing recreational programs; and

8. Whereas, the respective parties to this agreement are in a position to supply the services herein provided and, in accordance with the provisions of Title VI of the Act of Congress of June 30, 1932 (47 Stat. 417), it has been determined to be in the interest of the Government to use such services;

NOW, THEREFORE, Reclamation, the Service, and the Indian Office, with the approval of the Secretary of the Interior, do hereby mutually agree as follows:

PART I

General Provisions

1. There is attached hereto a set of maps marked "Exhibit A" comprising 4 sheets numbered RA-CD-7001-1, 2, 3, and 4, dated April 15, 1946, on which are shown by general location: (a) the entire reservoir area; (b) the portion thereof comprising the Coulee Dam Recreational Area (herein called the Recreational Area); and (c) the portions of the reservoir area, within the outer boundaries of the Recreational Area, hereby set aside, in accordance with the provisions of section 1 of the Act of June 29, 1940 (54 Stat. 703), for the paramount use for hunting, fishing, and boating purposes by, respectively, the Indians of the Spokane Reservation and of the Colville Reservation. The latter portions are designated herein, respectively, the Spokane Indian Zone and the Colville Indian Zone. Detailed data as to the boundaries of the Recreational Area and of the Indian Zones, as they may hereafter be modified by proper authority, will be kept available in the files of Reclamation.

I-14-77

* A copy of "Exhibit A" is available in the Director's Office, National Park Service.

2. The dominant consideration in the administration and utilization of the Recreational Area under this agreement shall be the purposes for which the Grand Coulee Dam is being constructed, operated, and maintained; these purposes being controlled floods, improving navigation, regulating flow of the streams of the United States, providing for storage and for the delivery of the stored waters thereof, for the reclamation of public lands and Indian Reservations, and other beneficial uses, and for the generation of electrical energy.

3. As between the agencies party to this agreement, Reclamation shall retain: (a) complete and exclusive control of the flow and utilization of water at Grand Coulee Dam and of all public access to Grand Coulee Dam and appurtenant works; and (b) complete jurisdiction and authority over and responsibility for Grand Coulee Dam and appurtenant works, the town of Coulee Dam, and such project lands adjacent thereto as the Commissioner of Reclamation, with the approval of the Secretary, may determine to be necessary for the construction, operation, and maintenance of the Dam and appurtenant works. As of the date of this agreement, the lands coming within the scope of (b) of this article are shown on the attached map No. B-3153, dated October 7, 1941, marked "Exhibit B";* and are herein called the Reclamation Zone.

4. The Service, acting for Reclamation and in accordance with the provisions of the Federal Reclamation Laws, shall have jurisdiction and authority over the Recreational Area, and of all developments and activities thereon, to the extent necessary to the carrying out of its functions and responsibilities under this agreement, subject:

(a) to the privileges and uses for hunting, fishing, and boating accorded to the Indians of the Spokane and Colville Reservations within the Indian Zones, including such rights of access thereto as may be provided by the Secretary of the Interior under the Act of June 29, 1940; and

(b) to the right of Reclamation to make such use of the Recreational Area as is required in carrying out the purposes of the Columbia Basin Project.

5. The Indian Office shall have jurisdiction and authority over the Indian Zones: (a) to the extent necessary to administer the paramount uses for hunting, fishing, and boating accorded to the Indians therein, subject to such rules and regulations as may be prescribed with respect thereto by the Secretary of the Interior under the Act of June 29, 1940; (b) to the extent necessary, acting for Reclamation and in accordance with the Federal Reclamation Laws, to administer grazing and agricultural uses of lands within the designated Indian Zones; and (c) to the extent necessary to issue permits for and to administer log dumping operations within the designated Indian Zones, under conditions mutually agreed to with the Service.

I-14-78

* A copy of "Exhibit B" is available in the Director's Office, National Park Service.

6. The desirability of the Service participating in the planning and development of the Redreational Area is recognized because of its experience and the trained personnel at its command. The Service will be agreeable, however, with the consent of Reclamation and the Indian Office and with the approval of the Secretary, to transferring to any State or other local qualified and responsible political subdivision, the development, operation, and management of facilities that may have been installed.

7. Undertaking to perform the necessary functions relating to the planning, development, and management of the Recreational Area by the Service in no way implies that this Area is a part of, or intended to become a unit of, the National Park System or that the basic preservation policies under which the National Parks and Monuments are administered shall necessarily be applied in the planning, development, and management of the recreational resources of the Recreational Area.

8. The Service will periodically submit itemized estimates of the cost of carrying out its functions and responsibilities hereunder and Reclamation, within the limits of funds that are available for these purposes, will advance to the Service sufficient funds to cover these estimates.

9. The Indian Office and the Service shall submit periodically to Reclamation such reports of their activities hereunder as may be mutually agreed upon by each with Reclamation.

10. All undertakings of the agencies party hereto are contingent on funds required therefor having been made available by Congress.

11. This agreement, while delineating the Zones within the Reservoir Area for the paramount use of the Indians of the Spokane and Colville Reservations for hunting, fishing, and boating purposes, and while providing for certain other rights to be exercised by those Indians, shall not be construed as waiving any other rights of those Indians within the Reservoir Area, which they might have under the Act of June 29, 1940.

PART II

Functions of the Bureau of Reclamation

Subject to the other provisions of this agreement, Reclamation will:

1. In connection with its operation and administration of the Reclamation Zone, have the responsibility for all recreational activities therein.

2. Consult with the Service on all matters in connection with the recreational development of the Reclamation Zone.

3. Provide such facilities in the Reclamation Zone as are mutually agreed on by Reclamation and the Service for use by the Service in connection with its administration of the Recreational Area.

4. Establish and enforce rules and regulations governing public access to Grand Coulee Dam and appurtenant works.

5. Provide directly or by contract, such skilled guide and lecture service at the Dam as may be necessary to give the visiting public the important facts regarding the project, including geology of the region, the history and purposes of the Dam's construction, and coordinate such activity with any related service which may be established elsewhere in the Recreational Area by the Service.

6. Establish and, in cooperation with the Service, enforce such limits of approach to the Dam or to the Recreational Area as may be necessary either for its efficient functioning or protection or for the safety of the public.

PART III

Functions of the National Park Service

Subject to the other provisions of this agreement, the Service will:

1. Be responsible for the preparation of all plans for the development of facilities required for recreational and other uses of the Recreational Area; and arrange for the construction, operation, and maintenance of recreational facilities, except those which may be provided under the direction of the Indian Office in accordance with Part IV hereof.

2. Establish and effectuate policies regarding all uses of the lands of the Recreational Area, except within the Indian Zones with respect to the agricultural and grazing uses and to the hunting, fishing, and boating rights of the Indians.

3. Negotiate contracts for supplying the necessary public services related to any recreational use of the Recreational Area, except such facilities as may be provided for the Indians under Part IV hereof; and prescribe and enforce reasonable rates and standards for the supplying of such services not inconsistent with controlling rates and standards adopted by State and Federal regulatory authorities.

4. Issue permits granting the right: (a) to use lands in the Recreational Area for legitimate industrial and recreational purposes, including the construction, operation, and maintenance of suitable facilities therefor, except those which may be issued by the Indian Office within the Indian Zones, under this agreement; and (b) to make agricul-

tural and grazing uses of lands in the Recreational Area, exclusive of the Indian Zones.

5. Cause to be included in every permit, license, lease, contract, or other instrument which it executes providing for the use of lands in the Recreational Area, provisions, satisfactory in form to Reclamation, recognizing that the purposes for which the project was authorized are dominant with respect to the lands involved, and effecting releases and indemnifications to and for the United States, its successors and assigns, and its officers, agents, employees, and contractors engaged in the construction, operation, and maintenance of the project works.

6. Assume the responsibility for the administration of all contracts, leases, licenses, permits, and other instruments outstanding as of the date of this agreement under which rights to the use of lands within the Recreational Area have been granted under the Federal Reclamation Laws.

7. Collect all payments due from permits, licenses, leases, contracts, or other instruments for which the Service is responsible providing for use of lands within the Recreational Area, and deposit in a special deposit account for transfer periodically to Reclamation for credit as required by law.

8. Designate, in consultation with the Indian Office, those sites within the Indian Zones that are well-suited to development for recreational purposes; and designated sites mutually agreed on by the Service and Indian Office shall be deemed to be public recreational sites and may be fenced or otherwise protected by the Service to prevent interference therewith.

9. Make and enforce such rules and regulations, not inconsistent with controlling rules and regulations of State or Federal regulatory authorities:

(a) As appear necessary or desirable concerning the recreational use of the Recreational Area by the public;

(b) As appear necessary or desirable for the prevention of water and air pollution and for the protection of health, plants, fish, and wildlife; its activities in this regard to be coordinated with those of the United States Public Health Service, the State Department of Health, the State Pollution Control Commission, or other regulatory bodies;

(c) As appear necessary or desirable for the conservation and protection of scenic, scientific and aesthetic values, flowers, shrubs and trees, historic or archeological remains, and for control of all archeological research; and

(d) Within the limits of its jurisdiction, for the preservation of law and order and in the interest of public safety.

10. Coordinate its activities with those of the Fish and Wildlife Service, the Indian Office, and the Washington State Game Commission for the conservation of fish and wildlife in the Recreational Area.

11. Cooperate with all duly constituted authorities in the control of all transportation on the Recreational Area, whether by land, water, or air.

12. Establish and maintain supervisory, informational, and protective services as may be necessary for the safe and full use of the Recreational Area for recreational purposes; and correlate the fire prevention and suppression activities of all agencies having responsibility within the Recreational Area, except the Indian Zones, to the end that such regulations and agreements as are necessary therefor shall be made and carried out.

13. Extend advice and counsel (a) to Reclamation in connection with any park, museum, landscape, resort, or recreational development within the Reclamation Zone whether intended primarily for the use of the residents of that area or the visiting public; and (b), when requested to do so, to the Indian Office in connection with its planning for development and use of the recreational resources of the Colville and Spokane Indian Reservations.

PART IV

Functions of the Office of Indian Affairs

Subject to the other provisions of this agreement, the Indian Office will:

1. Have the responsibility for administration of the Indians' paramount uses for hunting, fishing, and boating in the Indian Zones, under such rules and regulations as may be promulgated by the Secretary of the Interior with respect thereto.

2. Issue and administer agricultural and grazing permits or leases for lands within the Indian Zones, except with respect to public recreational sites mutually agreed on with the Service and, in consultation with the Service, issue and administer log dumping permits at locations mutually agreed to, within the Indian Zones. Where permits are issued to Indians for dumping Indian-owned logs, within Indian Zones, no charge will be made.

3. Transfer to Reclamation periodically the gross revenues realized from agricultural permits or leases and log-dumping permits involving lands within the Indian Zones,

4. Be responsible for fire prevention and suppression activities within the Indian Zones.

5. Arrange for the construction and maintenance, under general plans prepared and mutually agreed upon with the Service, of buildings, floats, and other major structures to be used by the Indians in connection with their paramount rights for hunting, fishing, and boating purposes in the Indian Zones.

6. In addition to other responsibilities, assist the Service in its relations with Indians of the Spokane and Colville Reservations where any of these Indians become involved with the Service as the result of the activities of the Service anywhere in the Recreational Area.

PART V

Effective Date; Term of Agreement

1. This agreement will become effective on the date of its approval by the Secretary of the Interior.

2. This agreement will remain in force until terminated by the Secretary of the Interior.

(SGD) MICHAEL W. STRAUS
Commissioner, Bureau of Reclamation.

(SGD) NEWTON B. DRURY
Director, National Park Service.

(SGD) WILLIAM ZIMMERMAN, JR.
Assistant Commissioner of Indian Affairs.

Approved: DEC 18 1946

(SGD) C. GIRARD DAVIDSON

Assistant Secretary of the Interior.

AGREEMENT BETWEEN THE BUREAU OF RECLAMATION AND
THE NATIONAL PARK SERVICE RELATING TO THE DEVEL-
OPMENT AND USE OF THE GRAND COULEE RESERVOIR AREA

WHEREAS, the Bureau of Reclamation is charged with responsibility for the construction, operation and maintenance of the Grand Coulee Dam and Reservoir as part of the Columbia Basin project; and

WHEREAS, the Committee for the study of Problem No. 26, Joint Investigations, Columbia Basin project, has found that the recreational resources of the Grand Coulee (now Franklin D. Roosevelt) Reservoir area offer unusual opportunities through sound planning and development for health, social and economic gains for the people of the Nation; and

WHEREAS, the large number of visitors who use the lands and waters of the Grand Coulee (now Franklin D. Roosevelt) Reservoir area make it necessary to administer and maintain the area for recreational uses pending the establishment of a permanent plan for recreational development which is being investigated and studied by the above committee; and

WHEREAS, the National Park Service has available the services of personnel having specialized knowledge and experience in the matter of planning, developing, maintaining and administering of areas devoted to recreational uses;

It is hereby agreed by and between the Bureau of Reclamation and the National Park Service;

1. That the National Park Service will undertake and perform the functions necessary in connection with area planning, handling applications for use permits, supervising current uses, negotiating agreements, and submitting recommendations of general administrative policy for the recreational use of Grand Coulee (now Franklin D. Roosevelt) Reservoir area. All permits, leases or agreements executed under this agreement by the National Park Service shall be subject to approval by the Bureau of Reclamation.
2. That the National Park Service will make monthly reports of the activities carried on under this agreement to the Bureau of Reclamation through the Supervising Engineer, Coulee Dam, and will submit proposed regulations to the Supervising Engineer for transmittal to the Bureau of Reclamation for approval.
3. That the Bureau of Reclamation, upon receipt of vouchers for "adjustments between appropriations and/or funds" will transfer to the National Park Service a sum not to exceed \$10,000 for the fiscal year ending June 30, 1946. Expenditures from this sum may be made for equipment, labor, materials, salaries, supplies, traveling expenses, and other items necessary to carry out the provisions of this agreement: Provided, however, That no such funds shall be expended to cover the cost of the normal, usual and continuing functions and duties of the National Park Service.

4. That, upon the termination of this agreement the National Park Service will render full and detailed statement of the purposes for which any such funds shall have been expended, and any unexpended balances of such funds shall be returned to the Bureau of Reclamation.

5. This agreement shall be effective as of July 1, 1945, and shall remain in effect until June 30, 1946, and is made pursuant to the Acts of March 4, 1915 (38 Stat. 1084); May 21, 1920 (41 Stat. 613); June 30, 1932 (47 Stat. 417); June 20, 1936 (49 Stat. 1648); July 20, 1942 (56 Stat. 661); and June 26, 1943 (57 Stat. 219); U.S.C. 31: 686, and subject to the following conditions:

(a) This agreement shall be subject to any rights or privileges accruing to the Indians of the Colville and Spokane Reservations as an outcome of the study now being conducted of their rights under existing law;

(b) Any lease or permit issued pursuant to this agreement shall be made expressly subject to the rights reserved or granted to the Indians by the Act of June 29, 1940 (54 Stat. 703);

(c) Pending a determination of their rights and privileges the Indians of the Colville and Spokane Reservations shall be granted permits to use the shorelands and water adjacent to their reservations for the transportation of logs and the watering of livestock so long as such use does not interfere with the primary use of the Reservoir or with the overall recreational development of the area.

(Sgd.) WILLIAM E. WARNE
Acting Commissioner, Bureau of Reclamation.

(Sgd.) HILLORY A. TOLSON
Acting Director, National Park Service.

Approved: August 9, 1945.

(Sgd.) ABE FORTAS

Under Secretary.

I-14-48

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

ADDRESS ONLY
THE DIRECTOR, NATIONAL PARK SERVICE

REGION 4 E	
JUL 30 1948	
Reg. Dir.	
Assoc. Reg. Dir.	
Asst. Reg. Dir.	
Chief Clerk	
Land Arch.	
Architecture	
Engineering	
History	
Archeology	
Soil Conserv.	
Forestry	
Concessions	
Land and Rec.	

✓ July 28, 1948

MEMORANDUM for the Regional Director, Region Four.

We enclose Coulee Dam Recreational Area Water Right Deed 1, in duplicate, covering the Federal Water Withdrawal for the Grand Coulee Project.

At the moment, this assembly only serves as basic data for reference purposes. The attention of Messrs. Greider and Waterhouse should be called to the present date of expiration. Mr. Waterhouse has advised that the local office of the Bureau of Reclamation advised him that the withdrawal had been extended to 1956 by the Boise Office. The State Supervisor of Washington advises, however, that the extension is only to April 20, 1952. The only significance to this Service is in that arrangements should be made to take water from Franklin Delano Roosevelt Lake for all proposed recreational needs before the withdrawal expires. Our plans, therefore, should be formulated by 1952 except so far as the Bureau may obtain further extension of the withdrawal.

R. V. D. Lunn
Chief, Water Resources Branch.

Enclosure 200.
In duplicate.



AL 3 1948
Crowley 812
Holt 8/4
Manby

Docket Information

Number of Documents in Docket 25
Documents Dated from 6/18/1952 to 6/18/1952
Docket Compiled: 6/3/2016